

**SUFFOLK COUNTY LEGISLATURE**

**SPECIAL MEETING**

**EIGHTEENTH DAY  
NOVEMBER 5, 2008**

**Operating Budget**

**MEETING HELD IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM  
OF THE WILLIAM H. ROGERS LEGISLATURE BUILDING,  
725 VETERANS MEMORIAL HIGHWAY, SMITHTOWN, NEW YORK**

**MINUTES TAKEN BY**

**LUCIA BRAATEN AND ALISON MAHONEY, COURT STENOGRAPHERS**

***[THE MEETING WAS CALLED TO ORDER AT 10:05 A.M.]***

**P.O. LINDSAY:**

Madam Clerk, you want to call the roll, please? Oh, I didn't see Mr. Clerk.

**MR. LAUBE:**

Good morning, Mr. Presiding Officer.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. ROMAINE:**

Present.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

(Not Present)

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

(Not Present)

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**D.P.O. VILORIA-FISHER:**  
(Present)

**P.O. LINDSAY:**  
Here.

**LEG. MONTANO:**  
Montano.

**MR. LAUBE:**  
Fifteen. (Amended to 16 - Not Present: Legs. Kennedy and Horsley)

**P.O. LINDSAY:**  
Okay. Could everybody rise for a salute to the flag, please, led by Legislator Alden.

**(\*Salutation\*)**

I'd like to, if you remain standing, introduce Legislator Nowick for the purpose of introducing our visiting Clergy.

**LEG. NOWICK:**  
Good morning. Reverend Sean Gann was recently appointed Pastor of Saint Joseph's Parish in Kings Park. He was born and raised on Long Island and attended public schools on Long Island. He studied at the Cathedral College in Douglaston, Queens, and graduated in 1989. Father Sean continued his studies at Immaculate Conception Seminary in Huntington and was ordained in 1994. His first assignment was Saint Lawrence Church in Sayville and then Christ the King in Commack. Father Sean is currently the sixteenth Pastor of Saint Joseph's Parish, and, in a rather remarkable coincidence, he was installed as Pastor by Monsignor Peter Ryan, who baptized him at Saint Joseph's 43 years ago.

And while I have the opportunity, I just wanted a word of thanks to the parishioners of Saint Joseph's Parish for being so responsive to my office and generous in donating supplies to our Troops in Afghanistan, and also helping out with the cell phones for VIBS. And welcome to our community, back to our community, Father. Would you like to come up?

**FATHER GANN:**  
Thank you.

**LEG. NOWICK:**  
You're welcome.

**FATHER GANN:**  
My friends, shall we pray? Loving God, source of wisdom and justice, this Legislature seeks your guidance. We all strive to better understand the issues that affect and concern our County and how the scriptures, both old and new, compel us to respond as faithful citizens in our community. We pray for eyes that are free from blindness so that we might see each other as brothers and sisters, one and equal in dignity, especially those, those who are victims of abuse and violence, deceit and poverty. We ask for ears that will hear the cries of those abandoned, men and women oppressed, whether because of race or creed, religion or gender. We pray for minds and hearts that will be open to hearing the voices of leaders who will bring us closer to your Kingdom. On this morn, we especially entrust you this Legislature. We entrust to you those who have been elected to hold public office, most especially our Chief Executive, for our President-Elect Barack Obama. We pray for all our leaders, but most especially those here present, that they will always be open to your guidance, that they will seek to live in your love, and that they will keep in the ways of your truth as

they seek to guide each of us as a County closer to your Kingdom, a Kingdom of justice, love and peace. We pray this as all prayers, and we say Amen. Thank you.

**LEG. NOWICK:**

Thank you.

**P.O. LINDSAY:**

Thank you very much, Father. While everybody's standing, I have a few people that -- unfortunately, Anita Romano, the first woman to serve as a Commissioner of Social Services in Suffolk County, passed away on October 9th. Anita was appointed Commissioner of Social Services in 1983. Zachary Lieb, son of Carla Lieb of our Health Department, who tragically lost his life in an accident on Thursday. And all the men and women that are today in harm's way defending this country, if you would remember them as well. So we'll have a moment of silence for all of them.

*(\*Moment of Silence\*)*

Thank you very much. Okay. Welcome, everybody, to this, I guess, Special Meeting of the Legislature that has to do with primarily budget issues. Has the proper notices been sent out and advertised, Mr. Clerk?

**MR. LAUBE:**

Correct.

**P.O. LINDSAY:**

Okay.

**MR. LAUBE:**

They have been.

**P.O. LINDSAY:**

Okay. The agenda is before you and starts off with a one-hour public portion. Each speaker will get -- yeah, will get three minutes. We have a number of cards, so I'm going to call who's up, who's on deck. And we have a very ambitious agenda in front of us today that we hope to get through with in a timely manner. First is Frances Gentleman, followed by Mary Finnin.

**MS. GENTLEMAN:**

Good morning. I'm France Gentleman. I am a recently retired employee of the Department of Health Services. In my over 20 years of service to the Department, I have served most recently as the Acting Assistant Division Director of Patient Care, but I started as a Registered Nurse and I worked in various programs throughout my 20 years as both a Nurse Manager in a health center and as an Administrator in a health center, and as Coordinator of the Prenatal Program, and on the Infant Mortality Study, which directly impacted the infant mortality rates positively in Suffolk County.

I tell you this because I come to you today with somebody who has firsthand experience, both feet on the ground, in the health centers and from a management perspective. And most specifically, I would like to talk to you today about the position of the Q nurses in the health centers. There is a resolution before you today to increase the compensation that these Q nurses receive. Years ago they were the fill-in nurses, but as the programs and the Division has consistently lost staff, the Q nurses now are directly responsible for some very integral programs and responsibilities in the health center.

Specifically, as I said, when I left, I was in charge of the Prenatal Program and there was a Q nurse who worked directly with me to assist in the management of the program in all of the health centers. My position has not been filled. She is in charge of the entire Prenatal Program at this point. She is limited to 17 1/2 hours a week, and she must try to squeeze in many, many activities and

responsibilities during that time. I know for a fact that she works more than that, but she's only allowed to get paid for 17 1/2 hours.

We also have Q nurses working in the Brentwood Health Center who are in the Prenatal Program doing the education and the prenatal interviews, which are State required for the PCAP Program; their hours also are limited. They are -- there are nurses -- there are Q nurses in the Children's Immunization Program. I believe that they are -- at least half the nurses that provide those immunizations are Q nurses. In the Family Planning Program, they are responsible for the management of the programs at the centers.

It should be noted that these nurses, at least 50% of them are Master's prepared or Bachelor's prepared, with the other 50% being an Associate Degree, yet their salaries are less than a starting nurse in the County. They did not get a raise when the rest of the nurses got a raise with the last contract. They are still far below what the starting nurse would make now.

**P.O. LINDSAY:**

Frances, if you could wrap up, you're out of time.

**MS. GENTLEMAN:**

I ask you to consider that they be -- that the resolution before you be passed for at least making them comparable to the regular nurses that work in the health center.

**P.O. LINDSAY:**

Thank you very much, Frances. Mary Finnin, followed by Don Garber.

**MS. FINNIN:**

Good morning. I have made some copies, so could I --

**MS. ORTIZ:**

Sure.

**MS. FINNIN:**

To expedite the time. The resolution before you on Q Nurses gives a 9.7% increase to the RNs that are Q's, and most of them have worked 10 to 21 years for the County on a regular basis. Up until April, they've worked three and four days a week. They are County employees, regularly scheduled, but they don't get vacation, or sick time, or holiday time, or even transportation reimbursement.

The rate that is recommended for an increase, while I'm very happy to see that it's a move in the right direction, they haven't had an increase in six years. The increase that was proposed for the LPN is 23.9%, the increase for the RNs are 9.7. The role and responsibility of the nurses far exceed an RN staff nurse title at the rate they're paid, but that's the only title available to them at the moment, because a few years ago, they had to give up their titles as nurse practitioners and PHNs, which were a higher salary rate, in order to work more than 17 1/2 hours in the clinics. Then this April, after 20 years of working three and four days a week, their hours were reduced by -- to 17 1/2, and they were given a mandated leave without pay of 70 hours to be implemented before the end of this year. So I am asking, as a minimum, that they at least get the same percentage increase as proposed for the LPNs. And that, also, I think we're talking about a nickel in terms of what the cost would be. It would be about an additional \$20,000.

So I ask this on behalf of the nurses that have served you well. They are competent professionals. They deserve your respect and wages comparable to the salaries that are paid in the area. Thank you.

**P.O. LINDSAY:**

Thank you, Mary. Don Garber, followed by Bruno LaSpina.

**MR. GARBER:**

Good morning. My name is Don Garber, I'm from Setauket. I'd like to speak to you about the Vanderbilt Museum, and I have no affiliation with the Vanderbilt Museum.

**D.P.O. VILORIA-FISHER:**

Don, can you pick your mike up?

**MR. GARBER:**

Okay.

**D.P.O. VILORIA-FISHER:**

Thank you.

**MR. GARBER:**

I'm going to be talking about the Vanderbilt Museum. I have no affiliation with the Vanderbilt. I'd like to make about four points.

First, the Vanderbilt Museum is a -- just a fantastic resource for Suffolk County. It is not only this historic house, but it's a science destination, etcetera. I hope all of you had recently visited the whale shark, which, for that money alone, is really a huge, huge resource.

The present -- the Vanderbilt Museum was given to the County, had a minimal endowment. The present management has been able to, in the small endowment, to, in fact, operate the thing, maintain it, which is a big thing, and was doing quite well until, no fault of their own, the Wall Street fiasco, which has precipitated this decision, this meeting.

The cost of replacing the Vanderbilt Museum is just not -- couldn't be entertained now.

There's -- later on today, there's going to be a motion, a resolution having to do with doing the bridge funding that this facility truly needs. It's important to keep it going. This resolution has some pain associated with it, has hot-button issues, which we understand, but for those of you who are voting on this resolution, you should really think in terms of alternatives. The motion -- resolution is creative. And the important bottom line is that this group should maintain the viability of this institution, which is a treasure. I would hope you would support the resolution. Thank you.

**P.O. LINDSAY:**

Thank you very much, Mr. Garber. Bruno LaSpina, followed by Peter Quinn.

**MR. LASPINA:**

Good morning. First of all, I'd like to thank the Presiding Officer for giving me this opportunity to appear before all of you. And, again, my name is Bruno LaSpina and I'm here as the CEO of Transitional Services.

Just let me tell you a little bit about Transitional Services. This is a mental health agency that provides housing and support services for over 140 Suffolk residents. Part of that program has a special employment program as a program that's available, not only to the clients in our program, but also to all other -- all other mentally ill individuals who are residing here in Suffolk. This program has been in existence for the past 15 years, and over the course of that time has served hundreds of clients and given them, perhaps for the first time in their lives, an opportunity at a real work environment. All of the clients in the program are paid at least a minimum wage, and over the years many of them have transitioned into competitive employment.

This is a program that was originally funded by the New York State Office of Mental Health, but, over the years, that office moved many of these programs over to Medicaid and, unfortunately, we were not eligible for that. I want to thank the Legislature, and I want to thank Cameron Alden and all of you who have been supportive over time to our programs, for restoring the funding that's so critical for the -- for the ongoing success of this program.

I just want to point one other thing out. This program is so important to our agency and to the clients that we serve, that we maintain this program even in the face of the fact that it loses money each year. So, again, I want to thank all of you for your support and for restoring the allocation for the funding that's so critical to this program. Thank you.

**P.O. LINDSAY:**

Bruno, just as clarification to my colleagues, the funding hasn't been restored. There's a stand-alone in your packet to restore the funding. It hasn't been restored yet.

**MR. LASPINA:**

Okay.

**P.O. LINDSAY:**

We have to vote on it later on.

**MR. LASPINA:**

Then I stand corrected.

**P.O. LINDSAY:**

Thank you very much.

**MR. LASPINA:**

Thank you.

**P.O. LINDSAY:**

Peter Quinn, followed by Anita Fleishman.

**MR. QUINN:**

Good morning, members of the Legislature. I'm a longtime citizen activist, and amidst the euphoria of yesterday's elections, I worry. I worry about the economy and the impact it's going to have on all levels of government. I'm bothered by FreddieMae and Freddie Mac having credit default swaps of 1.3 trillion dollars, of which our money has been used to bail them out to the tune of 125 million, so far -- a billion so far, and they're still bleeding.

I worry about State government, where Governor Paterson is reconvening the Legislature for the second time there to discuss the revenue shortfalls of State government, where Paterson projects by 2010 a 12 billion dollar shortfall in revenues, and 47 billion dollars by 2012. How's that going to trickle down to all of our local governments, counties, towns, villages and cities? The adverse impact is going to mean job losses. But we've watched the corporate America create all kinds of job losses, so if people don't think that we're heading toward a depression, despite what the business pundits say, they're mistaken.

So the remedy: One, for the State Legislature to enact what the Assembly passed, a 1% increase in a tax on those earning a million or more, which would raise two-and-a-half billion dollars. I think it ought to be doubled. I urge you to give that idea to the State Legislature and the Governor.

I applaud Legislator Fisher's idea to raise almost two million in -- by taxing at 2 1/2%, the real goal being to open your reserve funds, so that you'll have money to meet your payrolls over the next year. But I worry about job losses. I do hope that you still, nonetheless, recognize that you've got to keep municipal employees, including those at the John Foley Hospital, under contract, rather than come in with private sector employees. So you've got a tough job ahead of you, but I'm hoping that we're able to preserve jobs through this Legislature. Thank you very much.

***(Applause)***

**D.P.O. VILORIA-FISHER:**

Thank you, Peter.

**P.O. LINDSAY:**

Thank you very much, Peter. Anita Fleishman, followed by Robert MacKay.

**MS. FLEISHMAN:**

Good morning. I know you all still have to vote, but I'm just here to say thank you. That's all I want to say, thank you for your recognition of the plight of mental health contract agencies. Thank you for your anticipated support. It is most welcome and most appreciated. Thanks.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Anita, for your brevity. Robert MacKay, followed by Cheryl Felice.

**MR. MACKAY:**

Good morning. I'm Robert MacKay --

**P.O. LINDSAY:**

MacKay, okay.

**MR. MACKAY:**

-- the Director for the society of preservation of Long Island Antiquities. Our offices are in Cold Spring Harbor, and we own or have under our auspices historic house museums running the length of Long Island. I'm here this morning to speak about the Vanderbilt, the flagship of heritage tourism in Suffolk County, tourism being, of course, our second biggest regional industry, the Vanderbilt hugely important to that. It has an impressive visitation annually. It has reached upwards of 200,000 in certain years. And we should all be reminded that the name of this museum is the Suffolk County Vanderbilt Museum. It should not be out of mind, out of sight because it has a modest endowment.

We call on you to support the bridge funding resolution. This, as Don Garber just said, is a Long Island treasure, and we ought to keep it right up there on the shelf of our County treasures. Thank you so much.

**D.P.O. VILORIA-FISHER:**

Thanks, Robert.

*(Applause)*

**P.O. LINDSAY:**

Okay. Cheryl Felice, followed by Dominick Ogno.

**MS. ALLONCIUS:**

Could we put Dominick Ogno up first --

**P.O. LINDSAY:**

Sure.

**MS. ALLONCIUS:**

-- if he's possibly in here? Cheryl is speaking right now.

**P.O. LINDSAY:**

Okay.

**MS. ALLONCIUS:**

Thank you.

**P.O. LINDSAY:**

Okay. For those of you that don't know it, there's a demonstration outside that's probably more entertaining than me reading these cards, but --

**MR. OGNO:**

Actually, it just ended, Legislature.

**P.O. LINDSAY:**

Oh, it's ending. Okay, good.

**MR. OGNO:**

Yeah. Good morning, everybody. My name is Dominick Ogno. I've been a County -- I've been a volunteer for the County for over 15 years, and a County worker for two. I have attended these meetings for the past six months and I am outraged. What Steve Levy is doing is immoral. Bringing the Ethics Committee not -- bringing the Ethics Committee in on only certain Legislators is a joke. Also, in 2006, there were no ramifications on Steve Levy when one of his members did not sit in on a meeting, so it made the meeting null and void. His excuse was he did not know what time the meeting was. At the end of the year, if I didn't pay my taxes, I'm pretty sure there would still be ramifications. That excuse that I didn't know wouldn't work. Okay?

I don't understand how the County, that is supposedly the ninth largest Department of Health in the nation by size and budget cannot afford to have this facility and the many services that it provides for the community. It doesn't make any sense. I feel that you are not looking into the future or anticipating the needs that we face. And I'm sorry that you cannot come to find the time to meet with some of our amazing residents or workers at this facility, and that I think it is a vital part of this County.

Once again, I'd like to thank all of you. And Mr. Lindsay, thank you. Take care.

**P.O. LINDSAY:**

Thank you, Dominick.

*(Applause)*

Is Cheryl ready yet? No. Christopher DeStio.

**MR. DESTIO:**

Good morning, everybody. I'm speaking nice and clear and not too loud today. I'm Chris DeStio from the John J. Foley Nursing Home. I'd like to just go over a couple of things.

I just hope all our Legislators here, once you guys vote on this, that you stay on top of this issue with John J. Foley. Eventually, when we get the management team in at John J. Foley, you know, we've got to look at a number, too. It takes -- it's going to take a few years to find out exactly how we can run John J. Foley actually at a maybe even pace here, and we've got to see what number is acceptable to all these Legislators here to keep John J. Foley going, whatever that number might be, but it's going to take time, and a lot of oversight, and a lots of hard work from all our Legislators, which all you guys, everybody has been doing a very good job trying to keep us open. And we really do appreciate everything you've been doing for us.

I had the opportunity yesterday to speak to our County Executive for a brief period, and he was very polite to me and a couple of my constituents, and -- but one thing that I did find out, that, you know, he's steadfast on his plan with the building, it's simple as that. That's not going to change, that's never going to change. So we've got to stay -- we've got to stay on top of this also, as the Legislators and the staff at John J. Foley and the Union. We can't change our pace either. We've

got to stay on top of this every single day, even after all the votes are in and, hopefully, you know, when our County Executive vetoes this, we override it. This is not going to stop. This is a continual fight for a very, very long time. And, hopefully, we can all -- we all have stamina in here and we could just continue this fight also. But his heart will not soften to the John J. Foley issue, so we should not soften our hearts to the issue either and we continue to fight.

And, once again, every single Legislator in here, I know everybody's put effort and a lot of work into this budget, and we do really appreciate it, the residents and the staff at John J. Foley, and I really, really thank you.

**P.O. LINDSAY:**

Thank you, Chris.

*(Applause)*

Okay. I see Cheryl is in the room, followed by Gretchen, looks like Oldrin Mones.

**MS. FELICE:**

Good morning. Thank you for your patience, Presiding Officer Lindsay. And good morning again to all of the Legislative Body. We're here today on behalf of the Suffolk County Association of Municipal Employees and the workers over at John J. Foley Skilled Nursing Facility.

The issues you've heard before, they're -- it's no secret where AME stands and how special we know the workers at J.J. Foley are. And what you saw today was a coalition of labor groups that came in to say, "When one is down, we're all down." And we're going to stand here and we're going to stand in solidarity with all of you, because J.J. Foley affects the entire community of Suffolk County. And if J.J. Foley is lost now, it's lost forever.

We're letting you know, too, that AME is very, very strong on seeing this fight to the end. And we're very appreciative of the cooperation received at the direction of the Presiding Officer's Office to restore the funding to Foley. We wholeheartedly support the omnibus resolution, and to compel the County Executive to follow the law, which was the opinion of this Legislature he broke.

We have filed an Article 78 in the New York State Supreme Court on the violation of the Mary Hibberd and we filed that lawsuit yesterday. It is our contention that the County Executive will veto the legislation that you put forward today, and that you will have to then entertain a veto override to sustain one of the crown jewels in Suffolk County.

We also think it's disgraceful that the County Executive continues to sit on a rainy-day fund of over 131 million dollars that the Suffolk County residents have already paid for. So, to commemorate the action that we believe, on behalf of AME, this County Executive needs to take, we are providing you with the "rainy-day" umbrella. The County's in the red only because the actions haven't been taken care of initially. So this umbrella, which we won't open up here because we don't want to initiate any bad luck, but it's going -- one of them is here for all of you just to commemorate and to call attention to the members who provide a service for you each and every day; they are second to none. And people -- I just saw out of the corner of my eye a woman who came up to join us today. This is Loretta McGuinness. Loretta McGuinness is a Charter member of AME, she's a charter member of the AME Executive Board, and she's an active retiree who has been voted a life member at our convention last year. She felt -- and as you can see, she's been entertaining some difficulties lately, but that's how labor sticks together. And she knows that if, God forbid, she needs Foley, she wants to know that it's going to be there, because so many of us have had family members who utilized the great services of Foley.

So just remember the rainy-day fund is there for a rainy day. And even the most fiscally conservative, in New York City, Mayor Bloomberg tapped into his rainy-day fund, too. Suffolk County can do the same. It's a fiscally responsible thing to do. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Cheryl. Okay. We have Gretchen, followed by Carmen Collins.

**MS. MONES:**

Good morning. Thank you for this opportunity to speak. I'm Gretchen Oldrin Mones, a lifelong Suffolk resident, an educator, and I proudly serve as a Trustee of one of New York's finest museums, the Vanderbilt. The Vanderbilt is a treasure for you, the Legislators, and for everyone in Suffolk County and Long Island. It's something that we can all be proud of. It's 43 acres of Gold Coast property open to the public year-round for enjoyment and education. And, very importantly, it is a premier field trip destination for our children. Imagine it not being available to them?

The Vanderbilt showcases an Egyptian mummy, a Jurassic dinosaur display, and a world class exhibit of the sea, featuring the largest whale shark on record. These are just some of the wonders of the Vanderbilt, enjoyed by tens of thousands of our children. And what's more fun than a trip to the planetarium? Our planetarium programs, like all of our educational programs, are a unique blend of original programming guided by New York State learning standards. We are on the verge of making a child's field trip here even more memorable by upgrading the Star projector. Our productions will rival those of the Hayden Planetarium, and our programs will surpass them, because we alone offer original interactive programming.

Without help from you today, the very existence of this museum is threatened. Please consider two things, staff and continuity of museum programs. If the museum were to shut down or curtail its programs, it would be a giant step backwards. It would take years, if not decades, to bring staff and programs back on board.

Our staff, some of whom are here today, are very qualified people who are often underpaid and under-appreciated. They've worked at the museum through good times and bad times, mostly out of love and dedication to the mission of the Vanderbilt. And I'll close with an excerpt from a letter of support written by a friend.

"The decision on whether or not to help fund the Vanderbilt Museum brings to mind an anecdote associated with Winston Churchill. During the height of World War II, Britain faced severe economic hardships. When Churchill was confronted by a suggestion from one of his Ministers, that closing the museums and the theaters would save money, Churchill responded with the famous line, "If we close the museums and the theaters, just what would we be fighting this war for?" We all need to fight to preserve and protect this Suffolk County treasure. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you very much, Gretchen. Carmen Collins, followed by Linda Ogno.

**MS. COLLINS:**

Good morning. I'm one of the staff at the Vanderbilt Museum, and I would just like to express a few words here.

The Vanderbilt Museum has been a defining symbol of Suffolk County for over six decades. It is a unique institution. It has a rare combination, and art and natural science collection with a mummy, and, above all, a planetarium.

Suffolk Legislators are not only lawmakers, but are the guardians of our recreational and cultural resources. This museum has served the County for three generations with rich school programs and as a place for tourists to visit and enjoy its natural beauty and personality. Legislators have a duty

to save the Vanderbilt and other cultural institutions in the County.

Closing down the Vanderbilt has economic reverberations. It attracts visitors from everywhere who bring dollars to hotels, restaurants and shops, both in the eastern and western parts of Suffolk. One way to serve -- to solve the financial crunch might be simply to levy a \$3 charge on all Suffolk households. Who would object to that? Once this Suffolk County landmark is destroyed, it cannot ever be replaced and we will all be the poorer for it. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Carman. Linda, followed by Kathy Liguori.

**MS. OGNO:**

Hi. My name is Linda Ogno. I'm a proud employee of John J. Foley.

*(Applause)*

I have a letter here dated October 27th, 2003, from our County Executive when he started running for election. He said in here, "This election will determine if we have the same "Ol' Boy" network that worships the patronage guards or the Executive who wants to uphold our civil service system and base promotions on merit, what you know rather than who you know." He said, "We need honesty." I'd like to know what happened to that County Executive. Unfortunately, he said he never had any intention of cutting benefits, but I guess he never said nothing about cutting jobs. He paraphrased Dr. Mary Hibberd, who quit in frustration, "They can never seem to find the money for the important needs, but they always find money for their patronage." He said, "We'll change that in January." I'm still waiting. He said he will continue to pursue ideas that he championed while on the Legislature, including expanding employee on-site day care and the implementation of flexible work hours for his employees. Finally, he said, "I believe we have too many chiefs and not enough Indians." And I'm here to tell you, I don't mind being one of the Indians if the Chiefs are doing the right job. He also said that he would bolster our workers in the trenches who deliver services for our constituents and seek fair wages for our hardworking civil servants. Well, that's me, and that's my coworkers. And here's the letter for you to read.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Linda. I didn't realize you were done. I thought you were handing in something and going to continue. Kathy's up, and followed by Mary McKell. Go ahead, Kathy.

**MS. LIGUORI:**

Thank you. Thank you so very much for your genuine concern toward child care, and thank you to Legislator Viloría-Fisher for sticking her neck out. And I sure wish I was here asking for the vote of a cup of joe today.

As you know, the State allocation cuts and child care budget shortfalls for child care have been going on. Intake of Suffolk County child care services have been closed, and we have over 600 families that have requested services, and now we have over 450 on a waiting list and it's growing. Now, families of three earning up to \$11,061 a year are eligible for child care assistance. Could you imagine just earning \$11,000 a year and living off of that, while this past June, a family of three could earn up to \$37,000 a year for child care eligibility.

Eleven hundred children will not have child care services this year. Remember that number, eleven hundred children, just in order to balance this budget. Those parents will make compromised

choices, and the universal consequences are severe and will have serious repercussions that will trickle up to denying children's services of which they're entitled, like nutrition programs and early intervention for special needs.

I have for you to consider thousands of signatures and letters from voting taxpayers. These signatures are one way -- in one way, shape, or form, they are supporting child care; some include John J. Foley Nursing Home. Today, as you consider your task of voting for changes to the 2009 Suffolk County budget, please consider the following when it comes to the line item for child care and the possible necessity to override a veto.

Child care providers are small businesses that pay Social Security, Federal and State income taxes, property taxes, Workmen's Comp, health care, vacation and sick time. We directly employ over 17,000 people on Long Island as a whole. That's a significant number. Four thousand Suffolk County children need care and only twenty-nine hundred will receive care from the County Executive's recommended budget of 29 million. Twenty-eight million dollars is coming from the State allocation, and one million dollars is coming from the Department of Social Services, and that will cover the maintenance of effort in order to sustain the State funding. Your million will open the door with a welcome mat to approximately 120 lost children. That's significant.

Please, forgive me, as I hate to sound like a broken record, but from the 2009 report from your Budget Review Office, it states, according to a 2004 child care industry report, an integral part of Long Island State economy -- I will wrap up -- during the time the study was conducted, it showed that for every dollar spent in child care, 1.92 would be generated to the local economy, and then it had stronger and more significant linkages to the regional economy than many other industries such as banking. Child care has stronger and more significant linkages to banking. Could you just think about that? When did the banking industry ever pay 1.92 on a dollar? No pun intended, but I hope that catches your interest. And likened to the banking industry, your local bailout will help prevent turmoil to many personal account-holders in the child care industry. You have made a wise investment and we sincerely thank you.

***(Applause)***

The letters --

**P.O. LINDSAY:**

Okay. We have Mary, followed by Kathleen Reeves.

**MS. MC KELL:**

Good morning, Ladies and Gentlemen. My name is Mary McKell. I'm a 40-year resident of Suffolk County in Huntington Station, and an eight year employee of our proud Vanderbilt Museum. As you now realize, the Vanderbilt Museum on Huntington's beautiful waterfront faces severe fiscal shortfalls and cutbacks, despite innovative new programs and approaches. Its looming closing would deprive Suffolk County and, indeed, all Long Island of a truly great cultural, educational and historic entity. I have personally greeted, and assisted, and welcomed thousands of schoolchildren, families and guests from all over the United States and abroad who have flocked to this landmark to enjoy and appreciate the generous and visionary legacy of William K. Vanderbilt II, its beautiful park-like grounds, and amazing marine and natural wonders. Indeed, hundreds of tourists also arrive by busloads to appreciate this museum of ours and enjoy local restaurants and shopping.

I would like to point out the loss, also, of our unique Living History Program sponsored by Vanderbilt Museum, and widely covered and appreciated by our friends in the media and local broadcasting channels, 13, 21, and 12; thank them. Our gifted staff recreates life as it was lived in a reenactment format entirely scripted and costumed by Mansion staff, much to the enjoyment of youngsters learning about life on these great estates, and the stream of famous historic figures who were guests at Eagle's Nest, and part of our past. What a fun way to experience our great past and history.

Please, give this wonderful museum a helping hand as we plan a future even more wonderful and storied than our proud past. Thank you for your kind attention.

*(Applause)*

**P.O. LINDSAY:**

Thank you.

**D.P.O. VILORIA-FISHER:**

Mary. I just wanted to -- Mary, excuse me. We're not supposed to ask questions, but do you sometimes play the cook?

**MS. MC KELL:**

Yes, ma'am, I do.

**D.P.O. VILORIA-FISHER:**

Okay.

**MS. MC KELL:**

Delia O'Rourke, at your pleasure. Come and see me for a drop of the creature.

**P.O. LINDSAY:**

Kathleen Reeves, followed by Michele Burstin.

**MS. REEVES:**

Good morning Presiding Officer Lindsay, and Ladies and Gentlemen of the Legislature. My name's Kathleen Reeves and I'm a nurse at the John J. Foley Skilled Facility.

**P.O. LINDSAY:**

Kathleen, could you just push that mike over right in front of you. There you go.

**MS. REEVES:**

Okay.

**P.O. LINDSAY:**

Try that.

**MS. REEVES:**

Okay.

**P.O. LINDSAY:**

Good.

**MS. REEVES:**

What I want to say is that County Executive Levy in his press releases has stated that if the John J. Foley Skilled Nursing Facility was sold, that the current residents would be guaranteed their beds. And this may be true initially, but it's not to say that it's going to continue over time, because private facilities have a way of ridding themselves of residents that they do not choose to keep. And it's my opinion that I really doubt that County Executive Levy would take back possession of the facility if this should start to happen.

We have many residents who would not fit into the setting of a private facility, residents under the age of 50, residents who have behavior problems, many with underlying mental illness, and residents who suffer from severe dementia. Moving these dementia residents would be a very

traumatic experience for all, but for some, in fact, it would be fatal. The John J. Foley Facility has the only designated HIV/AIDS Unit in the County, and it is also a designated evacuation center in the event of a disaster. It is my understanding that it is only one of four centers designated to care for the elderly in the County should such a disaster happen.

The facility has been grossly managed over the last -- over the years, as we all know, and Mr. Levy has done nothing during his time of service to correct this situation. The deficit has increased while under his watch. His solution is to divest the County of the Facility in order to propose no new taxes for 2009. I'm sure that every one of you would like to propose no new taxes for 2009, but not at the expense of some of the most vulnerable and needy residents of Suffolk County, not at the expense of 300 -- approximately 300 dedicated County employees, and certainly not for approximately \$3, which is less than -- excuse me -- less than the price of a cup of coffee.

I'd like to thank every one of you who has supported us over time, and hope that you would continue to do so in the future. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Thank you very much, Kathleen. Michele Burstin, followed by Caroline Mule.

**MS. BURSTIN:**

Good morning, Ladies and Gentlemen of the Legislature, and thank you for allowing me the opportunity to speak today. My name is Michele Burstin and I am a Social Worker at the John J. Foley Skilled Nursing Facility. I have worked there for 10 years, and with the County for 22. When we say that John J. Foley is truly a facility of last resort, it is not an exaggeration. Out of the 264 residents, 46% are under the age of 50, with multiple bio-psycho-social issues. This has been a long difficult process for all concerned. We know that this is not the end, but we thank you for the time to prove that Suffolk County should continue to own and operate John J. Foley for our current residents and to meet the needs in the future of the residents of Suffolk County. Thank you for your time to listen.

*(Applause)*

**P.O. LINDSAY:**

Caroline, followed by Carol Hart.

**MS. MULE:**

Hi. My name is Caroline Mule, and I am a direct neighbor of the Vanderbilt Museum, and living next door is a great privilege. I am also a Cub Scout Leader for Bears, a Daisy Leader, and also a camp counselor at Camp Alvernia.

Despite all the wonderful things that the Vanderbilt offers, I work with children and children love to do things by doing. They learn by doing, and getting them out of the classroom and into an environment such as the Planetarium, or dredging things up in the water through an environmental program, learning about things about Long Island specific to their neighborhood, learning about their community. I don't even just think of the past with the Vanderbilt, I'm moving forward with the Vanderbilt. It takes but a moment to inspire a child of any age, and adult of any age, to go, "Wow, this is in my world, this is in my lifetime, and Star Wars isn't something that's fantasy, it's here and it's now." The Planetarium, where else is it on Long Island? Nowhere else but the Vanderbilt.

My kids, all kids, our community, Centerport is part of Harborfields School District, Long Island, throw the net wider, people are coming in from all over to not just learn, but to experience. It's really important to experience. It takes but a moment for that child, that adult, I don't care what age you are, to say, "You know what, this might work, this might help our community, this might help our environment." The museum isn't just a rich museum of some famous old guy who had a lot

of money, it's a living museum of facts and things to find. New Zealand just found a pig or something that might be a cure to TB, one. What if there's some animal sitting in that museum that's the next cure for something on this Island or for the world? Who knows. What if the Planetarium sparks an idea in some scientist's head, or a kid's idea who's building a science project and says, "Wow, this is so simple, if I just put this and this together, it might work"? This is why I'm fighting for the Vanderbilt. It's not just the past, it's the future. The future's here, it's moving forward, and we really need it.

I also -- I can't speak for everyone in my community, but I'm a can-do, we-can-do-it kind of person. I like to give back to my community. And we've got a community, in speaking with a lot of people who live around me in the Harborfields School District, not hundreds, if you haven't already received thousands of E-mails, because going around getting signatures, I'm willing to do that if that's what you need, but the E-mails have gone through every parent throughout Harborfields, and I'm sure it's going to stretch way beyond just our School District. They feel it's just as important. If it's just a matter of being a pebble in a pond and rippling out the information and the awareness, let me be that vehicle. I will help. Harborfields District is a very hands-on community. The parents are, if not overly involved in PTA, we are so into our community, but it's not just for us, it's for everyone, not just kids, adults, too. We all get to benefit and enjoy.

So, please, whatever it takes, it may not be as important as feeding a child or a health benefit, or what have you, I agree. It's -- it may not be on the priority of things, and I understand that, but, also, it's not just a past figure that we're trying to save, it's not just an old embodiment that we're trying to save, it's something that lends to the future, and a lot of things could come out of that future if a child or an adult can put something together and say, "You know what, this might work, this might solve a problem on Long Island or for the world." And who's to say it wouldn't happen right in our own backyard if we just open our eyes and look. So, whatever you need --

**P.O. LINDSAY:**

Thank you, Caroline.

**MS. MULE:**

-- the community will help.

*(Applause)*

**P.O. LINDSAY:**

Carol, followed by George Roach.

**MS. HART:**

All right. Well, thank you. Coming through a crisis like the Vanderbilt is facing right now has had a little bit of a silver lining and you just saw one of those linings. The community has come forward, they are stepping up. They're coming to my door, "What can we do? We will volunteer with membership drives, we will help with special events." So that's the good thing that's coming out of this. We've had petitions, letters, again, spreading across the Island by folder for District -- your Legislative District, this is not just affecting the local Huntington area.

This is the first time in over 50 years that the Vanderbilt Museum has come to Suffolk County and said, "We need help with our Operating Budget." You know why. For the last ten years, we've had a 1.2 million dollar distribution from our endowment. That has stopped. We will not be getting that in 2009, and, in fact, as of this month, I'm not getting any distribution. We need your help.

We have had a plan in place at the museum for over ten years and it focuses on our capital projects for sustainability. You're aware of some of these projects; our waterfront, our seaplane hangar, our Planetarium. The good news is that by the end of 2009, first quarter of 2010, the waterfront boardwalk, a large part of it will be done and open to the public. The seaplane hangar will have been restored enough that we can have access to the beach. Our Planetarium will have a brand new

star projector, full dome video, new audio, making us one of the premier sites in the northeast. We just have to get through to that point, and we need to have the resources to take advantage of the boost that the publicity will give us to get out there for naming opportunities and other things. Meanwhile, I'm doing everything I can to cut the budget.

As of today, we're closed on Wednesdays, Thursdays and Fridays. This means a savings of maybe \$150 this time of year, but I need a new computer, and everything, a little bit helps. We have, as of this week, reorganized our security. Instead of going outside from the 7 to 3 shift, our own staff is manning. Our Human Resource person is in there, a collections manager is putting hours in. We will be saving time as well as jobs. Rather than having to lay people off, we're moving them into greeter/security positions. By the end of the year, all our security will be handled in -- on-staff, our own staff, again, with substantial savings.

Studies have shown that museums are one of the most trusted of institutions, museum professionals among the most trusted. I won't go into who's at the bottom of the trust list, but --

**D.P.O. VILORIA-FISHER:**

No, don't, it wouldn't be a good thing.

**MS. HART:**

But why is that? It's because people understand that no matter what the vagaries of the times, the politics, the polemics, the economy, there's something honest and truthful about real artifacts and archives of our past. Interpretations may change, our priorities may change, but museums are places where the original stuff is saved. You can always go back to the sources. We, you and I, are the stewards of this stuff and the buildings that house them. I've been the Executive Director now for two weeks. I'm asking for your help. We have lots of ideas, lots of plans, but I am going to need your help to get through the next year. Thank you.

**P.O. LINDSAY:**

Thank you, Carol.

*(Applause)*

**MS. HART:**

Thank you.

**P.O. LINDSAY:**

George Roach, followed by Nancy Marr.

**MS. ROACH:**

Good morning, Presiding Officer Lindsay, members of the Legislature. My name is George Roach. For those of you who don't know what I do, I am the Chief Attorney for the Legal Aid Society's Senior Citizen Division. We provide the legal services to the senior citizens of Suffolk County, that is, 60 years of age or older. October 29th, I started my 30th year with the Legal Aid Society in this capacity. I've been at this for 30 years.

As you know, these harsh economic times fall most hardly on the senior citizens of this County, the people living on the fixed incomes, they just don't seem to be able to make it. Our office is presently defending over two dozen foreclosure actions. The seniors are out there losing their homes. We've worked behind the scenes to get the Senate up in Albany to pass a piece of legislation, which you may be -- may or may not be aware of, goes into effect January 1, signed by Governor Paterson, called the Exempt Income Protection Act. All those seniors who call your offices about their bank accounts being restrained. As of January 1, the first twenty-five hundred dollars of those bank accounts will be exempt, so their checks don't bounce. That's the kind of thing we do and hope to continue to do.

I would like to thank this Body, especially its Working Group for seeking to provide the continued

funding for this program that the County Executive has chosen not to fund. In addition, I would ask you to consider in your deliberations later on Legislator Stern's stand-alone bill to provide additional funding for the senior citizen program, because, hopefully, in the 30 years that I've been doing this, I've never had to turn anybody away, and it's getting pretty close. Our office is getting overwhelmed with the economic problems and legal problems that seniors are facing out there. So, I thank you in this regard for providing the funding, hopefully. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Nancy Marr, follow by Joyce Rosenthal.

**MS. MARR:**

Hi. I'm Nancy Marr. I'm President of the League of Women Voters of Brookhaven, and I'm representing the League of Women Voters of Suffolk County. So many issues about health are being discussed today. I wanted to present the view of the League through the nation that has been developed over many years that really relate to these County issues. The League of Women Voters' health care position outlines goals the League believes are fundamental for U.S. healthcare policy. The League believes that quality affordable healthcare should be available to all U.S. residents, including prevention of disease, health promotion and education, primary care, acute care, long-term care, and mental health care. Our positions stress the importance of standardizing the level of ability of a patient to pay for services -- I'm sorry. Our position stressed the importance of standardizing the level of services provided under publicly-funded healthcare programs. We believe that the ability of a patient to pay for services should not be a consideration in the allocation of healthcare resources. Limited resources should be allocated based on the following criteria considered together: The urgency of the medical condition, the life expectancy of the patient, the expected outcome of the treatment, the cost of the procedure, the duration of care, the quality of life of the patient after treatment, and the wishes of the patient and his family.

The future of the John J. Foley Skilled Nursing Facility brings us here today. We support any efforts of the Legislature and the County Executive to work together to consider options other than closing the facility. Through decades of work in their communities, League members have learned that Americans believe that fairness and responsibility, as well as access, are important values for any healthcare system. Before dismantling a service that has been County-run since 1871, all efforts should be made to find ways to keep it open, reduce its cost and continue to provide for those who would not find adequate level of care elsewhere. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you very much, Nancy. Joyce Rosenthal, followed by Sarah Anker.

**MS. ROSENTHAL:**

Good morning. I, too, represent the League of Women -- I am President of the League of Women Voters of Smithtown, and I'm representing the League of Women Voters of Suffolk County. I'm also referring to the John J. Foley Nursing Home.

The question we are dealing with is do we need the facility? It has been determined that we do. This is a necessary facility that serves a fragile, needy population that would be extremely difficult to place if it were not for the Foley Home. It is incumbent upon Suffolk County to fund the facility to extent that it is run to high standards, ensuring that the residents receive superior, rather than adequate, care. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Okay. Sarah, followed by Patsy Hirschhorn.

**MS. ANKER:**

Hi. I'm Sarah Anker. I think most of you know me. I've been in front of your Legislature on very important issues, ranging from disease, cancer, environment, children's health, and I'm here today to talk about the Vanderbilt Museum. I was recently given the honor to join the Board of Trustees at the museum, and I'm here to mention a few important facts that I found out about the museum as being a Board Member.

I know it's hard, and I think it was lovely the young mother that was here before mentioning how important it is to children. But, you know, again, I know there's very important issues here today with the Foley Home and child care, but also the Vanderbilt Museum, and also Cheryl Felice had mentioned, you know, I think also is a jewel in the crown of Suffolk County. And when I was working with the Town of Brookhaven, we were working on a campaign called "Staycation", and it was using the facilities that the Town had to create recreation for people to go to who didn't have the money to go out of state, to other countries, to go to Disney. So now we have this beautiful museum, and it is amazing, and I hope everyone has been visiting it. But not only is it a great museum, but it's going to be a better museum. And, unfortunately, and again, I've just become, you know, involved with the museum, there was money put aside for, I don't know, four, five years to create a better museum, that's the waterfront project, and millions of dollars, and that money was never appropriated to do that until, hopefully, soon we're going to start working on that.

So, again, the museum, it is struggling. It's struggling severely now because of the dividends that were -- that are not being had by the museum. And, basically, what I'm asking for is a crutch, a crutch for the museum to use just until it can become more sustainable. And I will say that, yes, I think that the museum did have opportunities to create more membership and more fund-raising, but now I think they're even more inspired. And I think, if you can allow more funds just to get through this short time, the museum will create more of a jewel for Suffolk County.

And I'll -- there are other points I wanted to bring out, but I'm going to close in saying that, instead of seeing this museum as a "white elephant", which is most of these beautiful Gold Coast mansions are known for, this museum is a crown in that jewel -- a jewel in the crown that will make Suffolk County reign in these tough times, because people need a place to go, they need a place to get away from stress and the problems and that we're all seeing, especially here today.

And, again, I am recently working with the school districts, and I know thousands and thousands of children go to the museum every year. I believe it's through BOCES, through the service that I am working with. And if the museum is not able to keep open, it will be a huge disappointment, you know, for these children, for the people of Suffolk County.

So I thank you for this time in speaking, and I hope you really consider just helping the museum get through a small amount of time, and then you will be so proud to see this museum blossom into a museum that is sustainable and to be proud that is part of Suffolk County. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Okay. We've got Patsy, and then Elizabeth Kahn Kaplan.

**MS. HIRSCHHORN:**

Good morning. My name is Patsy Hirschhorn. I am the Executive Director of the Town of Smithtown Youth Bureau, and I'm here today to represent the Suffolk County Youth Services Project Directors Association.

First of all, I want to thank each of you who have taken of your valuable time to meet with our

Executive Board of the Association, and also to support individually the agencies that are the members. We work in collaboration to create positive youth development services throughout the communities through all of Suffolk, serving in the course of a year thousands of young people. We work with them both during the time that they are in school by providing push-in services, we provide alternative services for them when they have somehow gone astray from being able to maintain themselves during the course of the school day, and we provide out of school services as well, such things as anti-bias, anti-bullying, job development, job creation, social skills creation. We supervise the Summer Youth Employment Programs. We are really providers of vital services throughout the County of Suffolk, as well as in their individual towns.

It is so critical in these times of great stress and financial needs that affect our families that we not forget how vital it is that we take care of our kids during the time that they are not supervised in school settings and that's the work that we do. Please remember, we are highly professional dedicated employees. We provide jobs for young people when they come out of school to work as role models and to work in programs to help kids. Please, keep in mind the work that we do, but most important, keep in mind the kids and the families that we work for as you cast your votes and as you make your plans for the County. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you very much, Patsy. Elizabeth, followed by Anthony Pecorale.

**MS. KAPLAN:**

I thought you said Elizabeth Kaplan.

**P.O. LINDSAY:**

Elizabeth's on deck now.

**MS. KAPLAN:**

Okay.

**P.O. LINDSAY:**

Elizabeth.

**D.P.O. VILORIA-FISHER:**

She's Elizabeth.

**P.O. LINDSAY:**

Okay, go ahead.

**MS. KAPLAN:**

Hi. I met some of you, most of you were here, about a month ago, October 8th, when I was voted onto the Board of the Vanderbilt Museum. It was Vivian Viloria-Fisher who suggested to Lynne Nowick that I be nominated for that position. Here I am a month later wondering if there's going to be any need for my services on the Board of the Vanderbilt Museum if you shut it.

Now, why did I take that position? I'm an educator, I've been an educator all my life. And, when I had the opportunity to study what the Vanderbilt offers to our children, to your children, to your grandchildren, to your nieces and nephews, to your neighbors' children, to spark, as that young mother said ten minutes ago, to spark the imagination so that they suddenly decide what they want to devote their life to. That's what museums do. I've seen it happen. I've worked in museums and children suddenly see something that they never knew existed, or somebody shows them how to manipulate a piece of natural matter to create something now, or they see in a planetarium that their parents could never afford to take them to the City to see, children who sometimes never get

off of Long Island, they go to a planetarium right here and they see what's meant by what they've learned in textbooks. They see the vastness and the miracle of the universe, and they say, "You know, I'd like to devote my life to working in that area."

So, yes, you do have other priorities, we all do, and, certainly, feeding children and taking care of elderly is right up there at the very top. But don't think that a museum is, quote, just a building. It's a place that our children need, that your children need. Aside from the money that it brings in for tourism, because it is a great attraction, it is something that will keep our young Long Islanders, our young children in a mindset that makes them know that anything's possible. So, please, give it your best support. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Elizabeth. Anthony is up, but before -- and then Ben Zwirn is the last speaker. But before I do that, the public portion is at an hour, so I'm going to make a motion to extend the public portion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

We have two more cards.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

**MR. PECORALE:**

My name is Tony Pecorale --

**MR. LAUBE:**

Sixteen. (Not Present: Legislators Montano and D'Amaro).

**P.O. LINDSAY:**

You got it?

**MR. LAUBE:**

Yep.

**P.O. LINDSAY:**

Okay. Go ahead, Anthony.

**MR. PECORALE:**

My name is Tony Pecorale and I am the second longest serving Trustee on the Vanderbilt Museum Board. I was actually appointed through the Blue Ribbon Panel by Peter Fox Cohalan when we lost our accreditation. I don't know if there's any member of the County Board that remembers that. It was a disaster. It took us approximately three-and-a-half years of very diligent work to get our accreditation back. And the interesting part about it was that when the AMA, the American Museum Association, sent a person to the museum to review the accreditation and to work on whether or not we were to be reaccredited, it was a young man from the West Islip Public Schools who had gone to the museum in the sixth grade, my sixth grade. As a teacher in West Islip, I took my children, my classroom students to the museum on a very regular basis. The planetarium invoked a great deal of interest on my part, so then I wrote a project, and West Islip School District has a planetarium, a grant from the Federal Government, and we got that largely because of our work with the

Vanderbilt. But I think there are a couple of other things you should know.

The Atomic Energy Commission also came to the Vanderbilt Museum because they wanted to check on the DNA of some certain specimens that had been in our collection. They took a couple of those specimens to check on the DNA, particularly of the ones that were around the islands that they did their atomic testing on. You see, the museum goes beyond just what it provides to the community, it goes on to provide a great deal of information to sources that sometimes come from outside of the County. That DNA test was extremely important, and I remember it well when they came and took a couple of our specimens.

Our collection is an important collection, and if you close the museum, there's a good chance that we will lose our accreditation, and more importantly, there's also a possibility that some of the collection will be harmed in ways that it cannot be brought back.

I'm here as an educator, as a person who knows about the dire fiscal constraints of our State, of our County, of our schools, and even of our nation, but this museum is an important part of Long Island. It's an important part of Suffolk County. It's part of what we need to continue for our future and for the education of our students. I'm begging you, don't close the museum. It's too important to Suffolk County, and to our culture, and to our nation. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Anthony. Ben Zwirn.

**MR. ZWIRN:**

Good morning, Mr. Presiding Officer, and Members of the Legislature. I had hoped to be able to chat with you in a different forum a little bit later. We did bring some of the people from the County Executive's Budget Office here to answer questions, but I was told that if we were going to speak at all today, it would be here at the public session in the --

**P.O. LINDSAY:**

Could I just stop you for a minute? They informed me that you wanted to speak and you wanted to speak last, and I simply said, "Fill out a card," and that's the process here, Ben.

**MR. ZWIRN:**

Right.

**P.O. LINDSAY:**

Anybody -- you know, you guys are always here. If there's any question of the Executive's Office, there isn't anybody shy around this horseshoe. I thought you wanted to give a statement.

**MR. ZWIRN:**

No, I --

**P.O. LINDSAY:**

So, if you were insulted by that, I apologize, because there seems to be a misunderstanding.

**MR. ZWIRN:**

Well, I appreciate that. We did take it as a slight, because, in the five years that I've been here, we've always enjoyed -- we've always enjoyed a very good relationship with the Legislature, even at times when it gets a little bit rocky.

**P.O. LINDSAY:**

If I have a card in front of me, forgive me, I'm getting old, I forget, all right? The card's there with the name. I can't forget you.

**MR. ZWIRN:**

No, I understand. But, Mr. Presiding Officer, I was told that -- I had asked for the opportunity to address the Legislature with a few -- with some of the Budget people before you entertain the budget.

**P.O. LINDSAY:**

Okay.

**MR. ZWIRN:**

And then -- and be able to enter into a dialogue with members of the Legislature, if they had any questions.

**P.O. LINDSAY:**

Okay.

**MR. ZWIRN:**

I was told that that would not be possible, that if I -- if there was any comments to be made by the County Exec's Office, it would be made in this forum right now.

**P.O. LINDSAY:**

Well, there seems to be a huge misunderstanding. You know, we assume that you are giving the statement on behalf of the County Executive, and we also assume that the staff will be in the audience as we start debating different parts of the budget, that if there's any questions, you'll be available to answer them.

**MR. ZWIRN:**

Well, I just say, in the past, we've always had the opportunity to sit at the table and be able to enter into a dialogue with the Legislature, as opposed to this particular forum.

**P.O. LINDSAY:**

I don't --

**LEG. ALDEN:**

Let's close the public portion and then Ben can address us.

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

I don't think we've changed -- maybe -- am I wrong? Have we changed the process?

**LEG. SCHNEIDERMAN:**

It just sounds like a misunderstanding to me.

**P.O. LINDSAY:**

I don't think we changed the process, Ben, but say what you got to say, bring anybody forward you've got to say, we're here.

**MR. ZWIRN:**

Okay. Well, if I can take the opportunity to bring up some of the Budget people when you close the public portion, before you entertain it, that would be -- it's not going to be a long presentation, we're just going to have a few comments. It was just the format. We thought there may have been a misunderstanding, and if that's the case, then I apologize for that, but that was my understanding.

**P.O. LINDSAY:**

Okay. Do you want to say anything else now?

**MR. ZWIRN:**

Then I'll have the opportunity to come up here with some of the Budget people and that would be preferable.

**P.O. LINDSAY:**

Okay. Thank you. I don't have anymore cards. Is there anybody else in the audience that would like to address the body? Seeing none, I'll accept a motion to close.

**LEG. ALDEN:**

Motion.

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: D.P.O. Vilorio-Fisher)

**LEG. MONTANO:**

Can I just introduce the guests?

**P.O. LINDSAY:**

Okay. I'm going to recognize Legislator Montano for the purpose of recognizing a Dignitary in the audience.

**LEG. MONTANO:**

Thank you, Mr. Presiding Officer. I would just like to have speakers welcomed. We have a guest that is visiting from the Dominican Republic. He's here on vacation. Leonardo Reynoso DeRosario is the current President of the City Council of the Province of San Cristobal in the Dominican Republic. I was there about six months ago, received a proclamation from the City Council. His position there is the equivalent position of the Presiding Officer here. San Cristobal is a Province that was established in 1932 by former Dictator Raphael Lelis Trujillo. It's located in the southern part of the Dominican Republic and west of the capital. It is considered the third most important Province in the country, it's one out of thirty-three, and it has a population roughly equivalent to the population of Suffolk County, which is 1.3 million persons, inhabitants. I'd just like to welcome Mr. Leonardo Reynoso DeRosario to the Suffolk County Legislature. Mr. Speaker.

*(Applause)*

**P.O. LINDSAY:**

Welcome.

**LEG. MONTANO:**

He's going to be watching us debate the budget process here.

**P.O. LINDSAY:**

Okay.

**LEG. BEEDENBENDER:**

I'm sorry for him.

**P.O. LINDSAY:**

Okay.

**LEG. MONTANO:**

I know, so am I.

**P.O. LINDSAY:**

Ladies and Gentlemen, we have a very full agenda in front of us, and we have some very difficult issues to debate this morning. And before we start that debate, I wanted to do a couple of things. First of all, I wanted to recognize the Working Group, the bipartisan Working Group that put together this omnibus resolution, and they, in my opinion, did a yeoman's job. They were -- I had worked on, I think, six budgets since -- in my tenure in the Legislature, and, by far, this group really dug into it and absolutely, on a bipartisan basis, examined every dollar we're really spending. And I just want to personally thank them for all the hard work that they put in, every one of you.

The second thing is I want to recognize and thank our Budget Review Office. Robert, and Gail Vizzini, and Lance just did a wonderful job on a very difficult budget. This is a budget where there is --

*(Applause)*

This is not an easy budget. There is no big winners in this budget, there's survivors. That's about it, there's survivors and there's losers. And the choices that were made with this budget were choices that I hope we never have to make again. I hope and pray that the economy turns around, that next year will be a better year. If you look at some of the issues that we have to vote on today, on whether we have enough police, and whether our health centers are properly manned, and whether that -- our regional food banks are funded, and whether our homeless shelters are available for the less fortunate, and whether we keep our museum open, and whether we have enough money for child care for our working families, they're not easy issues, and whether we have a nursing home that's been in our inventory for over a century. So they're very, very difficult issues, they're not easy issues.

And I intend to go through this very thick document piece by piece, and if -- I intend to have everybody -- let everybody have their say. We're not going to rush this. If there's any questions of anybody, please, let me know, and we'll question whoever we need to question. If you are not sure and somebody wants to call a short recess to step out of the room to discuss it with their colleagues, please, let me know, that will be granted. But we'll get through this process today in an orderly manner with as little disruption as possible. And with that, I am going to ask the Budget Review Office to give us an overview of the budget before us, and then I'll invite the County Executive's people up to the table to address us. Thank you.

**MS. VIZZINI:**

Thank you, Mr. Presiding Officer. And I, too, want to express my thanks for the hard work done in the working group.

The 2009 Omnibus was constructed in consideration of an economy plagued with financial volatility, accompanied by a loss of consumer confidence. However, the Legislature has not lost sight of the fact that our citizens require government services in the short run and the long-term, especially in light of this economy. First and foremost, the omnibus makes considerable cuts in nonessential expenditures totaling 15.1 million dollars. This includes 3.6 million from a salary contingency, 3.3 million in vehicle purchases, 3.7 million in General Fund transfer to the debt reserve, a 1% across-the-board cuts in nonessential supplies, totaling \$457,000, and 2.8 million dollars in overstated programmatic expenditures over the 2008/2009 period, as identified by the Budget

Review Office, and a reduction in contracted services of 1.2 million dollars, the largest being Cornell, whose total appropriations went from 5.9 million to 4.9 million. New revenue is identified in the amount of 1.2 million from the sale via RFP of automobiles at BOMARC for their scrap value, and for other surplus scraps stored in the silos.

***(\*The following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)***

**MS. VIZZINI:**

Additional federal revenue in the amount of \$1 million not included in the 2009 recommended budget will also be forthcoming for the care of the aliens at the correctional facility.

The Omnibus includes a very modest 1.57% increase in the Police District Property Tax necessary to provide recurring revenue to assure that our public safety needs are addressed. This percentage increase is lower than the average increase in the past eight years, the impact is \$15.39 on the average taxpayer. But it does provide recurring revenue of \$6.9 million.

The 15.1 million in expenditure cuts, with the 6.9 million in the Police District property taxes and the 2.2 in additional revenue provided \$24.3 million. With this, the Legislature was able to make its policy decisions regarding the health and public safety needs of the County as well as, most importantly, reduce the growth rate of sales tax revenue from two to one; it was reduced in half which is equal to \$11.2 million.

The Omnibus restores sufficient appropriations for the public operation of the John J. Foley Nursing Facility in 2009; this required an increase in the General Fund transfer of \$4.5 million. Two point four million is included for a class of Police Officers; our schedule would permit this class to begin in September of 2009. It's critical since active sworn is currently at the lowest level since 2005 and retirements continue annually at about 85 per year.

One million dollars is provided for health and public safety needs, including enough appropriations to fill vacant 911 Emergency Dispatch Center positions, Probation Officers in the Sex Offender Unit and in the Electronic Monitoring Unit. These positions have gone vacant for far too long. In addition to clericals in the Accounting Section of DSS to assure our Prompt Payment Policy, we have created six new Public Health Sanitarians for the timely inspection of food establishments.

Five hundred thousand dollars is there for the My HEAP Program to continue into 2009. One million for the Board of Elections to print election ballots and provide training for election inspectors for the 2009 General Election and to adhere to the mandated HAVA compliance voting machines. Three million dollars is provided for contracted services, 1.6 million to the health clinics, 596,000 for Social Services that's split between domestic violence and food pantries; 359,000 for economic development, 468,000 for youth programs, 128,000 for fire safety and the remainder to various priority contracted services.

The Omnibus, as you are all familiar with, is presented to you in the mandated form and the discretionary form. The mandated -- it is intended that this be voted on separately but taken together.

The mandated alone would reduce the General Fund Property Tax by \$6.4 million, the discretionary has a corresponding increase of the same amount; therefore, the two taken together would be in balance.

And finally, included in your package is an amended version of the first page of the revenue section, a few revenue codes in the discretionary Omnibus No. 2, so I just want to point out that you are voting on the amended copy. There are a few revenue codes in the Infirmary, the dimeric designation was one line off, but the numbers are correct and it has been changed.

**P.O. LINDSAY:**

Thank you again, Ms. Vizzini. Does anybody have any questions of Budget Review? I don't see the

Executive in the audience, the Executive Budget Office, they wanted to speak. Are you's ready to come forward? Okay, here they are. Does anybody have any questions of Gail? Go ahead, Legislator -- do you want to speak now, Legislator Barraga, or you want to speak later during the debate? Do you have any questions of Budget Review?

**LEG. BARRAGA:**

I don't have any questions of them, I was going to speak on the budget.

**P.O. LINDSAY:**

Okay, so we'll get to you when we start debating the budget.

**LEG. BARRAGA:**

Okay.

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Gail, I just had a question about one thing you said when you referenced the My HEAP Program, and it's on page two, it's D-012. It was my understanding that that funding was -- we used funding in 2008 that affected the turnover savings, we replaced that. But you said that we put another 500,000 in 2009 to continue the program; that's in fact what we did? Because my understanding was different, I thought we just simply provided the funding for '08, but if we extended it, that's -- I mean, I'm fine with that, I just didn't know that.

**LEG. HORSLEY:**

We did.

**LEG. BEEDENBENDER:**

We did that, Wayne?

**LEG. HORSLEY:**

We did.

**D.P.O. VILORIA-FISHER:**

Yeah, we did.

**LEG. BEEDENBENDER:**

All right. Well, then -- all right. Never mind, then.

**P.O. LINDSAY:**

Anybody else, any questions of Budget Review? Okay, Ben, you're on.

**MR. ZWIRN:**

Thank you very much, Mr. Presiding Officer. And I apologize if there was a misunderstanding and I appreciate the opportunity. We're here to answer questions but also just to say a few words.

There was a statement, a slogan that used to be used, I understand, that Deputy County Executive Fred Pollert mentioned to me, it's the rule of holes; when you find yourself in one, stop digging. And I think this particular year, we have seen the perfect storm of a hole, not just in Suffolk County but across this entire nation. Mayor Bloomberg today announced that he is considering laying off 3,000 city workers, among other draconian cuts, because of revenue shortfalls in the City of New York. Nassau County has gone back to their drawing board to find an additional \$30 million in cuts in their budget before they will move forward on that.

We appreciate, and the County Executive appreciates the efforts that you've made in recognizing the

sales tax revenues had to be reduced. But what he is concerned about is that when the budget was put together by the Legislature, that a lot of the items where there was extra money, or BRO identified that there was over funding for certain items, there was a cherry-picking done of taking that money and applying it toward programs that had been reduced. When the budget was submitted by the County Executive it wasn't balanced, but there's always going to be shortfalls here, shortfalls there. When you take money for cars, for example, in the '09 budget, that money is going to have to probably be spent in '10. When you take salary adjustment money to help balance the budget, when you have contracts outstanding -- unless AME and the other unions are going to take a 0% increase, which is something we're not aware of -- then that money is going to have to be provided in 2010. And that's the problem. BRO identified in their report that 2010 was going to be a critical year. And we are heading down a road really for 2010 that will be unless the Presiding Officer is correct and this is just going to be a one year anomaly -- is hoping it's going to be a one year anomaly, not predicting that -- we're going to be facing even tougher problems going forward.

The County Executive is the budget officer. He's not looking just at '09, he's got to look at 2010, 2011 and going forward. When you take money from the Debt Reserve Fund that was going to be used to help with tobacco securitization, that's a one-shot and that money is going to have to come back down the road, it's going to have to be replaced, and these are the kinds of things that he's concerned about going forward. We don't come here in an adversarial role today, we all have to somehow come to grips with this entire dilemma. This is going to be a year which no one has ever seen before in local and State and Federal Government. The Governor is coming back on November 12th, he's going to have another billion dollars in cuts, it's going to effect us. And it's very possible with the budget that the County Executive submitted and the budget that you have worked on with the amendments, it may not be anything like reality come a couple of weeks from now. And he wants to make sure that we're aware of it and that we will continue to work together to try to rectify it.

This document is critically important as we go -- as we go forward, and it is going to be important. One of the things that he pointed out and he asked me to mention today, for example, the Police class. It's funded for just two months, the academy; it's coming in in September, so the money is there. But in 2010, you're going to have a full complement of Police Officers making a full salary before the end of the year. That money is going to be another burden on the Police District taxes in 2010. It's just -- there's no way around it. So when we do a budget, we try to look a little bit going forward so that we won't have that problem.

You know, with respect to brownfield revenues, BRO said the County Executive was too optimistic by \$750,000. The insurance fund should be reduced by \$200,000, according to BRO. Interest earnings, because interest rates have now even gone down again, they figured \$815,000 when they did their initial report and it's gotten only worse since then. We mention all this because we're going to have to grapple with this going forward, and we hope we can do it in a spirit of cooperation where the pain can be shared as best as possible.

I just would ask if any of my colleagues here from the Budget Office -- I know Allen had wanted to talk with respect to the Vanderbilt and Legislator Vilorio-Fisher's standalone Omnibus, he wanted to mention that. And I don't know, Connie, if you have anything you'd like to add.

**MS. CORSO:**

I can only say that I was in the office yesterday, which was a County holiday, and I received a phone call from the State Budget Office. Although the Legislature will be coming back on the 18th, the State Budget Office is going to release some of the cuts on the 12th. So I've talked to them not only yesterday but I talked to them again this morning they called, just coming down to warn that it is not looking good on the State level. So although we sent over a budget on the 19th with the best information possible, I can't predict what the State is going to do.

**MR. KOVESDY:**

I just wanted to point out, yesterday also we got notification from the State that the sales tax for October came in negative which is the first real negative check we got, it came in 2% negative against last year. So that's going to put our estimate for this year in a little bit of -- the only person -- the only portion of the State that had a plus was New York City, Nassau was down 1.3% and Suffolk's check in the vicinity of \$70 million came in at 1.9% less.

The other thing I just wanted to mention in reference to the stand-alone for the Vanderbilt is the standalone puts in revenues of approximately \$750,000 in Parks golf fees. There is no increase of fees. We calculated that that would be approximately \$5.20 a round of increase in golf fees. So if you would pass that resolution which is up to the Legislature, you would have to have a companion resolution which would increase golf fees by \$5.20 across the board. Thank you.

**P.O. LINDSAY:**

I'm going to go -- there's a bunch of people that want to talk, okay?

**D.P.O. VILORIA-FISHER:**

Okay, but I wanted to respond to something he said.

**P.O. LINDSAY:**

I know you do, everybody does. Okay. There's -- you generated the dialogue that you wanted, Ben. There's -- you peaked a number of interest on a couple of things.

First of all, guys, I think that this body recognizes the severity of the crisis that we're going into. It isn't an epiphany that you're giving us that we know that there's trouble; we knew there was trouble from the beginning of the year. That's why this Legislature worked with the Executive Branch from probably March of this year on to do tobacco securitization, which wasn't the greatest financial deal on anybody's agenda, but we recognize that it was a hard vote that we had to do it. That's why we authorized an early retirement that shed 186 employees from Suffolk County government. So the realization is there.

And I think if there's a theme, and there was a theme to the Working Group, it's to stay alive, stay alive for another year to fight another day. Now's not the time that we felt that we should close the nursing home that's been in our inventory forever. We know the severity of the Vanderbilt situation, nobody feels warm and fuzzy about that. But we're also looking at the numbers; if we were to close it, what would it cost us to protect the artifacts and the building there as to give it a lifeline to see if we can straighten it out.

The \$78 million in the Salary Contingency Fund that we took I think three million, three and a half million? You know, in a good time we would never do that, but we're pretty sure that you guys aren't going to settle every contract that's pending out there next year; if you did, it would be pretty amazing. So we took a couple of bucks from there, again, to get us through next year.

As far as the cops are concerned, the misnomer that keeps going on and on about a new Police class, like we're adding new Police Officers; we're replacing Police Officers that are retiring. And the Police Officers that hopefully, if everything goes well, will be on the street in the spring of 2010, will be roughly at half the salary of the Police Officer that retired this year, the Police Officer that's retiring next year and the Police Officers that retire in 2010. We're scared we're not going to have enough public safety, it's as simple as that. So -- and I know we don't agree on that. And it's true, we took pockets of money where we thought we could take them, but at the same time we didn't go near the \$26 million -- \$126 million in tax stabilization because we think that we very well might need that next year.

As Mr. Kovesdy pointed out, our 1% growth in sales tax next year might be optimistic. We're pretty sure the 2% that the Exec put in is not realistic, so we tried to do responsible things there and we tried to keep people alive in a very, very tough economy. And I'm going to shut up. Dan Losquadro. I had a number of Legislators that want to comment.

**LEG. LOSQUADRO:**

Thank you, Mr. Presiding Officer. You actually touched on most of the points I want to touch on. I would also just like to take the opportunity to say thank you to yourself, the members of the Working Group and Budget Review. I've worked on several of these budgets. We came into this expecting, quite frankly, a real blood bath and we did have to make some very difficult decisions and cut out some programs that have existed for a very long time in this County, but I think the Presiding Officer is exactly right about public safety. This is simply a replacement of not even close to the number of officers that retired last year when we only put 55 officers in, we had almost 40 more retirements than that. We had no Police class this year, we'll have our normal complement of 85 to 100 retirements this year and we're going to have at least that number of retirements next year when we're only putting a class of 80 in at the end of the year. The fact of the matter is we're going to be down a significant number of officers no matter what we do with this class coming in. This is not even keeping pace. And with the economy what it is and crime statistics up -- and there's no denying that, here in Suffolk County and nationally those numbers are up -- we need to make sure that public safety remains our top priority.

As the Presiding Officer says, we did not touch that reserve. We are very cognizant of the fact that next year could be another bad year for us. And having that entire Reserve Fund in place keeps our credit rating strong with the bond raters and gives us the opportunity to move in a direction, God forbid that we need it next year, that we do have that entire Reserve Fund in place.

It was mentioned briefly but I think it's important to note that we also reduced the sales tax projection from the 2%, which was proposed in the County Executive's budget, to 1%. Now, I know, thank you for pointing out the fact that the sales tax numbers this year are coming in much lower than anyone hoped or expected. I think it was very prudent of this body and we are all hopeful next year of at least some turnaround to this economy. But if that does not happen I think we've positioned ourselves well with this budget, it's one that I'm proud to say that I've worked on and I think it provides for the core services that the people of this County need and especially to keep them safe, both physically and economically as we move forward.

**P.O. LINDSAY:**

You want to comment?

**MR. ZWIRN:**

If I might. And I appreciate Legislator Losquadro's comments. What the County Executive has done, and I want to go over some of the numbers that we have on statistics, he's moved -- 40 some odd Police Officers from Highway Patrol are now back in the communities; we have 16 Police Officers that were in the DARE Program that are now back in the communities. And with the crime rates being what they are, the County Executive was confident that those Police Officers could do the job without adding to a new class.

With respect to the sales tax revenues numbers coming in, when the County Executive prepared his budget to send over here, it was a different world than what we are in today; there's no question about that. And he'd be the first one to tell you that a 2% sales tax increase is just not going to happen in today's world and a 1% is not likely in this particular world. You can't sell a car, it is a disaster out there. You know, anecdotally, I mean, all of us who have been out there, I actually looked at a new car and was almost embarrassed because I outnumbered the number of sales people, they had to go find somebody because they didn't have anybody working there. That's how depressing -- General Motors may go bankrupt. So the numbers -- the numbers are staggering. And we appreciate you cutting by 1% on sales tax revenue, 2%, which is what BRO recommended, probably would have been even more prudent.

With the numbers on statistics, our numbers show this, that motor vehicle theft is down since January of 2004 by eight -- over last year, by 8.6%, assaults are down 11%, robberies are down 13.1%, rapes are down by 33%. There was a spike in burglaries we know because a lot of that had to do with scrap metal theft, which is an issue that we tried to deal with early on to try to give the Police the tools to go out and combat that. I mean, and after some debate and difficulty, we did pass legislation, the Legislature got through to help the Police Department help combat that to make it easier for their resources to try to combat it.

**P.O. LINDSAY:**  
Legislator Alden?

**LEG. ALDEN:**  
Thank you, Mr. Presiding Officer. Ben, before in your comments you mentioned the sale of our tobacco revenue stream. Could you share with us our -- maybe your strategy or the County Executive's strategy to replace that revenue stream in the future?

And secondly, because it's interrelated, you use the money in this budget to reduce the debt payments, a curtailment for a confinement of our expanding debt; is there some strategy that you could share with us now?

**MS. CORSO:**  
The way that the tobacco is structured you know is very strategic. And what it was done for was to make a bridge based on the -- I mean, if you look historically, 2% is very low on sales tax, probably historically low as far as being budgeted. This great County usually enjoys sales tax increases of six, seven, eight, and I think in the past double digits. Also, with property taxes, we're kind of in that third or fourth year of delinquency, so eventually you're going to be able to get those delinquencies back. So the way that tobacco was done was to bridge us through this economic downturn and hope that our revenues increase in the next five years. That's number one.

**LEG. ALDEN:**  
But in a way, that doesn't answer the question because we sold off \$200 million worth of future revenue for the hopes of -- or not the hopes of, to use approximately \$100 million of that in the present time.

**MS. CORSO:**  
Actually, we're going to defease over 200 million in debt service. So it really -- it was a better deal. And thank God we did do it when we did, because if we were out there in the market now we'd be really in serious trouble.

**LEG. ALDEN:**  
Well, how much did we sell, revenue stream?

**MS. CORSO:**  
I don't have those numbers in front of me, but I know we --

**LEG. ALDEN:**  
Approximately?

**MS. CORSO:**  
Honestly -- Gail? I don't have the numbers.

**MR. LIPP:**

Off the top of my head, I believe that the total debt service requirements over time would be like 550 million roughly.

**LEG. ALDEN:**

How much of the tobacco securitization did we sell, or the tobacco revenue stream did we sell?

**MR. LIPP:**

Right. Over time, the expected defeasement of the debt would be out to the year, I believe, 2034. And if you add up all the debt service for paying back the money we received up front, it would come to the revenue stream being about \$550 million, roughly.

**LEG. ALDEN:**

So we sold dollar amount of debt -- not dollar amount. Dollar amount of revenue stream going forward; how much was that?

**MR. LIPP:**

About \$550 million.

**LEG. ALDEN:**

And we got how much for it?

**MR. LIPP:**

I think it's 219 million and change is the net benefit to the County.

**MS. CORSO:**

Right.

**LEG. ALDEN:**

Okay. So --

**MS. CORSO:**

It also is in a secure stream, if you read the reports. We have no idea how tobacco -- yeah. First of all, that's in today's numbers. But also, you don't know how tobacco usage, the last report had it going down -- I forget the number, but a significant amount. So the revenue stream is not -- was never secure.

**LEG. ALDEN:**

But in reality, we took \$600 million worth of our future revenue stream, or possible revenue stream, sold it for 200 and something million dollars?

**MR. LIPP:**

Correct.

**MS. CORSO:**

You know --

**LEG. ALDEN:**

And then the question begs to be answered -- you know, because you use the money actually on debt, debt service. What is our policy or what's our procedures now going forward to contain that debt? Because it seems to be running away.

**MS. CORSO:**

Well, if you -- actually, the last borrowing that we did we reduced it \$25 million; I don't know if you realize that, the one that just went out. So believe me, we are very cognizant of the Capital

Program. The Capital Program for 2009 is \$60 million less than it was in 2008, so I think that we are --

**LEG. ALDEN:**

So maybe you're showing me something that's good news.

**MS. CORSO:**

-- very concerned.

**LEG. ALDEN:**

Our debt has gone down.

**MS. CORSO:**

Well, our debt service has certainly been reduced by the defeasance due to the --.

**LEG. ALDEN:**

No, no, that's using our revenue stream. Our debt service --

**MS. CORSO:**

Actually, our last three or four Capital Programs are less than the prior years, so we are trying to be cognizant of what's going on in the market while still trying to prime the pump and get some people out to work.

**LEG. ALDEN:**

Okay.

**MS. CORSO:**

I mean, there's a delicate balance there.

**LEG. ALDEN:**

That's fine. Has our debt increased or is it decreased?

**MR. ZWIRN:**

Does that include the golf part?

**LEG. ALDEN:**

Whatever you want to include in it. Hi, Fred.

**DEPUTY COUNTY EXECUTIVE POLLERT:**

Hi.

**LEG. ALDEN:**

Our debt has increased or decreased?

**DEPUTY COUNTY EXECUTIVE POLLERT:**

The current amount of debt service is projected to increase for the next several years, in part because of pipeline debt that was jointly approved by the Executive and by the Legislature. There's a number of major Capital Projects that are not yet reflected in our debt service. Specifically, even though it has previously been authorized by the Legislature, we have not yet done a bond issue for the largest portion of the jail. So there is a number of large Capital Projects, including road projects and highly-aided projects, which are currently in the pipeline which are anticipated to increase our debt service over the next four to five years.

**LEG. ALDEN:**

Thanks. And then as long as, Ben, you were bringing up stuff before that we should be looking at and be aware of in the future, maybe our property tax hasn't increased that much, but unfortunately

the burden that the homeowner is paying in Suffolk County has increased dramatically. And the way I'm going to say that is if you look at the energy, a home energy cost, there's a tax on it that Suffolk County collects that tax was 70, \$80 million less five years ago than it is today. So the homeowners in Suffolk County, in essence, are paying an extra 70 or \$80 million per year in homeownership. Whether you look at it as tax or whether you look at it -- and it is tax, it's a sales tax on their energy use. That concerns me. And if going forward we're thinking of raising that or if we're thinking of not giving homeowners some kind of relief, that would greatly concern me also.

So I just bring it up as something that -- you know, you mentioned before things that we should be aware of going forward, we really should be aware of, in this economic time, putting more and more of a burden on the homeowner.

**P.O. LINDSAY:**

Legislator Viloría-Fisher. Did you want to comment on that?

**MR. ZWIRN:**

Yeah. I mean, Legislator Alden, for the loss of that revenue, say it's 50, \$60 million, would you prefer to see real property taxes increased by that equal amount as an alternative revenue?

**LEG. ALDEN:**

Actually, is that what you're giving me as your suggestion?

**MR. ZWIRN:**

No, I'm asking you.

**LEG. ALDEN:**

Okay. Because I've come up with different things and one of the suggestions I put out there a while ago was possibly a moratorium on buying these huge numbers of acres. Like for instance, we just paid \$18 million for a bunch of acres out in Montauk; maybe there should be a moratorium on that --

*Applause*

-- and give the homeowners a little bit of a break. Use that sales tax money to defease or to actually offset some of the money that the homeowners are paying.

**MR. ZWIRN:**

You'd have to change the State law.

**LEG. ALDEN:**

Of course.

**P.O. LINDSAY:**

Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

Thank you.

**P.O. LINDSAY:**

Tom, whenever you want to speak, just let me know.

**LEG. BARRAGA:**

I'll speak any time you want me to.

**D.P.O. VILORIA-FISHER:**

You know what? I'm going to yield to him because he had asked to speak.

**LEG. BARRAGA:**

I don't want to ask these guys any questions, I want to make my own speech.

**D.P.O. VILORIA-FISHER:**

Okay. You know, if there were to be a mission statement for Suffolk County, I think it would be that our mission is to protect the health and safety of the people and environment of the County of Suffolk and to ensure that our residents continue to enjoy the high quality of life into the future. That includes the extraordinary education that our children enjoy and all of our cultural amenities that enrich our every day lives.

It was very difficult to work on this budget, because everything that I've just mentioned, in what I think would be the mission statement of this County, was threatened by the current dire, global, economic crisis that we find ourselves in. But I thank the Budget Review Office and I thank Bill Lindsay for his leadership in helping to usher us through a process that tried to make us whole in that promise to the people of Suffolk County. It was very difficult to see some programs that protect and support families, such as the Cornell Parenting Program, be lost in the mix. It was a very difficult thing to see, I had fought very hard for that program several years ago, but we went with the will of the majority.

There's a stand-alone that we're looking at that will protect the Vanderbilt Museum into the future, and that goes to the quality of life that we enjoy here and the quality of education. You know, we have been hearing a great deal during the two years that we've seen Presidential politics going on, the need to educate our children in the sciences and to develop that level of inquiry that is so critical to the future of this country. The Vanderbilt Museum is part of what offers that level of critical inquisitiveness.

Now, as to the remark that we would have to raise golf fees by \$5 in order to support the stand-alone, and I'll speak about general things in the budget later when we get more into the debate on the budget, isn't correct. I backed into this resolution by first researching with the Budget Office where -- what revenues would be available by raising several different fees in the County, not just the golf fees. And based on the numbers that were given to me by Budget Review, I plugged that number into the resolution. So we backed into it from the research part first, with the data that was provided by Budget Review. Let me just finish.

New, we have not identified in the resolution specifically where the revenues would arise, and I'm going to turn it to Budget Review because it was the Budget Review Office with whom I worked on this. Because it just happened that the number that we backed into this with was able to sustain or come close to sustaining the Vanderbilt Museum for 2009. Gail or Lance, can you please amplify what I've just said, in terms of the kind of revenues that we're looking at.

And I have to say, the people from the County Executive's Budget Office will be happy to learn that the County Executive congratulated me on this resolution because he said that he respects that we're looking at an expenditure that is coupled with a revenue. I looked at revenues before I looked at the expenditure, and that's why I'm saying I worked first with the Budget Review to see if we could find a revenue. Lance?

**MR. REINHEIMER:**

Yes, that's correct. We looked at golf and arena fees and estimated that they would provide at least \$800,000 in 2009. The resolution has two components. We're looking at parks fees in general after discussions with the Commissioner of Parks. However, technically golf fees and marina fees are specifically mentioned in the resolution because technically there is no line for park fees that's general, so we had to increase a particular line to make the resolution balanced. There will be -- my understanding is Legislator Vilorio-Fisher will be providing a resolution to increase park fees and we're going to look at those fees and come up with a comprehensive plan. So that would be laid on

the table at the first opportunity we can.

**D.P.O. VILORIA-FISHER:**

Yes?

**MR. KOVESDY:**

I really don't want to get into an argument. I'm just trying -- the Budget Office is trying to make sure that the budget is balanced. If it's the desire to raise fees, that's fine. But the way this resolution is presented where it increases golf fees by \$800,000 with no offset of an increase in fees, it throws the budget out of balance.

**D.P.O. VILORIA-FISHER:**

Why aren't you mentioning marina?

**MR. KOVESDY:**

Excuse me?

**D.P.O. VILORIA-FISHER:**

Why aren't you mentioning marina fees? You just keep mentioning golf fees.

**MR. KOVESDY:**

Well, marinas are insignificant fees. Golf fees are the significant fees.

**D.P.O. VILORIA-FISHER:**

Okay, but it would be more accurate to mention both because those are both mentioned.

**MR. KOVESDY:**

Fair enough, whatever fees you raise. It doesn't include this in the resolution, so you're passing a budget, an amendment, which is your prerogative, that increases revenue without increasing a specific fee to offset it. All we're bringing out is if you had an accompanying resolution which increased fees -- because it's in the golf line, we analyzed golf, the golf fees, and we found that a number of rounds --

**D.P.O. VILORIA-FISHER:**

Well, I'm going to be filing a subsequent resolution because we're working with the Parks Commissioner. There are some inconsistencies in different park fees, some parks have one fee as opposed to others that have different fees, there are camping fees that are inconsistent. So we're looking at the whole parks system and that will be presented in a subsequent resolution. And the Presiding Officer would also like to address this because we have been working together on this.

**MR. KOVESDY:**

Thank you.

**P.O. LINDSAY:**

The only thing that I want to say is this is an emergency situation. Two weeks ago we were informed from Bank of America, who is the overseer of the trust fund, that the corpus of the trust was about to be pierced because of the financial community collapsing, and we had to liquidate everything in the market to cash to protect the corpus. So this is nothing that you guys anticipated and it's nothing that we anticipated when we started this budget, but we're looking at numbers that it will cost us \$800,000 to mothball this place. And it just seems a much more reasonable effort to keep it open so we can keep getting revenue. Especially, somebody in the audience said before, this is a bridge loan, this isn't going forward, this is not something that I don't think anybody anticipates long-term that we're going to continue to fund the Vanderbilt. So we're scrambling a little bit. We had to put the money in the budget. Legislator Viloría-Fisher is going to come back with a follow-up resolution of where we're going to get the money from. I'm sure that the Executive is probably going to veto it, so we're going to get another bite at this apple. In the meantime, we're going to

look at where the revenues are coming from. I don't have any wish to put one burden on one sport enthusiast in our County, I don't want to put all this burden on the golfers, I'd like to see it spread out, too, and that's what we're going to look at.

**MR. KOVESDY:**

Thank you.

**P.O. LINDSAY:**

Okay. Legislator Gregory.

**LEG. GREGORY:**

Thank you, Mr. Presiding Officer. I'm really at a loss for words, but I just wanted to -- as the newest member of this body, I wanted to thank you for your leadership and the leadership of Dan Losquadro and working in a bipartisan manner with the rest of the members on the Working Group. We had to make a lot of tough decisions and I don't think anyone came out completely happy with the decisions that we made, but we made decisions that we had to make considering the times that we're in.

I'm concerned, and I guess I'm more frustrated with some of the repeated comments about the Police class, because I think out of all the decisions that we had to make, to me, in my mind, that was probably one of the more easier decisions that we had to make because it's a necessity. I don't know if -- I'm sure everyone here has been reading the news and watching the TV, and particularly in my district, we just had a shooting the other day. We had three shootings in one day, in fact. We had some in July. I just got a text message from my aide, they're evacuating North Babylon High School. We have a real public safety concern in Suffolk County, and in particularly my district which Suffolk County I believe has 6.2% unemployment rate, some of my areas are up to double digits. With increased unemployment comes increased crime. We have one of the highest foreclosure rates in New York State. Dan Losquadro referred to before, you know, and the Presiding Officer, we're losing officers, they're retiring. We have a shortage. And public safety is our number one charge and we can't state that number one charge in the terms of -- I don't know what to say.

It's like we're trying to forego our number one responsibility as a burden; it's not a burden. Our officers, they save lives every single day. We send billions of dollars -- spend billions of dollars to send our and deploy our soldiers overseas so that we don't have one person here on American soil that dies from a terrorist attack. The American people are willing to pay that burden, pay that cost. The residents of Suffolk County I'm sure are willing to pay that extra cost and ensure that public safety is preserved in Suffolk County. So I'm concerned that we're repeating this, you know, the benefits and the salaries of our officers, but I think the benefit far outweighs the burden, if you will. So I'm concerned by that.

I understand that the County Executive, you know, he looks at the numbers, but sometimes we have to look beyond the numbers. And I think public safety is something that is worthy of just looking at facts and figures and we should really give consideration to the lives that are saved. I support some of the measures that he has done with redeploying some of our officers into communities because the communities in my district need those officers. But we need more, it's not enough, we definitely need more. Thank you.

*Applause*

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Presiding Officer. And I will commend my colleagues on the Working Group as well. I got to see firsthand the efforts and the very difficult process with vetting what groups were going

to be able to be funded, what groups would be reduced and what groups would be zeroed out.

But I'm going to echo what Legislator Gregory is speaking about, and it is not just unique to his Legislative District. Some of you may have seen recently some of the efforts that we've done in the 12th Legislative District and crime is definitely up, and it's up associated with drug use as well and it's burglaries incident to drug use, to facilitate drug use. And so I think, as Legislator Vilorio-Fisher said, our first responsibility is to go ahead and address the safety and well-being of the citizens of the County. And by placing a Police class in, hopefully we'll be able to have those officers necessary, but we also need the Detectives to go ahead and do the investigatory work, which is another area that's been stagnant. And so in that stagnancy, we are not getting the personnel that we need to go ahead and provide that critical law enforcement function. So I wholeheartedly endorse this budget and I will be voting for it.

Thank you.

### *Applause*

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Yes. And I also want to commend the Working Group, because I can see -- I don't know if they're aware of it, but I can see that they followed a model. Abraham Maslow, the famous human psychologist, in 1957 came up with the hierarchy of needs, and the very first one is basic needs. And when you looked through what to cut, I can see that you really addressed that. Whether it was conscious or unconscious, you made some hard decisions and we're going to make some hard decisions today. But you were cognizant of the basic needs of the citizens of the County and it's food, clothing and shelter, and we're dealing with the shelter today. So I think you really did attend to that.

And then the second most human need is safety and security, and we're talking about our Police and maintaining the security, maintaining the level. I, as the chair of Public Safety, would like to see it enhanced, but I will at least stand with my colleagues to maintain.

So I commend the Working Group. It seems like you really did attend to a human list, and I think it's hard in these very tough economic times. But you didn't forget it, so I commend the rest of you.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

Thank you, Mr. Presiding Officer. First, I'd like to commend the Working Group. It's not easy making difficult decisions in terms of this particular budget.

Second, I'm certainly -- my comments will not be in keeping with the Dale Carnegie mantra of how to win friends and influence people. The real question in my mind with regard to this Legislative budget is whether it is designed to move Suffolk County in the right direction, taking into consideration the serious fiscal economic challenges that face the County and the nation, especially for the balance of this year and in my judgment through 2009 and a portion of 2010.

We have seen this morning people from the Vanderbilt Museum come up here, people from child care. What's happening nationally is affecting us locally. The folks from Vanderbilt are here because their endowment dissipated not at a two year period. They had a September meeting indicating that they had 10.2 million in their endowment. Their base figure, their corpus was 8.2 million. They said, "You know, we've got to do something as far as raising dollars, but we have a couple of years,"

because from that endowment of 10.2, they were picking up about \$100,000 a month. In 35 days they lost \$2 million, and the County was forced to sell out their portfolio to preserve the corpus of 8.2 million, and that's only going to generate three or 4% per year. That's why they are here, because what happened nationally is affecting them. What happened at the State is affecting child care because of cuts.

So when I take a look at this budget, I have to ask myself as opposed to specific items, how do I feel this budget is designed overall? And the best way for me to come to a decision is to really take a look at what has happened nationally and in Suffolk County over the last ten or 12 months.

A little more than a year ago the DOW was at 14,000; you remember that. We had somebody say, "Well, we might have a subprime housing problem, but no big deal. Two or 3%, no big deal." At the time I thought, because like most of you, you earn your money, you work hard, you invest your money, I said, "You know, this thing looks a little stretched." The PEO's -- the PE's, they don't make much sense. I didn't really do much about it. And then when we got into this year, 2008, something happened at the national level that jumped off the page. Now, I get kidded at times because I show up here and I'm reading the Wall Street Journal; I only read it because I have my money in the market like most of you and I follow it. I'm not one of those people that leaves it to a 401 and I never look at it because it's bad news. You work all your life, you put your money into stocks or whatever it may be, that's your livelihood, you don't want it destroyed.

So I'm sitting here and I see that the Federal Reserve, through JP Morgan, has sent a back-door loan of \$30 billion to buy out Bear Sterns; back door, not straight. And I said to myself, "There's something wrong with this;" and it was something wrong, a lot of toxic assets. And then within a couple of months, the Federal Reserve did away with all facade and they went out and appropriated and committed themselves to \$200 billion to bail out Fannie Mae and Freddie Mac. Those outfits were in the mortgage business, it's a \$13 trillion market. They handle six trillion to bail them out. Bear Sterns 30 billion, Fannie Mae/Freddie Mac, 200 billion. Then we saw the bailout by the Federal Reserve of AIG, because they could not allow them to go bankrupt, supposedly; 82 billion. Now they're back again for another 60 billion; 140 billion. Add it up, roughly \$400 billion. This is all during the period of January through the middle of September. And then we heard of something called Indie Mac, one of the biggest banks in the country, belly up. Merrill Lynch, sold.

And then we take a look at our State, New York State. There was debate three or four months ago because I came from there, I had a sense of what was happening. Patterson said for the first time, "You know, we've got a problem, a severe financial problem in the State of New York:" I sat here and I said, "You know, if the deficit is 22 billion, we're probably looking at 25 billion, this year and the next three years." It came in at 26 billion, \$26 billion dollars. And appropriate cuts were made because the Legislature, you recall, went back to Albany, they cut \$474 million, they played the song and dance because they're all up for reelection, now they'll go back and they will skew just about everything going because it's not 26 billion anymore, it's \$47 billion dollars. So that's where we were up until September, the middle of September.

Now, parallel with what happened at the State and the national level, we weren't sitting on our backsides here in Suffolk County. As the Presiding Officer indicated, early in March the County Executive, because he felt he was facing a potential \$150 million deficit, put a Working Group together to see what could be done. And we did things that we normally didn't want to do; tobacco securitization, we talked about securitizing the tax liens, which we didn't do. We put in place an Early Retirement Incentive Program, 186 people participated, net savings I believe around 7.5 million. You know, we made other changes in terms of freezing positions and other expenses. We closed that gap to about -- by \$86 million.

Come September 18th, taking into consideration everything I've told you from a national, State and local perspective, the County Executive comes in with his Executive budget. He -- and you know, he

holds the line on taxes, General Fund and Police District, no tax increases. That's good for my people. He reduces overall funding by \$125 million. If I had to rate it, I would give that budget a B+. The criticism I had, based on what was going on, he didn't go deep enough. There is a difference between the County Executive and me; we're both fiscal conservatives. Mr. Zwirn once said that Levy's the kind of a guy who wants change of a penny. Me in a fiscal crisis, you don't get the penny to make the change, it's as simple as that.

Now, since September 18th to the present, what has happened nationally? Another \$850 billion has been spent by the Federal Government to bail out just about anybody. The toxic assets, now the banks want some money. Originally you will hear the figure 700 billion; it failed the first time, remember? The second time it passed at 850 billion, because we have boneheads in Congress, especially in the House, who no matter what the fiscal crisis is, no matter what it is, they've got to get their pork; \$150 billion in pork.

At the same time, which wasn't given much publicity, you had the big three in there. They weren't part of getting the 700 billion. The big three automotive, Chrysler, Ford, GM, they got a \$25 billion loan. They're back looking for part of that 700 billion. The banks are back, which was never discussed before the Congress, they want 250 billion to increase liquidity.

The stock market has gone from 14,000 down to roughly 9,000, look at your 401's, look at your Deferred Comps, 30, 40, 50% gone, gone. New York State, as I said, 26 billion only several months ago, a \$47 billion deficit. And you know something? I know what's left in those pots. When you go back in November, social services, health care and education, and as we discussed here months ago, don't tell me anything is off the table. You're going to take one hell of a whack.

It is projected in this recession that approximately 160,000 jobs will be lost in New York City alone. Twenty percent of all revenues going to Albany come from Wall Street, and 70 cents of every dollar goes back to municipalities from Albany, including school districts. It's a lot less money coming back here. That's why Vanderbilt is here, that's why child care is here. And what has been our response? Our response is to try to do stand-alones to help them out, which is fine, but you can only do so much.

Now, in light of what I've said, this Legislative budget, whether we like it or not, should be reducing spending and curtailing expenses as much as possible. This budget increases taxes, it increases the Police District, it increases spending. All of these individual programs, when you hear my colleagues speak, they're fine programs, they're good programs, but not in this environment. As we had an early retirement program put in place where 186 people are participating, this particular budget creates 400 positions. The 280 for Foley I understand, and I'm not happy with that situation, I don't even like it in this budget. I had a different approach. It's in this budget because I think it invites a veto and then a fight with reference to whether or not we override or sustain that veto. Foley, in my judgement, should have been taken out and as I indicated in previous meetings, we should do a bond for \$5 million and do the RFP and let's see what happens. But the other 120 positions, did we do an early retirement program to have 186 million people -- 186 people retire only to find ourselves putting back 120 more, 80 of which is a Police class? We can't afford the Police class. They have to stand down for one year, that's all, just stand down for one year. What is the point of having a Police class or putting these jobs in place, only to find ourselves six months, nine months, twelve months now laying them all off. Because this crisis changes on a dime. Take a look at Vanderbilt, 35 days. You've seen the stock market drop 600 points, 800 points. Everyone indicates this is going to get severe. You've got to shut -- no one person in this County at this moment has lost a job, not one single person. What we're talking about here is putting more people here on a payroll which we cannot afford.

My projections and what I've seen so far, based on meetings I've attended, 2010 looks like another \$150 million gap, which we have to deal with. And it's not going to get any better, it may well get

worse.

Finally, I have heard in my political life many comments from many different groups; "Well, you know, it's only going to cost one more cup of coffee, one \$3 cup of coffee. Isn't it worth it to keep it?" And I understand where those people are coming from. But you know something? On a property tax bill for my people there are 15 lines and the bottom line is the one I pay, and that isn't a cup of coffee. That may be 150 cups of coffee, it may be 200 cups of coffee, it may be 300 cups of coffee. It's the reason I have people coming in on the property tax when they have to pay that bottom line, that \$400, that \$600, that \$800 increase in one year -- all those cups of coffee, you can line them up here -- that they're going, they're leaving. They can't stay here. Somewhere you have to draw the line. It is not easy, it is not easy, but this situation is not going to get any better. So on balance, I certainly appreciate the work that was done, but you can't continue with the spending, you can't increase the taxes. And in that measure, I will be voting against this particular budget.

**P.O. LINDSAY:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I certainly will be briefer and perhaps less eloquent than my esteemed colleague from Islip.

First, I wanted to thank you, Mr. Presiding Officer, for including me in the Working Group. As many of you know, I live in Montauk and those trips can be an hour and 40 minutes or more each way, and we had many meetings. But I very much wanted to be at the table because I realized that everything we do here flows from this budget document throughout the year. We had many difficult decisions facing us. I often was disappointed in the turnout, or the result of our discussions, but we all have to give. These are difficult times and as the Presiding Officer said, it was about survival in many cases. Many cuts were made.

I wanted to thank the Presiding Officer for his clarity and strength on the John J. Foley issue, from the very beginning, recognizing the importance of this facility. And I think we have to understand that we are in the business of providing services and that if we apply a litmus test that every government service has to be self-sustaining, we're in big trouble. There won't be Social Services, there won't be human services, there won't be parks. The private sector won't do the things that aren't profitable and that's where we need to step in. And we focused on the core mission of the County, often reducing things that were nice, but this was not the time for and those were hard decisions.

Ultimately, the document that we produced I believe is actually more conservative than the document that we received. Reducing sales tax projections by 1% meant that we had to make up another \$11 million, \$11.2 million. I want to also thank Budget Review for the extraordinary job that they did in assisting us with making these decisions and giving us the options so that we could make an informed decision.

So I support the document and I thank you again, Mr. Presiding Officer, for including me.

**MR. ZWIRN:**

Mr. Presiding Officer, could I just --

**P.O. LINDSAY:**

Go right ahead.

**MR. ZWIRN:**

We also on the County Exec side are looking at the core mission of government and trying to provide the core services. But you're talking about making tough decisions; with all due respect to my Legislator, how many new contract agencies are there, about 450?

**MR. KOVESDY:**

Fifty thousand.

**MR. ZWIRN:**

We have Friends of the Big Duck are getting \$5,000 this year, new contract agencies. You know, there are a lot of good agencies out there, food pantries, groups that really need it, veterans groups that really are struggling. But Friends of the Big Duck does not sound to me like a real tough core mission, tough decision, core mission for the County right now.

**P.O. LINDSAY:**

The only observation I'd like to -- and you do this every year; you cite one to make us look like buffoons here and we're not buffoons, all right?

**MR. ZWIRN:**

No.

**P.O. LINDSAY:**

You know, there might be individual agencies in different districts that you might be able to make fun of, but by and large -- and by the same token, I could take some agencies that the County Executive funded that I could question the core mission as well. So I don't want to go down that road, all right?

**LEG. SCHNEIDERMAN:**

Can I just mention on that that request came from the County Executive's appointed Economic Development Commissioner for that funding.

*(\*Laughter & Applause From Audience\*)*

**P.O. LINDSAY:**

Okay. Go ahead.

**MR. ZWIRN:**

If that's true, somebody's going to detention this afternoon.

**LEG. ROMAINE:**

The Executive informed?

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you, Mr. Presiding Officer. Just very briefly, I would like to also extend my thanks to you, to the Minority Leader as well, Legislator Losquadro, for doing a fine job, once again, with our Working Group, your efforts are very much appreciated, as to all the members of the Working Group as well.

You know, when it comes to this budget, I'm proud of the Omnibus Budget that we put together here today. You know, it's one thing to be fiscally conservative, it's another to be fiscally responsible. And what this budget does is create responsibility through budgeting. We had some tough decisions to make. We had to decide, you know, what were we doing when it came to day-care, what were we doing when it came to the Foley Center, what were we doing when it came to funding mental health, what were we doing when it came to Police? I mean, talk about Police stand down? Tell that to the people in Huntington Station that are facing an increase in the crime rate, who are experiencing more violent crimes right in their backyards. I don't think this is a time to stand down. What I mean by being fiscally responsible is making sure that government returns to its core government functions in a time of economic downturn, and that's precisely what this Omnibus Budget does and that's exactly why I intend to support it. Thank you.

*Applause*

**P.O. LINDSAY:**  
Legislator Nowick.

**LEG. NOWICK:**

Yeah, I wasn't going to say anything but, you know, I feel compelled. I worked with the Working Group to craft this budget. You know what? Anybody can craft a budget when the Dow is up to 14,000. But this group, together with Budget Review, with the help of our Presiding Officer and our Minority Leader and our Majority Leader, worked together to take care of public safety. Some of our Legislators were worried about people that couldn't afford heat, some of them were worried about our Vanderbilt Museum, things that educate, organizations that educate. People, organizations like Long Island Harvest that feeds people, Long Island Cares, March of Dimes, Thursday's Child that works with AIDS; we had to separate, we had to take out. And I want to tell you something, everybody worked together. When we walked into that room, there was not a Democrat or a Republican or a Working Families member, everybody was just a Legislator. And to my colleagues and to Budget Review, thank you. I think in the worst of times we did the best we could do to help and that's what government is supposed to do.

*Applause*

**P.O. LINDSAY:**  
Legislator Stern?

**LEG. STERN:**

Thank you, Mr. Presiding Officer. Again, yes, my congratulations to everybody who worked so hard on the Working Group and to you and Legislator Losquadro for your very important leadership at a very difficult time.

We still don't know what is going to happen with our economy, even as a new administration and a new government prepares itself to lead us for the next term. And ultimately, we don't know how New York State is going to deal with localities and what we can expect in terms of State assistance. But I think it's important at this point to keep in mind that although we are dealing with very, very substantial, significant challenges here at the County level of government, and very difficult choices have been made, that if you look at other municipalities locally and across the country, that it could have been worse. And the reason why is because we have been making very difficult and reasonable decisions all along, decisions that we have debated over and over again and ultimately came to a decision that might not have been what everybody wanted to do but recognize that we needed to do to be proactive because this day was coming. And so I think we all have a lot to be proud of. That nobody here stuck their head in the sand and crossed their fingers and hoped for better days, that we prepared all along for very difficult decisions that had to be made to allow us to arrive at this day.

And I think that more than anything else, what this budget does is strike the appropriate balance. It recognizes the need to provide as much relief as we can to our hard working men and women here in Suffolk County as taxpayers, but continue to provide the essential services that we know are critically important to those in need and at the end of the day is our core function here at the cutting level of government. So I'm very proud to support the efforts of my colleagues and to support this budget.

*Applause*

**P.O. LINDSAY:**  
Legislator Vilorio-Fisher.

**D.P.O. VILORIA-FISHER:**

Thank you, Mr. Chair. Again, we want to go back to saying what our mission statement is and reiterating that our mission -- or my mission, I'm not going to assign a mission to the whole body -- but my mission, and I think I share it with many of my colleagues, is to protect the health and safety of the people and environment of Suffolk County. We're committed to that mission.

*Applause*

And I think Legislator Gregory put it very well when he said that the cost of providing that protection is not a burden. The cost is not a burden, it's a responsibility. It's our responsibility, as the governing body of Suffolk County, to provide this for the people of Suffolk County, from the most vulnerable that we address in the standalone that tries to bridge some of the deficit in the child care needs to the inclusion of a Police class so that we can have the type of Police force that is still not at full force because of the number of retirements that we're facing. I thank you, Legislator Barraga, for your primer on gloom and doom.

**LEG. BARRAGA:**

It's reality.

**D.P.O. VILORIA-FISHER:**

It's the reality that we're all aware of. However, you know, last Sunday I read in the New York Times two columns, one by Paul Krugman and one by David Books, both ends of the economic spectrum. And both of them said that we need, when we can, to put people to work, government needs to keep people working. It could be in infrastructure development, earlier Ms. Corso spoke about Capital Programs so that we can have people out there working.

When we talk about child care investment, we're talking about the investment of money so that people in Suffolk County can work and not wind up back in receiving TNAF grants. When we look at the John J. Foley Nursing Home, there are 280 jobs, 280 people that are working, not 280 people who are unemployed and drawing from the economy.

When we talk about the Vanderbilt, a much smaller pool of employees, but they are still employees who are generating money here in Suffolk County. So whether we see it from the point of view of just simple governmental responsibility to the people whom -- to whom we have promised service, we can also see it as part of the economic engine of our own local economy.

You mentioned my "cup of joe" remarks that I've made in the past few weeks. And it would be the cost of a medium coffee, per year, if we were to raise the General Fund Property Tax by 2 1/2%. And I didn't propose that as a way of closing our budget holes, I proposed it as a way of giving us the ability to access our Tax Stabilization Reserve Fund. We have been -- we did not pursue that because there is a need for the County Executive to make that decision to go into the Tax Stabilization Reserve Fund, and I did speak about this with the County Executive and he said, "Well, that would be a one-shot." And we don't know what's going to happen in the future, where we might have to rely on that.

However, earlier in this conversation, Legislator Alden asked what was the strategy of the tobacco securitization, which gave us only 51 cents on the dollar. If we borrowed money from our own -- if we took money from our own Tax Stabilization Fund, that's our own money; that's a dollar on a dollar, not 51 cents on a dollar. But the response to Legislator Alden, if I recall -- and I'm not going to give a direct quote -- was that there was a hope that our economy would be doing better in the years that we had less money coming from this securitization. He had a very legitimate question, what is the strategy? Well, we can't have a strategy that's based on a lick and a prayer, okay? We have to have a strategy that really plans out what if it is a long term downturn? It seems to me that reaching into the Tax Stabilization Reserve Fund is much more sensible than borrowing at 51 cents

on the dollar in the hopes that when we're getting much less money in 2012 -- and look at the graph on how much will be coming in in 2012 and what we're -- what we're setting up for future budgets for the people of Suffolk County, and consider what the one-shot really is. We owe it to the people of Suffolk County to provide for their health and their protection.

I'm very, very proud of the work that we did in the Working Group. It's not 100% perfect, there are some areas that I would like to have funded better, I said that before. But it's fiscally responsible. There's nothing frivolous about putting a million dollars into child care, there's nothing frivolous about providing for the health of the people of Suffolk County by keeping the John J. Foley Nursing Center open for another year.

***Applause***

There's nothing frivolous about saying we have to protect the Vanderbilt because it is the Suffolk County Vanderbilt Museum, it's our Museum, and it's much more than just a museum.

***Applause***

If we didn't put the money in it, it's just interesting mathematics, it just seems so eminently clear. If we don't put the money in, that museum will not even be able to stay closed without destroying its artifacts. We're precluding its ability to raise any revenue; it's got to be open to raise revenue. So it's just not logical not to support it. It would be throwing away all of the years of capital monies that we've put into that museum to make it the jewel that it is.

We need to be honest with the people in Suffolk County and say, "Look, we're providing services. It costs money. Your taxes are -- your share of what we as a community do to protect one another and support one another." That's what government is, it's a collection of people. And paying taxes is part of what you're doing to support that, support for those who are most vulnerable and for all the services that we all enjoy. Tax is not a bad word unless you're playing with it.

***Applause***

So let's ask the people of Suffolk County to partner with us in making these important decisions. Thank you, Mr. Chair.

**P.O. LINDSAY:**

Does anybody else want to comment?

***Applause***

I want to get the last word, maybe before we go to the two core resolutions. And it's just -- not to enter into a debate with my colleagues or the Executive Branch, but just in terms of clarity of what we did.

Legislator Barraga pointed out that we're adding positions after the retirement. Most of the positions in this budget, and there are quite a few, are stand-alone resolutions at the back of the document and most of them are for DSS that I understand the administration's on board because most of them are heavily funded, if not totally funded. And they're positions that I think we're going to need, for Medicaid compliance, for additional people to process the Food Stamp Program, things that you absolutely need in a bad economy. And I applaud the Executive Branch for, you know, finding those things and pointing them out to us and my colleagues for sponsoring that as a stand-alone and I think it's something that we should really support because it's really no cost to us, it would be foolish if we didn't support that.

As far as the Police class, and Legislator Barraga pointed out that we've got to skip a year; we did skip a year. We started a Police class last December, they just, you know, are on the streets this year, so whether you -- we didn't get any new Police Officers last year or we didn't have a new Police class this year, no matter how you look at it. And the numbers that we were looking at was that if we don't put it in now, we won't have any new cops on the street until 2011, and that was disturbing to us. And why it was disturbing to us -- and I'm not challenging the numbers from the Executive Office from 2004, but our numbers were from this New York State Department of Criminal Justice Services -- they're the year-to-date numbers, year to year -- and it shows that crime is up 2.6% in State and in Suffolk County it's up 5%. And admittedly, a lot of it isn't violent crime, but burglaries are up 20% in Suffolk County, larceny is up 6.2% in Suffolk County. It scares us. It scares us with a diminishing Police force, we're just trying to replace some of the officers that are retiring to stop the shrinkage.

And I applaud the Executive's initiative on civilianization and changing programs and shifting people and it's very innovative, but at the end of the day what troubles me is the civilian population in the Police Department is falling as well. So I don't know how -- how you do all that. I don't even want to address the Sheriffs on the Expressway, but the question still comes up, who's doing their job? So it's a lot of -- it was a lot of things that went into the decision to make sure that we have adequate Police next year, or in 2010; they won't be on the street until 2010 and I hope we can hang on until then.

That's my only comments for clarity. Does anybody have anything else to say? If not, we'll go to the budget documents, and it's this big thick packet that I'm going to be working off of. And almost the whole entire front page is all part of **Budget Amendment No. 1** which are -- is part of the mandatory budget of things that were added, deleted, whatever. So I will make a --

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro?

**LEG. LOSQUADRO:**

I'll second it.

**P.O. LINDSAY:**

You can make the motion, I'll second it, how's that? All right.  
On the question? Legislator Romaine.

**LEG. ROMAINE:**

Yes, for purposes of clarity, I'd like to ask Counsel, I believe Budget Amendment No. 2 has some reference to the John J. Foley Nursing Home, I'd like to inquire about Budget Amendment No. 1.

**MR. NOLAN:**

Budget Amendment 1, the only reference to Foley is in a RESOLVED clause which states the County is making a policy determination to keep Foley going for another year. So there is a Foley element in Budget Amendment No. 1.

**LEG. ROMAINE:**

Thank you.

*Applause*

**P.O. LINDSAY:**

Okay. Are there any other questions on Budget Amendment No. 1? Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. This relates to Budget Amendment No. 1 which is the mandatory portion of the budget, I believe --

**P.O. LINDSAY:**

Correct.

**LEG. D'AMARO:**

-- but I think it ties in also to the discretionary. I would just like to ask Budget Review Office, if both bills are passed, what would be the net result with respect to County property taxes?

**MR. LIPP:**

That was a tough question, huh?

*(\*Laughter From Audience\*)*

**P.O. LINDSAY:**

He's been waiting for that question; he got so excited he almost missed his chair.

**MR. LIPP:**

The net impact is no change in the General Fund Property Tax and a \$6.9 million increase in the Police District Property Tax. That's a 1.57% increase in Police Tax over last year, which is equal to the lowest growth rate over the course of this decade.

**LEG. D'AMARO:**

Right. So the slight increase in the Police District, which is historically lower than other increases that have come through in the pass, would be a source of revenue to fund the Police that were put in, the new recruits, going into 2010, because that would be recurring revenue; is that correct?

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

And in the General Fund, as you said, it would result in a zero property tax increase.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

Okay. Thank you.

**P.O. LINDSAY:**

Okay. Any other questions? Seeing none, would you call the roll, please, Mr. Clerk?

*(\*Roll Called by Mr. Laube - Clerk\*)*

**LEG. LOSQUADRO:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

As stated earlier, last year I married, my wife is a 32 year Civil Servant employee of John J. Foley. To appear to avoid any appearance of conflict of interest, because it does mention John J. Foley in this resolution, I am going to recuse myself. She is neither a policy maker, the head of any

department, but nevertheless, based on an advisory opinion, I am going to be recusing myself on that.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Recusal: Legislator Romaine).

**P.O. LINDSAY:**

Okay. Next is ***Budget Amendment No. 2***, it starts on the bottom of page one of eight and goes all the way through the bottom of five of eight. And it's the discretionary portion of the budget, of the Omnibus, and those items, it goes through the addition/subjects, additional revenue of positions, all of that. So do I have --

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

A motion by Legislator Losquadro.

**LEG. COOPER:**

Second.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Viloría-Fisher. Any questions on all the 2's?  
Okay. Everybody is okay? Roll call.

**(\*Roll Called by Mr. Laube - Clerk**

**LEG. LOSQUADRO:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

Recuse.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Recusal: Legislator Romaine).

*Applause*

**P.O. LINDSAY:**

We're up to *Budget Amendment No. 3*, which this resolution *provides an additional million dollars in 2009 to augment day-care assistance payments for low income working-families offset.*

**D.P.O. VILORIA-FISHER:**

Mr. Chair, may I address this?

**P.O. LINDSAY:**

Go ahead.

**D.P.O. VILORIA-FISHER:**

Thank you, Mr. Chair. I'll make the motion to approve first, if that's okay.

**P.O. LINDSAY:**

Okay.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning.

**D.P.O. VILORIA-FISHER:**

I would just like to repeat one statistic that was mentioned earlier by Kathy Liguori. In June, for a family to qualify for a child care voucher, the limit was \$37,000 a year salary for a family of three; In October, \$11,000 a year for a family of three. There are now eleven hundred children who are denied child care, eleven hundred children in Suffolk County. This is not a frivolous stand-alone. I wish we could have doubled what we put in this stand-alone, because it's people who are out there working. There's a widow with four children who came and testified at a forum that was held two weeks ago who said, "Please restore some of this, I don't want to go on welfare. I'm working hard to support my kids, but if I have to pay child care for my four children, I can't work." This is what

we're facing. It's an important part not only of social justice and human need, but of economic, good sense. Thank you.

**P.O. LINDSAY:**

Before I go to the list, and I'll get the -- I should have pointed out when I read the resolution that this is -- because this was a State funded program that we're replacing, by a State law or a Charter Law?

**MR. NOLAN:**

A Charter Law.

**P.O. LINDSAY:**

Our Charter Law. This needs a super majority to pass, it needs 14 votes, okay? So I'll leave it at that. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. On the motion. I just want to ask BRO if they can speak to us briefly about what's identified here as far as the offset with the Epic Program and how -- just a bit of an explanation as to the offset.

**MR. REINHEIMER:**

Yes. This uses the Epic Program 2008 estimated cost. Because we have the luxury of later in the year to do the analysis and looking at the claims to date projecting forward, there's a surplus of \$750,000 in program costs for Epic. This will not impact the recipients of the Epic Program.

**LEG. KENNEDY:**

And speak to me, Lance, a little bit about '09; what is it that we will have the Epic Program funded at?

**MR. REINHEIMER:**

The Epic Program I believe is funded at \$3 million next year, it's whatever the County Executive had proposed, so we're not touching the 2009 Epic Program. Even though in our analysis we feel that it's probably over-funded, we feel it to be on the safe side that we left it as recommended by the County Executive.

This also uses the 2009 Benefit Fund which we feel has excess appropriations of 250,000.

**LEG. KENNEDY:**

I see. Okay, so we don't impact the '09 Epic at all.

**MR. REINHEIMER:**

No.

**LEG. KENNEDY:**

In the Benefit Fund, we've got the ability -- fine. Okay. Thank you.

**P.O. LINDSAY:**

I should point out that -- and it's something that we're going to -- as we move forward, the Benefit Fund was used as an offset for a number of these resolutions, to make sure that we have enough money in that, that we're not over soliciting that, all right? Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. This resolution goes back to what I was speaking of earlier about responsible governing, being fiscally responsible. The way I analyze this is for every dollar we put into this day-care, we're probably saving two or more. Because the folks that are going to benefit from the funding we're providing here today should -- could they not get the funding, would be seeking probably some government assistance in other forms. So that would be counter-productive. It's bad for the

economy, it's bad for our families, and this is certainly a return to a core government function and a positive government function and I intend to support it today. Thank you.

*Applause*

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

I could not agree more with Legislator D'Amaro by providing this funding. Because I went to a day-care meeting in Commack with Legislator D'Amaro and Legislator Gregory and we heard parents tell us repeatedly, particularly the providers, that many of these people could get immediate access to day-care, all they had to do was stop working and go on Social Services and they would be accessible for day-care. This is a program where we're trying to get people to stay in the workforce and not to use additional government dollars. Legislator D'Amaro's analysis is exactly correct and I strongly intend to vote for this amendment.

*Applause*

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

This question is for Budget Review. For the rest of the amendments, what's the total that's used out of that account?

**MS. VIZZINI:**

The boys will do some calculations, if you'll give us a minute.

**P.O. LINDSAY:**

While they're doing the calculations, do you mind if I -- I'll give you back your time, I'll just fill in.

**LEG. ALDEN:**

No, you could take my time. Thank you.

**P.O. LINDSAY:**

Because it's very morbid here, I was going to tell a joke, but I'm not going to. Here's my question, and I intend to support this resolution, and this is to the day-care providers and all the people that use it. Please don't count on this to be an ongoing subsidy, because we just can't -- you know, it was absolutely wrong that the State cut this program. You know, 10 years, 15 years ago we went through a process of Welfare-to-Work to get people off the welfare rolls and back to work and to give them the tools, and the tools were training and the tools were day-care, and now to go back on that promise is just downright wrong.

**D.P.O. VILORIA-FISHER:**

Uh-huh.

**LEG. D'AMARO:**

Here, here.

**P.O. LINDSAY:**

And the million dollars --

*Applause*

**P.O. LINDSAY:**

-- is a drop in the bucket to the true need and we know that and we agree with that. It's just that I don't know what's going to happen on the 18th and I don't know what's going to happen next year, but we just don't have the resources to provide -- to supplant State programs that they're responsible for. So this is another bridge or a patch to try and get us through a very troubled year next year to see where we stand next year. And I ran out of spit, Ladies and Gentlemen. Do you have the numbers?

**MS. VIZZINI:**

Almost.

**P.O. LINDSAY:**

Almost. Go ahead, Legislator Vilorio-Fisher's going to fill in.

**D.P.O. VILORIA-FISHER:**

Mr. Chair, I just would like to mention that Janet DeMarzo and the Department of Social Services had been very responsible in the way they used the monies. And the State kind of changed the program midstream and said, "Well, if you had -- if you had rollover savings, if you had savings then we're going to cut -- you didn't need the full amount." And DSS had done a very good job of working within the framework that had been provided by the -- by the State and then the State did a switch on us and took away that two-and-a-half million dollars. So -- and by the time we were able to respond to them, and the forum that I was speaking about earlier that I attended, the State said, "Well, it's too late, the budget's done already, we can't put it back in." And I totally agree with you, the State is responsible for this and the State should be providing the funds. And we shouldn't be punished for our good accounting here in Suffolk County.

**P.O. LINDSAY:**

Okay. Gail, do you have the numbers?

**MS. VIZZINI:**

Yeah. In 2008 we used 125,594, in 2009 we've reduced it by 250, over the two years it's 375,594.

**P.O. LINDSAY:**

No, I think he asked how much money are we using for offsets there.

**LEG. ALDEN:**

Are there other resolutions in this document that you use that as an offset also?

**MS. VIZZINI:**

In the aggregate, that is all the Benefit Fund money that we use as offsets. It's used in at least three or four resolutions.

**P.O. LINDSAY:**

Okay. And that number is 375?

**MS. VIZZINI:**

That's cumulative over '08 and '09.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Is that what you wanted to know?

**LEG. ALDEN:**

Yep. Thanks.

**P.O. LINDSAY:**

Okay. Any other questions on this issue? Okay, we have a motion and a second on Budget Amendment No. 3; roll call.

(\*Roll Called by Mr. Laube - Clerk\*)

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

*Applause*

**[THE FOLLOWING WAS TAKEN AND TRANSCRIBED BY  
LUCIA BRAATEN - COURT STENOGRAPHER]**

**P.O. LINDSAY:**

Okay. ***Budget Amendment Number 4 - This resolution increases the County revenue from Parks fees by \$800,000 to provide the Suffolk County Vanderbilt Museum with a one-year commitment of \$800,000 in revenue to support the continued operation of the Museum in 2009.*** And I'll stop there. So do you want to make the motion?

**D.P.O. VILORIA-FISHER:**

I'll make a motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher to approve.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. On the issue, Legislator Browning.

**LEG. BROWNING:**

Yeah. I have been toying over this one. You know, I want to vote yes for the Vanderbilt, but I look at the cuts that we made. We just voted for a million dollars for day care, they need more. We cut the Diabetes Program at Cornell. We're trying to save 300 jobs at John J. Foley, saving 230-something residents from losing their homes in John J. Foley.

Since 1996 to the present, we have 255 Police Officers less today than in 12 years. We have -- I've supported the civilianization, I have supported the County Executive, however, taking them off the highway. The DARE Program has not brought those numbers up to where they need to be. You know, I hate to say, we are in very tough times, and I know when my husband and I had to struggle, we had to prioritize where we need to spend our money and how we spend our money, and we didn't take vacations. And I understand that, you know, people want to see this place open. I look at it as a money pit. We need to see better management. I don't think it's being managed properly. And we just keep pouring money into this place and it's just not -- it's just not working, so -- and to turnaround and say we're going to raise fees for a museum when we're sitting here in a roomful of people that need money for services that we really need, I just have a hard time supporting raising fees when there's people who are struggling to put food on the table, pay for their day care. So I just can't vote for it at this time, not for this.

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you, Mr. Chair. Legislator Browning said much of what I wanted to say, but I just wanted to add, it's not a question that the Museum has a social, cultural, and economic benefit to the County, but I've heard -- a lot of the discussion that I've heard, there's been -- repeatedly, it's been said, "Well, this is just one year, this is a bridge," but -- and I know there's been a lot of discussion

among the Trustees and among the people at the Museum as to what the new plan will be. I'm encouraged to hear that there's now a Friends of the Museum and there will be some efforts to provide funding from that. But a couple of the other things that have been discussed, you know, we talk about the seaplane hangar and possibly, you know, the expansion of that, and that may bring more people, but the seaplane hangar is at the bottom of a hill and we don't know how we can pump sewage up a hill, so -- and I don't say that flippantly, I just say that, you know, there has not been a solution to that, there has not been a solution to getting handicapped people who may want to be at that facility for gatherings down what is a very, very steep hill. There has not been a solution to all of those questions.

And the waterfront was also raised as a possible additional revenue source, but that -- you know, I was there earlier this year, I took a tour, because I had never been there, and, you know, the area where the waterfront is going, unless things have changed since I was there, is the same area that I got poison ivy in the woods because there's nothing there yet.

**LEG. SCHNEIDERMAN:**

A vendetta.

**LEG. BEEDENBENDER:**

No, it's not a personal vendetta. No, this is serious. No --

**LEG. HORSLEY:**

Go get 'em, Brian.

**LEG. BEEDENBENDER:**

-- it's not. I could always count on Legislator Schneiderman.

**D.P.O. VILORIA-FISHER:**

You see, you need that outdoor education to recognize poison ivy.

**LEG. BEEDENBENDER:**

Hey, I was a Boy Scout, I didn't see it.

**LEG. ALDEN:**

I warned you, Brian, I warned you.

**LEG. BEEDENBENDER:**

Yeah. And Legislator Alden did warn me and I didn't listen. But, anyway, to be very serious, my question is, you know, if we provide this for one year and then nothing is solved, then we have to provide it again, and the same arguments will be met with us today.

And I think Legislator Browning really -- you know, she made the point that I was going to make, is that, you know, if we have extra money, I'd rather provide it to a food pantry, I'd rather provide it to the health centers that we gave some money, but we wanted to give more. So I'd rather put a shot in a kid's arm that needs it or food in a kid's stomach that needs it. And I know this has social and economic value, but it's still a Museum and there are so many things that are more important.

And next year -- I didn't speak about the budget when we talked about it, but next year we are going to have to make horrible decisions. And if we can't make this one, we're going to be nowhere. We were bipartisan today and it was a beautiful thing to see, and we seem as a County government to be coming together to the point where we understand that difficult decisions are going to be made, but if we can't make this one, we might have to raise fees to keep the government going, to keep people employed. I just -- I can't support this. And I would urge my colleagues, you know, in the grand scheme of things we're going to have to make decisions on, this is an easy one. So thank

you.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Yeah. I just would like to support my two colleagues that just spoke. I know when this was presented to me, it was said, "As a past educator, how can you not support this?" And I really -- it went to my heart, and, of course, then I thought about the other issues that I think Legislator Beedenbender said, food, clothing, and shelter, and safety and security, and I look at my School District, Patchogue Medford, that's on austerity again. And I guess what I'm going to say is I'm -- there will be no field trips in Patchogue-Medford. So I'm going to join the kids in Patchogue-Medford, when I want to see the stars, I'm going to look up in the sky. Thank you.

**P.O. LINDSAY:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

You know, this is being funded through an increase in fees, I think \$3 for the marina fees and the golf course fees, and we have increased a lot of other fees. And I can make an argument that these are luxuries and they're related to funding of cultural arts, historic preservation. We certainly have a problem, as we go back to our core services, that -- you know, the fear that there'll be more cuts to cultural arts and historic preservation. Those are expensive things and we may not have the funds to do that. I saw in this budget how some of those things were cut in half.

I've been wrestling with this, trying to figure out how to vote, and one of the concerns is that it's just for Vanderbilt. I mean, if we're going to increase these fees, it certainly ought to go into a fund that is not just for Vanderbilt, but throughout the County to help support cultural arts and historic preservation to noble goals. This doesn't quite do it, but I do recognize the crisis that Vanderbilt faces. At the same time, we've done multiple capital projects with the effort to make Vanderbilt more self-sustaining, like 3 million dollars for the projector in the Planetarium, which is supposed to generate revenues; significant capital improvements for the waterfront. I don't know if those things have moved forward yet, but I know when I was Chairman of the Parks Committee, we had entertained those things, and I believe that they were moving forward. Maybe BRO can tell me how much debt service we're currently carrying in the General Fund on some of these things that are supposed to stimulate revenues at Vanderbilt so we get a better sense of how big of a money pit Vanderbilt has become.

All that being said, it is certainly an important -- it is an important Museum for the County. It's probably our most important Museum. And I would hate to see it closed, because their endowment was hit by the decrease in Wall Street. So maybe I can get a little bit more information on to what degree we're already subsidizing Vanderbilt and then I'll make my decision as we vote.

**MR. REINHEIMER:**

We've had many projects for the Vanderbilt over the years. We did an extensive analysis about eight years ago, and just ballpark, it's safe to say there's approximately 20 million dollars in capital projects that we have put into that Museum, including the purchase of Normandy Manor, which is 1.7 million, the 3 million dollars that we've allocated for the Planetarium and ongoing projects for the facades, which is constant maintenance.

**LEG. SCHNEIDERMAN:**

So, do you know our yearly debt service?

**MR. REINHEIMER:**

So 20 million dollars is.

**LEG. SCHNEIDERMAN:**

Several million.

**MR. REINHEIMER:**

-- approximately 1 1/2 million dollars per year.

**LEG. SCHNEIDERMAN:**

And do we know --

**MR. REINHEIMER:**

And then this would continue whether the Vanderbilt is open or closed.

**LEG. SCHNEIDERMAN:**

Have those capital projects been generating additional revenues toward operating expenses yet?

**MR. REINHEIMER:**

Sure. Over the years, their income from admissions has increased and they've expanded the exhibits. They just opened up the dioramas and they've restored the whale shark, so they have expanded programs.

**LEG. SCHNEIDERMAN:**

So how much? Between all the weddings that they hold there and all the admission fees, do we know how much they have coming in on a yearly basis?

**MR. REINHEIMER:**

Yeah. Their budget is 2.2 million dollars, and they raised about a million dollars, and the endowment was providing 1.2 million dollars on an annual basis. So their budget is about a million --

**LEG. SCHNEIDERMAN:**

Well, you're not including in that the --

**MR. REINHEIMER:**

There's no --

**LEG. SCHNEIDERMAN:**

-- our portion of the debt service.

**MR. REINHEIMER:**

Right. The County General Fund pays the debt service. So their operating budget --

**LEG. SCHNEIDERMAN:**

So that's another million. So we're talking maybe --

**MR. REINHEIMER:**

3.7 million, if you throw in the debt service, correct.

**LEG. SCHNEIDERMAN:**

In what it costs the County to operate it, and they -- that's with backing out their revenues, or that's including their revenues?

**MR. REINHEIMER:**

No. Their revenue is a million dollars, so it would be 2.7 net.

**LEG. SCHNEIDERMAN:**

2.7 million dollars a year is what it costs us to keep the place going?

**MR. REINHEIMER:**

Yes, that's correct, when you include debt service of 1.5 million. The fees are a million, and they need about another 1.2 million dollars.

**LEG. SCHNEIDERMAN:**

That's a fairly substantial subsidy.

**MR. REINHEIMER:**

Yes. And this resolution only provides \$800,000. The endowment, as it currently stands, would provide approximately \$250,000 a year. So this -- they're going to be short next year even with this additional --

**LEG. SCHNEIDERMAN:**

So, that 2.7, then we'd be adding an additional \$800,000. So it would be 3.5 million dollars a year to keep it operating?

**MR. REINHEIMER:**

No.

**LEG. SCHNEIDERMAN:**

No?

**MR. REINHEIMER:**

No. What I'm mentioning is that this resolution is providing \$800,000. Their endowment, which used to be provide 1.2 million, as it currently exists, would provide about 250,000 annually. So they'll be short about 200,000 as their budget currently stands, and they have -- I guess they're in the process of making some budget cuts to address that.

**LEG. SCHNEIDERMAN:**

Okay.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. This is a difficult resolution to contemplate, because, looking at the Museum itself, it's certainly an asset to Suffolk County. It's certainly something that is used as an educational institution. It's good for the community, and it also preserves a piece of our history here on Long Island, and I am loathe to see it close. However, I had a couple of questions, given the fact that we are in this very difficult financial crisis with our revenue down. We lowered our projections again on sales tax today by passing this omnibus bill. Legislators Browning and Beedenbender made some very valid points about prioritization. When we talk about day care, and mental health, and funding our health centers, those are all certainly high on the list.

So what I wanted to explore were two issues that I have in my mind before I vote on this particular resolution, and the first goes to the cost to actually closing down or shuttering the operations. And we've heard some figures put forward today, roughly \$800,000. I just want to know if the Budget Review Office has any opinion with respect to that number, is it higher or lower, is it accurate, or do they just not know at this point?

**MR. REINHEIMER:**

We haven't been able to look at the detail of that \$800,000. We only know what the Vanderbilt has told us in broad terms. We had our energy expert go to the Museum on Monday and look at the Museum and will analyze their projections for utilities, which is probably the biggest wild card in that \$800,000. And they admitted that they weren't really sure, they asked for our assistance. So we're

going to look at that.

You can't close those buildings entirely and not heat them. The artifacts do need to be contained in somewhat of a controlled environment.

The \$800,000 also includes approximately \$175,000 for unemployment insurance. The Museum, like the County, doesn't pay for unemployment insurance and it's based on the dollar amount of claims that are paid. It also includes security and some maintenance staff, and a person, whether full-time or part-time, I'm not sure, to run the operations of the business portion in terms of paying bills.

**LEG. D'AMARO:**

So I realize that you've been, of course, very busy with the Operating Budget and it's difficult to take a hard look at this at this time, and that's part of the issue, in my mind, or part of the problem that we're having with this resolution today, that we don't really know what the costs are. On the other hand, we also don't really know, sitting here one year from today, whether or not the Vanderbilt, with the new revenue enhancements that are planned and should be pursued over the next year if it stays open, whether they'll materialize. So, again, just like some other items we voted on today, there's a lot of uncertainty going forward as to whether or not this is truly a one-year commitment to this Museum, because, after all, if we commit 800,000 this year, well, you know, maybe some of the revenue comes on line, but then we need 500,000 the year after that, so we just really don't know.

So my other question was, is there a way to use an alternate revenue source. And I've discussed this with Budget Review Office and some of my colleagues as well over the last two weeks, as well as with the folks at the Vanderbilt itself, and what I'm wondering is rather than using park fees to generate the short-term revenue needed to keep the Vanderbilt up and running, can we explore perhaps short-term borrowing, using the County property as collateral, or perhaps using the endowment itself as collateral? I find it very hard to believe that an investment bank would not lend 800,000 against 8.2 million, that's pretty secure. And I guess that question is more of a legal question as to what's permitted under the terms of the endowment, which I understand was actually created by Mr. Vanderbilt's will. And that -- Lance, I just want to ask you, has that been explored at all, as far as you know? Has anyone addressed the borrowing issue, or has anyone from the Vanderbilt even made an inquiry as to whether or not that could happen?

**MS. VIZZINI:**

No. We received Lora Gellerstein's extensive E-mail with her -- with the extensive questions, that being one of the things to explore. All of our energies were devoted to assembling the omnibus. We were all working the weekend, and I personally was here, you know, to yesterday. So we have not been able to do much due diligence, which would involve discussing with -- discussing with Counsel, discussing with the Museum, assuring that, you know, what you're suggesting might be a viable alternative.

**LEG. D'AMARO:**

Right.

**MS. VIZZINI:**

So all of these things need a little bit more time.

**LEG. D'AMARO:**

Okay. Thank you. And I appreciate the fact that, certainly, your attention was elsewhere the last couple of weeks with the Operating Budget. But the last thought I have is the resolution itself, which, again, proposes to slightly increase some park fees, although they're not targeted yet, we're not sure what fees they're going to be. But my question is, and I guess maybe to Mr. Nolan, our Counsel, if the resolution passes and it turns out that there is an alternate means to fund short term, perhaps through borrowing and secure -- using the endowment as security. What would be the result with our budget, would we still have to pursue the increase in fees, or could we say, "You know what, we found an alternative, therefore, we do not have to go forward with the slight increase

in the park fees"? Would we have that option even if this resolution were passed today?

**MR. NOLAN:**

Well, you know, first of all, there's going to have to be, in terms of this resolution, there's going to have to be a companion resolution, as we have discussed, where we actually increase fees. And once we do that, we pass that resolution, the fees will be increased, we will have authorized that. If, at some future point, there's an alternate source of funding found for the Museum, we could pass another resolution, I suppose, to reduce the fees that we had increased. I don't know if that's the question you're asking, but --

**LEG. D'AMARO:**

So, let's say --

**MR. NOLAN:**

Or, you know, we -- or the money that's being generated by the increase could go to a different purpose.

**LEG. D'AMARO:**

Right. So let's say we found -- let's say this resolution passes and is enacted and becomes binding, but tomorrow we find out that there's other revenue available. Would it require a further vote to amend the budget and remove the increase, or could we just let this lapse without ever raising the fees?

**MR. NOLAN:**

We don't have to raise the fees.

**LEG. D'AMARO:**

Okay.

**MR. NOLAN:**

In terms of how we would deal with this in terms of correcting the budget, I would punt that to Budget Review how we would deal with that to correct, but we are not bound to raise fees.

**LEG. D'AMARO:**

So raising -- putting the line item in the budget today is not the -- is not raising the fees, it would require a two-step process, what we're doing today, as well as a second resolution to actually increase the fee. If we don't do that, then the fees would not be increased and this would lapse, in effect.

**MR. NOLAN:**

Essentially.

**LEG. D'AMARO:**

Yeah.

**MR. NOLAN:**

And I will say that we went back and looked, and this has been done previously where a fee line was increased in the budget, anticipating we would pass a subsequent resolution actually enacting the fee increases.

**LEG. D'AMARO:**

All right. So the debate today really, I guess for lack of a better way to put it, is we'll have a second bite at the apple on the funding source for the Vanderbilt through a subsequent resolution to raise the fees that are now authorized by the budget. And on that basis, I would encourage the folks at the Vanderbilt, and I know our Budget Review Office intends to focus on this as well to see whether

or not there is any other means of funding, any other revenue source, loans, secured loans, whatever it may be, because we're only talking about a short-term commitment.

You know, the Vanderbilt would certainly be motivated if they knew that they received the funding they needed and it was secured by their very own endowment. I think that would go a long way in motivating that, that they are not motivated now. Of course, they are, but it wouldn't hurt.

So, given the fact that we're not actually raising those fees today and that we're just providing options, and we're still going to be exploring whether or not there's an alternate means of raising this revenue in the short term, I will support this resolution.

**P.O. LINDSAY:**

Okay. I got a long list. Legislator Cooper.

**LEG. COOPER:**

Contrary to what I believe Legislator Browning has said earlier, this is -- this is not an either-or proposition. We just voted to save Foley Nursing Home for next year, we voted to provide a million dollars in subsidies for child care. The Working Group restored funding that had been cut by the County Executive for health clinics in the Operating Budget. But we have a responsibility. This -- as Legislator Vilorio-Fisher, this is the Suffolk County Vanderbilt Museum, and the decision was made decades ago for Suffolk to take possession of this facility. And setting aside for a moment the fact that it is the crown jewel of the Museum system in Suffolk County, we have an obligation, we have an obligation as a County to maintain this facility adequately.

And as has been addressed, what are the options before us? If we mothball the Vanderbilt Museum, which I would strongly be opposed to, but even if we did take that step, it's going to cost us hundreds of thousands of dollars next year, perhaps upwards of \$850,000 just to mothball the operation. And the various measures that the Vanderbilt Museum Board has proposed to try to address the budget shortfall all depends on this Museum being an ongoing operation.

Legislator D'Amaro, Legislator Stern and I met for 3 1/2 hours with Steve Gittelman and Carol Hart, and we reviewed the dire economic situation that's being faced, but, most importantly, we began to flesh out some of the steps, some of the concrete steps that the Museum is proposing to take to address this shortfall. One was already discussed earlier, creating a Friends of the Vanderbilt Museum, and that's already underway. And there was already a commitment by the local community to raise at least \$100,000 next year to support the Museum. They're going to be increasing ticket prices. They're moving forward with creating a whole array of naming opportunities at the Museum that would be leased on an annual basis, which I'm hoping will generate at least a couple of hundred thousand dollars in revenue. They've cut staff to the bone. At my suggestion, they're going to be moving forward with the provision of food services at the Vanderbilt Museum, which should generate substantial funding. The hope is that we'll be able to expedite some of the capital programs, particularly the new projector and sound system at the Planetarium, which will make it a state-of-the-art facility, probably the most exciting planetarium in the Northeast, paralleling, if not exceeding, what is available at the Hayden Planetarium. That should be an additional source of revenues. Once again, it's hard to estimate, but potentially 100,000, \$150,000 in additional revenues.

The goal is eventually to be self-sustaining, and where the Museum will not need any additional funding from Suffolk County for their operating budget. But what we need right now is some sort of a stopgap measure to provide a lifeline, so that the Vanderbilt Museum Board can move forward with this whole array of new initiatives.

I did want to mention in addition that I'm about to file a resolution that would create a Legislative Oversight Committee for the Vanderbilt Museum, and have representatives for the Presiding Officer, the Minority Leader, the County Exec's Office, the Chair of the Parks Committee, because I do believe that the Board could benefit from additional input from the Legislature on an ongoing basis.

So we'll be looking over their shoulders, making sure that these new initiatives are moving forward, are productive, but I implore you to support this resolution. We need to provide them with the stopgap funding for 2009. I am hopeful that come 2010 we will be able to reduce that commitment for funding, either in its entirety, or at least the funding that would be needed in 2010 would be substantially less than what is needed in 2009. But we have to -- we have to give the Vanderbilt Museum an opportunity to pull themselves out of this hole that they find themselves in. Thank you.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. I had a kind of technical, possibly legal question. My understanding is that in 1947, the result of the will that Mr. Vanderbilt left, that an endowment fund was created and the property was transferred to the County to run as a Museum. My question is, if the County doesn't run this as a Museum, if the money isn't forthcoming and the Museum has to shut, does the County retain legal ownership of the Museum and its property, or does it revert to the Vanderbilt Estate? I guess that's a legal question. I saw our County Attorney in the audience, I saw our Legal Counsel here, I see Budget Review. I'm sure each of those offices have reviewed this issue and I'd like to get their input on this as to the legal bearing, because I think that's another dynamic, that if the -- if the Vanderbilt does shut down because of a lack of funding, that the Museum will be lost to the County. And then I'd like to know what the status of the County's investment -- someone mentioned it was 20 million dollars over many years in capital projects. What happens to those capital projects and improvements? So those are actually two separate questions.

**MR. NOLAN:**

Well, I'll try to address the questions. And it is important to keep in mind that when the County took this property back in the late '40's, it did so agreeing to operate it, the Vanderbilt, as a park and a Museum. And there's probably a public trust there, created thereby. There are potential legal issues. If the County determined that we were going to get out of the Museum business and just -- and close it and shutter it, potentially, and I don't want to go into too much depth on this, there potentially could be a right of reentry for the Vanderbilt's heirs. There's also a possibility the Attorney General would try to enforce what is a public trust, a charitable trust. So, if we -- and I was just discussing this with the County Attorney. If the County makes a determination, and it's our Museum, the Museum came to us, the property, the corpus, if we make a determination to get out of this business, we'd probably have an affirmative obligation to go to court to try to reform the trust, change the terms of it, because we will no longer be operating it as a Museum or park, as we agreed under the will of William Vanderbilt, and the -- an indenture that we've looked over. So there is -- you know, there are potential legal issues.

**LEG. ROMAINE:**

Two other questions. If that's the case, the funding is disapproved, which it looks like it may be, listening to the powerful arguments that my colleagues have made, Legislator Browning, Legislator Beedenbender, and Legislator Eddington, and those are powerful arguments, if we decide to get out of the Museum business, what happens to the eight point something million dollars in the corpus, in the body of the endowment that's still left, what happens to the capital investment that the County has made over the years? Do we lose the capital investment? And what is the likelihood that we lose the property in its entirety and that it reverts back to the Vanderbilt Family, as stated in the original?

**MR. NOLAN:**

I don't think it would automatically revert to the heirs of Vanderbilt. In the documents it doesn't expressly say that if the County at some point in the future stops operating the Museum, that it automatically reverts to somebody. There'd have to be a party out there, I believe, who would have to bring an action to seek to reclaim the property.

**LEG. ROMAINE:**

But even without an action, do we have a legal authority to continue the Vanderbilt as a County property if we defund the Museum?

**MR. NOLAN:**

Well, I think that's a gray area, because if temporarily there were not funds to operate the Museum, let's say, I don't think automatically, right away, we would lose our legal standing to maintain the ownership of the property and the corpus. I think somebody would affirmatively have to come forward and bring an action to assert those type of rights against the County.

**LEG. ROMAINE:**

One last question, particularly in today's economic situation, assuming Murphy's law and something like that did occur. What would be the minimum expense to us? I assume we would hire outside Counsel, since -- but what would be the minimum legal expense to us to represent ourselves and try to retain the Vanderbilt?

**MR. NOLAN:**

Well, I'd have to -- I'm not in a position to answer that question. I assume the County Attorney would be the first line of defense, and whether or not outside counsel was hired would be up to the County Attorney. If they handle it inhouse, I don't know what the cost would be.

**LEG. ROMAINE:**

Obviously, there's a lot of gray areas that we really don't know if we close the Museum. But I thank you for your answers, Counsel, I appreciate it.

**P.O. LINDSAY:**

I see the County Attorney at the mike. She might --

**LEG. ROMAINE:**

That's okay. Counsel has answered my questions.

**P.O. LINDSAY:**

Oh, okay.

**MS. MALAFI:**

I talked to George. The County Attorney's Office will do some of the research with George to ascertain what steps would be needed if we stop running the Museum. And right now, all I can tell you is that the assets of the Museum do belong to Suffolk County, not the Museum. But the documents, as George said, do have to be reviewed again to see if they will wind up back with the Vanderbilt Estate, rather than stay with the County if we no longer operate the Museum.

**P.O. LINDSAY:**

Okay. Thank you. Legislator Horsley. It's a long list and I know everybody's being patient.

**LEG. HORSLEY:**

Yeah, this -- you know, when I first heard -- when I was at some of the committee hearings concerning the corpus and the investment policy, etcetera, I always felt, "Boy, they are making a lot of money. Boy, I'd like to get into their investments," that they seem very aggressive, but now I understand why maybe we moved away from those aggressive agreements. And, by the way, I applaud Legislator Cooper for some of his -- some of his add-ons involving this, because the Friends Group can be very positive. I used to run one and be involved with one, so that that's a good step.

But I've got a question. Knowing that apparently it must have had a very aggressive portfolio, management, it didn't seem to be your standard endowment fund where you're dealing with municipal issues where they are very conservative, well when we -- when we were -- when it was recommended that we move into a cash position, I see that we sold at the absolute bottom where I think it was like 85 -- either the Dow was at 85 at the time, now it's up around 9. I mean, is -- was

there a possibility that, or would it have been looked at, that maybe we could have taken a less aggressive position, instead of going into cash, we would have had more monies. I mean, is that something that we should be managing as well? Who's looking at that and who's giving us advice on that issue, is it just the bank?

**MR. REINHEIMER:**

Yeah. We selected an investment advisor through an RFP. We started with Fleet Services and they merged with Bank of America. Bank of America has been investment advisor who is watching the account. The Legislature has set up the investment objective, which is 40% stocks and 60% in bonds, and usually large cap stocks and investment grade bonds.

**LEG. HORSLEY:**

That's what it is now or was then?

**MR. REINHEIMER:**

That's our investment objective now.

**LEG. HORSLEY:**

That is our objective now. Okay. So we're not in a cash position.

**MR. REINHEIMER:**

No, no. By now, that's the official investment objective the Legislature adopted several years ago. The Investment Advisor called us, because the endowment, the way it was structured, was taking swings of three to four hundred thousand dollars in a day, and they were concerned that at 8.3 million dollars, that this would -- could invade the corpus. Their suggestion to us was that in order to protect the corpus, so that we don't have these wide swings, is to get out of equities and to convert the cash or cash equivalents, and also sell some of the more aggressive bond funds. So this was a -- this was not an investment --

**LEG. HORSLEY:**

So we did get out at the -- we did get out at the bottom; is that an accurate statement?

**MR. REINHEIMER:**

We had to. We were forced to --

**LEG. HORSLEY:**

We were forced to.

**MR. REINHEIMER:**

-- in order to protect the corpus. The Investment Advisor, if they were managing this long-term, without the concern about the corpus, would not have sold. They were forced to sell in order to protect the corpus and protect the asset to the Vanderbilt. So it was a defensive action.

**LEG. HORSLEY:**

Okay.

**MR. REINHEIMER:**

It was not done in order to manage the fund --

**LEG. HORSLEY:**

Give us -- manage it the best way possible, because it did seem to be a little foolhardy. You know, it's like, you know, going against all recommendation when you're dealing with stocks and bonds, but -- so the bottom line is we do have a plan where we're looking to -- for a more -- a more aggressive stand than we have now, but, yet, it's not as -- we're not -- we're not out there on the limb.

**MR. REINHEIMER:**

Well, the problem we have --

**LEG. HORSLEY:**

So it's 40% cap? What did you say, 40% cap in --

**MR. REINHEIMER:**

Forty percent equity, 60% in bonds.

**LEG. HORSLEY:**

Okay.

**MR. REINHEIMER:**

The problem we have now is that the corpus of the fund, it would be very difficult to get back into equities, because the value of the equities, as they swing in value, could invade the corpus.

**LEG. HORSLEY:**

Yeah.

**MR. REINHEIMER:**

So the point is, it's going to be very conservative for the next couple of years, because we can't afford to have the wide swings in the market.

**LEG. HORSLEY:**

Okay. Thank you. I'm good.

**P.O. LINDSAY:**

Okay. Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. This is a very difficult situation, and one that Legislator Lindsay had to call me and we had to confer with Budget Review and those financial advisors. Legislator Barraga mentioned before the volatility of this market, and I think that this is something that should have received more attention early on when the market started to undertake these significant drops. But be that as it may, we were faced with the situation of pulling that corpus out and protecting that minimum amount.

Many people know I was a history major, I have a real love for the history of Long Island and our culture. I don't think that the Museum or anyone involved in this has adequate or had adequate time to prepare for what would come with this type of drop in the value of the endowment. I think it is prudent at this point, given the costs associated with maintaining the collections, minimum heating requirements and security for the facility for next year, that we do bridge this at least into next year, but with the understanding that if a plan is not put in place to eliminate the need, for lack of a better term, in this market right now, a bailout, that the latter part of 2009 is going to have to be spent devising a plan for closing the facility and protecting the collections through whatever means necessary. I just don't think, unfortunately, that we have the luxury of the time right now to be able to accomplish that without spending a significant amount of money anyway. And I think this gives the facility and those involved the time, hopefully, to be able to get private donations and a plan in place that will allow it to continue operating independently, at least that is my hope.

**P.O. LINDSAY:**

Just a thought on that. Maybe we should apply to the Federal Government, you know, I mean, Freddie Mac and AIG. I mean, we're the smallest, we only need a couple of hundred thousand dollars, you know?

**LEG. LOSQUADRO:**

Mr. Presiding Officer, I think the minimum request is a billion dollars, so I don't think we qualify.

**LEG. ALDEN:**

We'll take it.

**LEG. NOWICK:**

We'll take it.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Yes, thank you, Mr. Presiding Officer. I think, one of Legislator Losquadro's points is one of the most important elements here as we make the decision for the coming year, which is we can't just close the door and walk away. There's going to be a substantial ongoing liability over the next year, an ongoing financial liability, an ongoing legal liability with potential lawsuits to follow.

We all understand the significant importance that the Vanderbilt has for Suffolk County and our County residents. You know, to me, this proposal doesn't protect the Vanderbilt, all it does merely is give the Vanderbilt the opportunity, a meaningful opportunity to develop a plan in the coming year to ensure its own sustainability going forward into the future.

I think it's also important to point out that at least as the resolution exists now, that there is a sunset provision here. And I know many of my colleagues are concerned about an ongoing liability, and are we going to have this ongoing conversation next year and the year after that, but I think one of the important elements for me is that there is, at this point anyway, a commitment to a finite period of time to allow the Vanderbilt to do what it must to be able to develop a sustainable plan going forward into the future. I also am encouraged, through Legislator D'Amaro's questions, that it's pretty clear that we make a decision today, but that we do have the opportunity going forward in the short term to look at other options, other options that I hope will turn out to be more viable and more acceptable. But, to me, this resolution will, number one, show our commitment to this important asset, but also give us the flexibility to perhaps come up with a more sustainable plan going forward.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I have heard what most of my colleagues have said about this, and I do believe that it is something that we need to go ahead and address in this short term time period, and cognizant of the violent swings we see going on. But it occurs to me that -- I wanted to ask Counsel, again, I guess, for just a little bit of nuts and bolts or housekeeping. What role do we actually play with the Vanderbilt as Legislators here?

**D.P.O. VILORIA-FISHER:**

We write the check.

**LEG. KENNEDY:**

What are we to the Vanderbilt?

**MR. NOLAN:**

Well, it's the Suffolk County Vanderbilt Museum. It's ours, it's Suffolk County's Museum. We own the property.

**LEG. KENNEDY:**

Do I have a fiduciary responsibility with that Museum?

**LEG. ALDEN:**

I think you've got a personal one.

**D.P.O. VILORIA-FISHER:**

Where's your wallet?

**LEG. KENNEDY:**

Where's the big fish?

**MR. NOLAN:**

A fiduciary -- I don't know if it's a fiduciary responsibility, but, as I said earlier, you know, I think we're talking about, you know, the Vanderbilt's got to come up with a plan. It's a County Museum, and we took it and we agreed to operate it as a park and Museum, and there was a public trust created there. And if we're going to change -- if we're going to not carry out that mission any longer, I do think we've got to make that determination, we'll probably have to go to court to be let out of that obligation.

**LEG. KENNEDY:**

The other thing that occurs to me, and I saw the decision that had to come fairly -- with a degree of urgency with Legislator Losquadro and Legislator Lindsay, and all of us that convened, acknowledging that the revenue was dropping and we were getting to the point where we were going to pierce the corpus. But what is the status that went on with this trust? To whom were the revenues being reported or the status of the investments? It always occurs that when times are good, the money is being made, we don't hear a lot of it, but I --

**D.P.O. VILORIA-FISHER:**

There were reports coming to us.

**MR. NOLAN:**

I think Lance could -- Lance could definitely speak to that.

**D.P.O. VILORIA-FISHER:**

Yeah, Lance could speak to that.

**LEG. KENNEDY:**

And Legislator Barraga spoke to the fact that there was an almost -- what did you say, Tom, 1 1/2 or 2 million dollar drop in 35 days?

**LEG. BARRAGA:**

In September it was -- the endowment, the corpus was at 10. --

**LEG. LOSQUADRO:**

Just use the mike.

**D.P.O. VILORIA-FISHER:**

Yeah, it was over -- it was over 10 million.

**LEG. BARRAGA:**

In September, when they had their last meeting, the figure was at 10.2 million. And there was discussion, I believe, among the Trustees that there was a problem, but, you know, they had time. They felt it -- there was some erosion, but it would be a couple of years before they faced this bottom figure of 8.2 million. Within 35 days, it was gone, and that's what happened. The County had to step in in order to protect the corpus and switch from equities and bonds right to a fixed

stable fund. And the future would dictate that probably it will stay there for quite awhile, unless they risk the corpus again. So you've got to come up over the next year, if this lifeline is given, with a methodology of generating at least \$800,000 annually, because we're not going to revisit this. At least the Legislature has indicated they will not revisit this again with an extension of other ways of giving public monies to this Museum.

**D.P.O. VILORIA-FISHER:**

And, John, I was at that Trustee meeting and, you know, that precipitous drop, don't forget, is part of what the whole global economy is facing, it's not peculiar to the Vanderbilt Museum or -- you know, we're not laying it at their doorstep as mismanagement. This is a global phenomenon that we're looking at.

**LEG. KENNEDY:**

Mr. Chair, again, to Legislator Viloría-Fisher as the sponsor. Assuming this were to go forward, when would this remedy plan be presented? How soon would we see this?

**MR. REINHEIMER:**

If I can --

**P.O. LINDSAY:**

I don't think anybody knows yet, John.

**MR. REINHEIMER:**

The resolution requires the Vanderbilt appear before the Parks Committee, and I think it's by no later than June 30th to come forward with a formal plan. That's in this resolution.

**D.P.O. VILORIA-FISHER:**

Well, you know, Miss Hart spoke this morning and referred to their developing the plan. They've been working on it since I attended their Trustees meeting. Carol, that was at this point about six weeks ago, two months ago. And so they were already working on it before it even hit the corpus. When it was at 10.2 and I attended their Trustees meeting, we knew that we were looking at big trouble. And we were concerned about their continuing to draw the 1.2, and we're looking at ways for them to support their Operating Budget with drawing less from their investment.

**LEG. KENNEDY:**

Can we get her to commit to a sooner time period to present?

**D.P.O. VILORIA-FISHER:**

You know what, he wants to see if we could get Carol to come back up.

**P.O. LINDSAY:**

Absolutely.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Through the Chair, if we could hear from Miss Hart.

**MS. HART:**

Yes, the Board of Trustees has been working on a new strategic plan that will not only outline our goals, what we need to do, but how we're going to do it, that's the strategic part of it.

**LEG. KENNEDY:**

Can I just make a suggestion to you?

**MS. HART:**

Sure.

**LEG. KENNEDY:**

In my opinion, in my humble opinion, June 30th is way too late.

**MS. HART:**

Oh, no, we --

**LEG. KENNEDY:**

When do you expect that the Board would be coming to us with this remedy plan?

**MS. HART:**

I expect within the next month. As I said, I usually get a check for \$100,000. This week -- it's not coming this month, it might not come next month, so we're already looking at what I need to do right now so we have a plan.

**LEG. KENNEDY:**

Are you deferring payroll? What's going on? We heard from a bunch of employees here.

**MS. HART:**

As of now, we haven't had to defer payroll. We're probably going to ask for voluntary furloughs. I'm moving people who might otherwise be laid off into security positions. We're eliminating our outside security team. So, I mean, these are things we are doing today. There are people who worked part-time during the week that are now not getting those hours.

**LEG. KENNEDY:**

Did you -- I'm sorry. So you terminated an outside security contract, that's been done already?

**MS. HART:**

We have eliminated the seven-to-three shift from the outside, and we will be -- within the next month, we have to make sure we have all the certifications, and we might have to hire a couple of people for the midnight shift. But we expect within the next month that we won't have the outside security team at all. Using our current staff wherever possible and giving some hours to people who might otherwise be laid off to come in, security. That way, hopefully, if we do have a turnaround, we don't lose some of our valuable people. So these are steps -- we were closed three days a week as of this week. We are making steps. We are looking with the energy, "What can I do now?" We're doing things right away. So, certainly, we have meetings planned with our community. The community is going to be a big part of everything we're talking about.

**LEG. KENNEDY:**

I understand, and, as a matter of fact, as Legislator Cooper spoke earlier, I applaud him, and I never underestimate anything he has to say. By the way, I want that button.

**MS. HART:**

But I guess the short answer is we have a Board meeting November 12th. We're going to be working on the -- you know, again, we have a plan, but the strategy part of it, all right, how are we going to do this, who's going to do it.

**LEG. KENNEDY:**

I am inclined to want to hear what my colleagues are saying, but I also -- I don't want to have to hear about this in six months from now. If the house is on fire now, we need to hear soon how you're going to put it out.

**LEG. COOPER:**

No, absolutely. And we do have plans in place, we have lots of ideas. The planning, maybe another month to really get at who is going to do these things, how we're going to go about it. And I believe in the next month we will have a very firm plan with a schedule of how we expect things to go.

**LEG. KENNEDY:**

Okay.

**MS. HART:**

Okay?

**LEG. KENNEDY:**

Thank you. All right.

**P.O. LINDSAY:**

Legislator Cooper.

**LEG. COOPER:**

Just a brief comment in response to -- I think it was a question that Legislator Romaine had raised. I don't think I'm talking out of school, but I do know, in speaking to Steve Gittelman and Carol Hart, that they were already approached by an attorney representing one of the heirs of the Vanderbilt Estate and they've expressed great interest in reclaiming the property were we not to get our act together. The vultures are circling already. And I for one do not want to have to try to justify to taxpayers in my District that we've basically wasted a 20 million dollar investment in capital projects over the past year. So that just reiterates that if we don't move quickly, there could be some very adverse consequences.

**P.O. LINDSAY:**

Okay.

**LEG. BEEDENBENDER:**

Bill.

**D.P.O. VILORIA-FISHER:**

We have one more person.

**P.O. LINDSAY:**

Okay.

**LEG. BEEDENBENDER:**

I already spoke, so it's up to you.

**P.O. LINDSAY:**

Okay. You speak, and then I'll let him speak, and then I want to speak. Go ahead.

**D.P.O. VILORIA-FISHER:**

Thank you, Mr. Chair.

**P.O. LINDSAY:**

Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

It's obviously that I'm in support of this as the sponsor, but I just wanted to mention some numbers. From January to June, 31,080 students attended the Planetarium and/or Museum Education Program. Earlier, Mr. MacKay from the -- from SPLIA spoke about over 200,000 visitors going through the Planetarium and Museum in a year.

When I first came out to live in Suffolk County in 1969, I was teaching at Selden Junior High School and was surprised to see how many kids in my classes had never been to New York City to go to the Hayden Planetarium or to go to a Broadway play. And my friend Sue and I set up a club where one Sunday a month I would take kids into Manhattan, because I wanted them to be able to experience things like this. It was an important part of their experience. And some of those people who are

now, I hate to say it, but in their fifties, I've run into them and said, "It made such a difference to me that you did that, that you brought us into the City." Yes, I taught people who are now in their fifties.

When we are looking at the experiences and education of kids, we don't want to have two classes of kids in Suffolk County, those who have the enriching experiences and those who don't have access to them. This Planetarium will be, I think is, but has the potential to be even greater, the kind of world-class planetarium that we see at the Hayden Planetarium. And these are kids all over Suffolk County. When you're talking about 31,000 kids from January to June, it's kids all over Long Island, and Brooklyn and Queens come out here, too.

This morning, while we were having this meeting, there were 93 middle school kids at the Egypt, the mummy exhibit, okay? The study of Egypt is very important in the middle school grades, and kids, it comes alive for them when they see a mummy, when they see an exhibit like this. That's part of education. Let's not deny our kids access to something as valuable as what we have in the Vanderbilt Museum. You've heard of all of the pragmatic arguments. I'm speaking to you as an educator and a parent, and someone who believes that we should give all of our kids in Suffolk County an equal access to education, and imagination, and culture, and history. It's an important piece of what we do for the people of Suffolk County.

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you, Mr. Chairman. I'll be very brief. I just -- I struggled with a lot of things that I heard during the discussion, so I just wanted to make a few points.

It is true that Suffolk County has spent a significant amount of money enhancing the Vanderbilt property, and I think we should remember that we talk about the Planetarium to a great extent. That Planetarium was not there when Vanderbilt gave us the property, we built it, and we did that to try to help the revenue at Vanderbilt. We've done many capital projects and there are many more that are requested. And I'm just confused by the fact -- this seeming cyclical argument that we need to provide the Vanderbilt Museum with operating funds to ensure they survive. But the only way to ensure that they survive beyond that is to provide them capital funds to build things. And I understand the logic, but it goes in a circle. And I just -- and this is -- don't get me wrong, I don't derive any particular pleasure in saying that we should close the Museum, I just -- the Museum has been around for 60 years. We created a Friends of the Museum last month. And I don't say that flippantly, it's just never -- we had never assumed that this might happen, and now it's being judged as it's an emergency and we're somehow -- we, as a Legislature, have somehow abandoned our responsibility if we don't do something, and I guess I just object to that particular assertion.

And I also just strongly disagree with the assertion that we're closing this Museum, change the field trips of many kids, and remove the ability for them to see the mummy, to see the Hall of Fishes, to see the whale shark, yes, it would, but that's not going to create two classes of students in Suffolk County. I think we have to keep this in the proper perspective. And I respect all of my colleagues for the positions they've taken on this and other issues. I just -- I just think we have ventured into the area of a little bit of hyperbole when we're talking about this facility. So I just want to make those points.

**P.O. LINDSAY:**

Okay. I think we've really talked this to death. But I'm going to have maybe the last word of just some things in defense of some of the decisions that were made in an appeal to approve this budget amendment, and I'll give you the following reasons:

First of all, yeah, we made this decision a couple of weeks ago on a Friday to sell at the lowest point in the market, and it's a decision that I really felt uncomfortable with. I contacted Legislator Vilorio-Fisher, and Losquadro, and Cooper to kind of share this really big decision. It's very consistent with my investment portfolio, by the way, you know, I usually sell at low points, you know. I'm not very good at investments. But it wasn't -- you know, we're just following the consultant's view. The only good thing is by the time we got to sell it, Monday the market went up 900 points and we made \$300,000 before we could activate this sale.

**D.P.O. VILORIO-FISHER:**

Aw, shucks.

**LEG. HORSLEY:**

Go, Bill.

**P.O. LINDSAY:**

So there is, you know, our -- why I'm going to ask you to approve this resolution, at least on a -- you know, on a temporary basis, I want this to stay alive. I want to move this discussion to the next level.

First of all, the Executive's branch, this is such a new crisis that they haven't weighed in at all. And if we approve this, then it will certainly go to the Executive and he'll have a chance to take a look at the whole thing.

The second thing is it will give us a little time to assess the mothballing numbers. If it costs us more to mothball it than to keep it open for a year, I mean, that doesn't make sense, it really doesn't make sense.

The second thing is I agree with George, we have a public trust in that we accepted this institution from a very wealthy family, but -- and we've spent a lot of the public's money in that place. And, you know, if we decide we're going to divest ourselves of it, let's do it in an orderly manner. Let's -- you know, maybe the State would want to take it over from us, or God knows, I don't know, maybe a private institution would want to operate it, but we need time to explore some of these things.

The next thing is the whole issue of historic structures in our culture in Suffolk County and how it applies to tourism, which is a huge asset for our County. We, believe it or not, have a lot of tourist dollars come through here, and it was something that the Working Group struggled with through the whole -- the whole budget. From the Suffolk County Historical Society to the Vanderbilt to the Maritime Museum are all hurting, and our cultural facilities. You know, we usually give money to Staller Center, and the Westhampton Performing Arts, and, you know, a lot of the venues that attract people to our County we're struggling with trying to help, and I think that there has to be a global approach to this. They're important aspects of our County and we've got to figure out some way of making things work better. And I think we -- what I'm asking for is really time.

And I will be willing to support this resolution. I'm not necessarily going to support the accompanying resolution to pay for it, I want to look at it. I want to see where the money is coming from. I'd like to see it spread out along as many fees as possible, so we're not putting all the burden on golfers or boaters. You know, I'd like to see the pain spread out a little bit, and I'd like it to be as a surcharge, not an increase in fees. I'd like this to be a one-shot for next year to give us some time to come up with a plan.

I met with Miss Hart last week and was very impressed by some of the ideas that are percolating on how to come up with more steady revenue sources, how to bring in more money out there, how to maybe access the property to make it more financially viable.

So I'm just going to make an appeal to everybody to pass this for now, and I'm sure that we're going to have a discussion about this at our next meeting. And by that time -- every day is important at this point, because, again, the crisis is so new.

I just talked to Legislator Viloría-Fisher. She intends on attending the Vanderbilt's next Board meeting, Trustees meeting, to start the monitoring process that Legislator Cooper talked about. I think that's important, too. You know, this is an asset of ours. We have to take a hold of it, we have to take responsibility for what we're doing, whatever we're doing.

So, with that, I will be quiet. We have a motion and a second. Roll call.

**(Roll Called by Ms. Ortiz, Chief Deputy Clerk)**

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

No.

**LEG. BEEDENBENDER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Pass.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**P.O. LINDSAY:**

Yes.

**MS. ORTIZ:**

I'm sorry. Alden?

**LEG. ALDEN:**

Yes.

**MS. ORTIZ:**

Fifteen.

**P.O. LINDSAY:**

Okay. *Budget Amendment 5 - Resolution increases the Senior Citizens Legal Aid Program by 154,594, which is offset by a reduction of 54,594 in the 2008 estimated Benefit Fund contribution, and a reduction of \$100,000 in the 2009 Benefit Fund contribution. The Omnibus Resolution provides 200,000 to Legal Aid Society for contracted services to the elderly. The purpose of the resolution is to provide the additional 154,000.*

Just in a nutshell, the Executive, in his budget, had almost defunded this program. The Working Group added back 200,000, which is not what they needed, they were using last year. This stand-alone provides the rest of the money. Do I have a motion?

**LEG. KENNEDY:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Kennedy. Who was the second?

**D.P.O. VILORIA-FISHER:**

Stern.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Okay, Romaine. All right. I'm sorry. On the question, Legislator Stern.

**LEG. STERN:**

Yes. Thank you, Mr. Presiding Officer. Again, difficult times. Difficult times particularly for Suffolk County senior citizens who are among the most vulnerable within our community. And when you're dealing with tough economic times, it is that much, unfortunately, easier to fall prey to those who would take unscrupulous steps towards taking advantage of those who are most vulnerable in our community through fraud, through abuse.

And we heard earlier that many seniors throughout Suffolk County, like so many citizens throughout Suffolk, are literally in danger of losing their homes. And I think now, really more than ever, because of the challenges that our seniors are facing, continuing the program is that much more critical.

We all get the calls to our office from seniors who are dealing with difficult times and legal issues.

We've all made the referrals to the Legal Aid Program and the Senior Citizens Division, and we all know of the outstanding service that they provide, and they literally are the last resort for those who need legal assistance within our community. And I strongly believe that this is a very important way for us to support our seniors, particularly at this time where they need that much more assistance.

**P.O. LINDSAY:**

Anyone else? Anyone else? Yeah, everybody's all talked out. Okay. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. KENNEDY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MS. ORTIZ:**

Eighteen.

**P.O. LINDSAY:**

Okay. ***Budget Amendment 6 - The resolution reduces the purchase of automobiles by the maximum of 4,195,000 in 2009.***

**LEG. KENNEDY:**

Mr. Chair, I want to ask Budget Review. This is something that I had spoken to them about early on in connection with John J. But in light of the fact that Omnibus 1 passed, I think the simplest thing to do with this is just to withdraw.

**P.O. LINDSAY:**

It sounds good to me.

**MS. VIZZINI:**

That's your prerogative. Omnibus used 3.3 million. This would bring the reduction up another 800,000. The way we wrote this for you is that this would be the maximum.

**LEG. KENNEDY:**

I don't see anybody getting new cars next year, but I'll do the withdrawal for that.

**P.O. LINDSAY:**

Okay. Budget Amendment 7 through 15 is already covered in 2 that passed.

***Budget 16 - The resolution will provide \$46,000 in 2009 for the Family Service League Suicide Prevention and Response Program referred to as "Joe's Project", which is offset by a reduction of a like amount in the 2008 estimated Benefit Fund contribution.*** And I will make a motion on this.

**LEG. LOSQUADRO:**

I'll second that, Mr. Chairman. I'll just for the record point out this was an oversight on the part of the Working Group. We saw something for the Family Service League that we thought was this project. It turned out to be another project. We certainly would have brought this up in the Working Group. And we ask for the support of our colleagues being -- I'll let Legislator Lindsay speak to the success of this program.

**P.O. LINDSAY:**

This was a new program that we started -- I guess it was last year. It all came about as a constituent of mine came to my office and said that he had a very --

***[A POWER OUTAGE OCCURRED]***

**P.O. LINDSAY:**

Let's take a short break and see if the power comes on.

***[THE MEETING WAS RECESSED AT 2:14 P.M. AND RESUMED AT 2:35 P.M.]***

**P.O. LINDSAY:**

Mr. Clerk, are you ready?

**MR. LAUBE:**

Yes, I am ready.

**P.O. LINDSAY:**

Mr. Clerk, would you call the roll, please?

**MR. LAUBE:**

This is for B.A. 16, Budget Amendment 16?

**P.O. LINDSAY:**

No, no, no.

**MR. LAUBE:**

Oh, you were back.

**P.O. LINDSAY:**

We were in an emergency recess.

**MR. LAUBE:**

Gotcha.

**P.O. LINDSAY:**

So just call the roll to make sure who's here, who isn't here.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. ROMAINE:**

Present.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

(Not Present)

**D.P.O. VILORIA-FISHER:**

Present.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

Okay. If I'm correct --

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

-- we're on Budget Amendment Number 16. We didn't take the vote on that, right?

**MR. LAUBE:**

No, you didn't.

**P.O. LINDSAY:**

Okay. This is the \$46,000 for Joe's Project that --

**LEG. ALDEN:**

It was omitted by mistake.

**P.O. LINDSAY:**

Yeah. Does anybody want to comment on -- no? Okay. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**P.O. LINDSAY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Now, did you get Montano?

**MR. LAUBE:**

Oh, he said pass.

**LEG. MONTANO:**

Yeah, make it 18.

**MR. LAUBE:**

Montano, 18.

**P.O. LINDSAY:**

Okay. *Budget Amendment Number 17. This resolution increases temporary salaries in the Health Department by 30,719 and amends the hourly rate from the temporary positions in the Classification and Salary Plan for Registered Nurses and Licensed Practical Nurses at a rate commensurate with permanent salary employees. The offset is 7,695 in Public Health Aid, and by a reduction in permanent salaries by \$23,024.* Do I have a motion?

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning. Do I have a second?

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Kennedy. On the motion, nobody? Does Mr. Kovesdy want to comment?

**LEG. LOSQUADRO:**

Your mike's not on. Top button.

**MR. KOVESDY:**

We -- the Exec does have a concern on the offsets. Traditionally --

**LEG. LOSQUADRO:**

Welcome to our world.

**MR. KOVESDY:**

Traditionally, the Executive, when he does the budget, does not go into the Legislative Offices' 110 accounts, they leave them as requested, historically, and it's usually that the Legislature does not go into the County Exec's 110 Account. They're left alone as two separate branches of government. So nothing to do with the merits of it. We would appreciate if there would be a different offset, rather than salaries, within the County Exec's Office. Thank you.

**P.O. LINDSAY:**

Does Budget Review want to weigh in on this issue?

**MS. VIZZINI:**

Well, counter to what Mr. Kovesdy indicated, the recommended budget did reduce the Budget Review Office's set permanent salary accounts --

**MR. KOVESDY:**

For retirement.

**MS. VIZZINI:**

-- commensurate with, you know, abolishing one of our two positions vacated by retirement. But now that I've clarified that --

**LEG. HORSLEY:**

Everyone's got an ax.

**MR. KOVESDY:**

Seems that way.

**MS. VIZZINI:**

At the request of the sponsor, we provided this particular offset.

**LEG. EDDINGTON:**

Very nice, very nice.

**LEG. NOWICK:**

Okay.

**P.O. LINDSAY:**

Does the sponsor have any wish to change the offset?

**LEG. BROWNING:**

Absolutely not.

**P.O. LINDSAY:**

Okay. We have a motion and a second. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. BROWNING:**

Oh, yes.

**LEG. KENNEDY:**

Yes.

**LEG. ROMAINE:**

Absolutely.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BEEDENBENDER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

With pleasure, yes.

**LEG. ALDEN:**

Equally, yes.

**LEG. BARRAGA:**

No.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

No.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

No.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

Okay. *Budget Amendment 18 --*

**LEG. MONTANO:**

Withdrawn.

**P.O. LINDSAY:**

Withdrawn, okay. *Budget Amendment 19 - This resolution amends the 2009 Operating Budget to provide \$60,000 for the contracted agency Transitional Services, which is offset by an equal decrease in the Department of Public Works, light, power and water expenditures in 2009.* And I know that this was sponsored by Legislator Alden, but, truthfully, this as well was probably an offset -- was probably an oversight by the Working Group, because --

**LEG. ALDEN:**

That's what it appeared to me to be.

**P.O. LINDSAY:**

Because we have funded this in the past.

**LEG. ALDEN:**

And this goes for mentally disabled.

**P.O. LINDSAY:**

Yep.

**LEG. ALDEN:**

It's a program that --

**P.O. LINDSAY:**

And Legislator Cooper, you used to sponsor this; am I correct?

**LEG. COOPER:**

No, it wasn't me.

**P.O. LINDSAY:**

No, not now, but used to sponsor --

**LEG. COOPER:**

Oh, in the past, absolutely.

**P.O. LINDSAY:**

Yeah. Okay. Is there any -- yes, Legislator Stern.

**LEG. STERN:**

Thank you. I'd just like to know what the significance of the \$60,000 is. Was that based on last year? Is that reduced in any way going forward? What's the significance of that particular number?

**LEG. ALDEN:**

This had to go in a hurry. I think that's what the reduction was.

**MS. VIZZINI:**

It's the 2008 estimated expense.

**LEG. NOWICK:**

Roll call.

**P.O. LINDSAY:**

Any other questions on the issue?

**LEG. MONTANO:**

No, just a comment. List me as a cosponsor.

**MR. LAUBE:**

Yes, sir.

**LEG. ALDEN:**

I'll make the motion.

**P.O. LINDSAY:**

Did we get a motion yet?

**MR. LAUBE:**

No, you didn't.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Oh, yeah. Motion by Legislator Alden, second by Legislator Viloría-Fisher. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. ALDEN:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yep.

**LEG. MONTANO:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. *20 - This resolution creates 17 new positions in the Department of Social Services to facilitate eligibility determinations recertification process for food stamps. There is no increase in the net County Operating Budget as the additional costs are offset by savings and increased Federal aid. According -- additional funding for benefits are not required as sufficient funding exists in the budget.* Do I have a motion?

**LEG. BEEDENBENDER:**

Motion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender, seconded Legislator Viloría-Fisher. On the question?

**LEG. MONTANO:**

Question.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Yeah. Are these positions going to be filled?

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. MONTANO:**

They are, okay.

**P.O. LINDSAY:**

Okay. Could we do, "All in favor, opposed? You want to talk, Legislator D'Amaro?"

**LEG. D'AMARO:**

Thank you. I just wanted to ask, on Resolutions Number 20 through 24, if the Clerk would list me as a cosponsor.

**MR. LAUBE:**

Yes, sir.

**LEG. SCHNEIDERMAN:**

Tim, same with me, too.

**LEG. EDDINGTON:**

Me, too.

**LEG. ALDEN:**

Me, too.

**P.O. LINDSAY:**

Okay. You want to --

**LEG. KENNEDY:**

I was just going to ask, Mr. Chair, if I can, it seems 20 through 24 are all creating positions in DSS. Do we have a total of how many new positions are being created?

**P.O. LINDSAY:**

I was adding that up. It's --

**LEG. BEEDENBENDER:**

It's 172.

**LEG. KENNEDY:**

We're creating 172 new positions?

**P.O. LINDSAY:**

Yep.

**LEG. D'AMARO:**

Completely offset by the Feds.

**MS. VIZZINI:**

There --

**LEG. BEEDENBENDER:**

Mr. Chair. Mr. Chair, I had a conversation with the Commissioner of Social Services this morning, so I might be able to provide -- I'm sorry, Gail, you probably, too. Go ahead, sorry.

**D.P.O. VILORIA-FISHER:**

The Commissioner is here.

**LEG. KENNEDY:**

The Commissioner is here.

**LEG. BEEDENBENDER:**

I didn't see her. Okay.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. KENNEDY:**

Yeah, she's here.

**LEG. BEEDENBENDER:**

If she's here, then she can speak for herself.

**LEG. ALDEN:**

And the Deputy.

**COMMISSIONER DEMARZO:**

Good afternoon. The resolution -- the first resolution you're considering is 17, food stamp eligibility -- for food stamp eligibility. They would be new to the budget. There is another resolution, which is 80 new positions, that was not contemplated prior to the 2009 budget. The last resolution, which was the 75 positions, that was already adopted as part of the 2009 deliberations earlier today. It just provides additional funding so those individuals can be hired earlier in the year. So the 80 and the 17 are brand new to the 2009 budget, but the 75 was contemplated earlier.

**LEG. KENNEDY:**

Can I follow up with this thread, then?

**P.O. LINDSAY:**

But, Legislator Montano, did you start the question? Are you done?

**LEG. MONTANO:**

Well, I just wanted the same question. These -- all these positions are going to be filled; am I correct?

**COMMISSIONER DEMARZO:**

(Nodded yes).

**LEG. MONTANO:**

Yes, right? Okay. That was it.

**P.O. LINDSAY:**

Okay. Legislator Kennedy.

**LEG. KENNEDY:**

I had a similar question. I was just curious as to why we're looking at the addition of, you know, this many positions at this point in the process.

**MR. ZWIRN:**

Well, we expect in the downturn in the economy, there are going to be a lot more applications coming forward, and the State and Federal is available, so we're going to take advantage of it. It's not going to -- there will be no out-of-pocket County expense.

**P.O. LINDSAY:**

What's not to like?

**LEG. KENNEDY:**

Do we have lists in these categories? How long will it take us to actually get these people on board?

**COMMISSIONER DEMARZO:**

The largest amount of people being hired are Examiner I's. The Examiner I's test is being given in November. We have talked to Civil Service to expedite that process. We are looking at -- it's basically the whole Examiner's series. We're looking at the II's, III's and IV's, whether or not we need to ask for expedited test, or if the existing list could hold it. We definitely think that I is the most important. And we also put a number of Examiner I's, Spanish speaking, in, which has been an area where we've had some trouble recruiting. But we believe that the Examiner I series will get us going and that we will have time to get all the pieces in place.

**LEG. KENNEDY:**

Okay. All right. I'll yield.

**LEG. MONTANO:**

Yeah, I'm not sure I got that. These positions are being filled off the existing list?

**COMMISSIONER DEMARZO:**

The -- it's my --

**LEG. MONTANO:**

There's an existing list, right?

**COMMISSIONER DEMARZO:**

There's an existing list for Examiner II's, III's, IV's and V's, not for the Examiner I position. The

Examiner I position has very few people left on it. But since we're not hiring until January and the test is being given in November, we'll be in good shape with a new list in January.

**LEG. MONTANO:**

All right. Gail, if you can, what grade -- do you know what grade those positions are, just for my information?

**MS. VIZZINI:**

The Examiner I is a Grade 16.

**LEG. MONTANO:**

Sixteen?

**MS. VIZZINI:**

The Examiner II's are 19's, and the III is a 23.

**LEG. MONTANO:**

Commissioner, would you know if the applicants for the list for the exam that's coming up, is that already closed or is that still open? In other words, unless you have applied before today to be considered to take the exam, or is it still open so that you can get an application, if you know? You may not -- it's Civil Service.

**COMMISSIONER DEMARZO:**

I think it is closed.

**LEG. MONTANO:**

You think it's closed.

**COMMISSIONER DEMARZO:**

I think since the test is being given this month that we're in now, it is closed.

**LEG. MONTANO:**

All right.

**LEG. BEEDENBENDER:**

Mr. Chairman, I can actually -- my staff -- I had a constituent that is out of a job and has an expertise in this and we checked. The deadline was October 15th, because we wanted to get her on the list to see if she could take the test. But it was October 15th, so it's closed for this list now.

**LEG. MONTANO:**

All right. We'll follow up with Civil Service. Thank you.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

Commissioner, I seem to remember a figure of 75 being reimbursed at the Federal level. You said the total is 172 positions here? A hundred and seventy-two.

**COMMISSIONER DEMARZO:**

You were right, that there were 75 submitted for the 2009 budget. These resolutions ask for an additional 80 in the Medicaid area and 17 in the food stamps area.

**LEG. BARRAGA:**

Are you telling me that all 172 would be reimbursed fully at the Federal level?

**COMMISSIONER DEMARZO:**

All the Medicaid positions are 100% reimbursed.

**LEG. BARRAGA:**

What about the others?

**COMMISSIONER DEMARZO:**

The food stamps are 50% Federal reimbursed at this time.

**LEG. BARRAGA:**

Fifty percent County?

**COMMISSIONER DEMARZO:**

Fifty percent County. There is some State dollars that we --

**LEG. BARRAGA:**

Okay. All right.

**COMMISSIONER DEMARZO:**

-- can pull into the process as well. But it's already in the budget, we just have to allocate it.

**LEG. BARRAGA:**

A quick question to Mr. Zwirn. The 6 vacant positions for the 911 Dispatch Emergency Center, the 11 vacant positions for the Electronic Monitoring Unit in the Probation Department, the 4 vacant positions in the Sex Offender Services Unit, are they reimbursed, too?

**MR. ZWIRN:**

No. My understanding is that's 100% County dollars.

**LEG. BARRAGA:**

Thank you.

**D.P.O. VILORIA-FISHER:**

Janet, I'd like to just follow up on going back to the first of the series of resolutions, Number 20. No, I'm sorry. Twenty -- yeah, 20. On the food stamps, it says here in the description there is no increase in the net County Operating Budget.

**COMMISSIONER DEMARZO:**

Correct. What the resolution provides for is two -- the addition of the Federal aid and two offsetting appropriations.

**D.P.O. VILORIA-FISHER:**

Okay. So where is that? Can you explain that, Janet?

**COMMISSIONER DEMARZO:**

Actually, I think that that's a better -- Allen, the Budget Office explanation, the offsets of the -- she's looking for the net cost. Can you explain the two offsets? I can do one.

**MR. KOVESDY:**

We found -- we found two offsets. We found that the cost of gasoline going down lowered our projection for like, heat and power, so we were able to use that, just like you use in the subsequent resolution. And Social Services said there may be some savings in the State chargeback, so we used those two against it, that's why there's no cost to the County.

**D.P.O. VILORIA-FISHER:**

Thank you.

**MR. KOVESDY:**

You're welcome.

**P.O. LINDSAY:**  
Anybody else?

**LEG. BEEDENBENDER:**  
Mr. Chairman, if I just could --

**P.O. LINDSAY:**  
Yes, go right ahead.

**LEG. BEEDENBENDER:**  
-- very briefly. I just wanted to thank a few people. This came about because the County Executive's Office had contacted me and asked if we could get this done, because it would be a more expedited fashion to get the positions in place. And BRO examined the whole thing and it was something that we threw on their plate while they already had a lot there and they got it done rather quickly. So just as a group effort, this was a good example of getting something done, both from our side, the Executive's side, and our Budget people and their Budget people.

**P.O. LINDSAY:**  
Pulling together.

**LEG. BEEDENBENDER:**  
For at least once.

**D.P.O. VILORIA-FISHER:**  
Kumbaya.

**P.O. LINDSAY:**  
I'm sorry, Legislator Barraga, you never got a chance.

**LEG. BARRAGA:**  
Excuse me. What did you say the first offset was, something about gasoline?

**MR. KOVESDY:**  
Light, heat and power next year, because the -- when we did the budget, it was at a high, the cost of gasoline and power was at a high.

**LEG. BARRAGA:**  
Right. Now it's lower.

**MR. KOVESDY:**  
It's dropped significantly.

**LEG. BARRAGA:**  
What happens if it goes higher?

**MR. KOVESDY:**  
We hope it stays this level.

**P.O. LINDSAY:**  
Any other questions? Okay. We're at 20 and we still have lights, so let's vote. Is it all right, instead of calling the roll on this, just up or down vote?

***(Affirmative Response)***

Okay. All in favor? Opposed? Abstentions.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

*21 - This resolution provides additional permanent salaries funding to bring 75 new Medicaid Compliance positions on board for a full year in 2009. There is a companion discretionary resolution that provides the additional Federal and State Aid to completely offset these costs. When taken together, there's no increase in net County Operating Budget.*

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher?

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Who has the second? Second, Beedenbender, Legislator Beedenbender. On the question, Legislator Barraga.

**LEG. BARRAGA:**

These are fully reimbursed?

**MR. KOVESDY:**

Hundred percent.

**LEG. BARRAGA:**

Thank you.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

22, right? We're up to *22. This resolution provides additional Federal and State Aid attributed to bringing 75 new Medicaid compliance* -- this is the companion resolution we talked about. Same motion, same second, same vote all right with everybody?

*(Affirmative Response)*

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*23 - This resolution creates 80 new Medicaid positions in the Department of Social Services. These positions will process Medicaid applications, including both eligibility determination and client recertification. A companion discretionary resolution provides a*

***portion of the associated employee benefits. When taken together, there is no increase to the net County Operating Budget, as the additional costs are completely offset by Federal and State Aid.***

**LEG. BARRAGA:**

Complete?

**MR. KOVESDY:**

Complete, 100%.

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

And **24** -- is the resolution provides -- this is the companion resolution that provides the additional funding, so if we -- can we do same motion, same second, same vote.

***(Affirmative Response)***

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. So that completes that portion of our agenda. Onward. We'll do this one first. Okay. If you go to the Special Meeting Notice, I'm going to go to ***Item 2 - To consider and vote on 1973-2008, resolution delegating to the County Comptroller the powers to authorize the issuance of not to exceed \$340,000,000 Tax Anticipation Notes for the County of Suffolk, New York, in anticipation of the collection of taxes levied or to be levied for the Fiscal Year January 1.*** I'll make a motion. Do I have a second?

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

And this came over from the County Executive, right? Okay. Are we looking all right on this amount in the market? Maybe through Budget Review or Ben. And I think we might have just had -- we had an auction, right? So we would know approximately what those went off at.

**MS. CORSO:**

Actually, the DTAN went off at less of -- went off at 1.51, which is a very advantageous interest rate. If you notice this resolution, I think they come up -- comes before you every year as a CN, it is authorized up to three hundred had we made over 110.

**LEG. ALDEN:**

And you're thinking in that 1.5 range again?

**MS. CORSO:**

I think the fiscal has 2.05 or 2.51. Gail, I don't have it in front of me. We're budgeted for higher, I could just say that, 3.75. It's a larger amount.

**LEG. ALDEN:**

And we're budgeted for 3.75, but you think it will come in lower?

**MS. CORSO:**

It is anticipated to come in lower.

**LEG. ALDEN:**

Okay. I'm not holding you to it, I just --

**MS. CORSO:**

Yeah, yeah.

**LEG. ALDEN:**

A guess.

**MS. CORSO:**

No. This is under the Comptroller's purview. I'm really -- I'm addressing you as a courtesy.

**LEG. ALDEN:**

Okay.

**P.O. LINDSAY:**

Okay. Any other questions? Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. Three we did already, four we did already. ***Item Number 5 - To consider and vote on a Procedural Resolution, Number 31-2008, authorizing Public Hearing for the authorization approval to alter rates of the North Ferry.***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. On the question? Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Item Number 6 on the agenda is *I.R. 1966 - Authorizing Public Hearings relative to proposals and plans set forth in the report prepared by Horan, Martello, Morrone, P.C., dated May, 2008 on the management and operation of the John J. Foley Nursing Facility.* And I am going to make a motion to approve.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

And I'm going to recognize Legislator Alden in a minute. I just want to point out to my colleagues that this is an integral part of what I brought back to you. It was really a three-part plan to fund Foley in 2009, to let the RFP go forward, and, at the same time, to set up an Oversight Management Committee to see if we can increase the efficiencies, especially new management coming on board. Legislator Alden.

**LEG. ALDEN:**

This report suggested basically the closure or the sale of Foley; is that not correct?

**P.O. LINDSAY:**

You're asking me?

**LEG. ALDEN:**

Or anybody.

**P.O. LINDSAY:**

Do you want to answer that?

**MR. ZWIRN:**

Yes. It allows us to move forward with looking at the sale, leasing or closing, which is not -- which has not been the County Executive's preferred approach.

**LEG. ALDEN:**

Ben, this authorizes the hearings?

**MR. ZWIRN:**

Yes.

**LEG. ALDEN:**

And when would they be held?

**MR. ZWIRN:**

Relatively quickly. I think December 5th, by December 5th.

**LEG. ALDEN:**

And they'd be held by us over here, one of them?

**MR. ZWIRN:**

The Legislature would have hearings and the County Executive's Office would have hearings, both on the eastern part of the County and the western part.

**LEG. ALDEN:**

Are you going to address us with any other proposals on long-term, you know, solutions or proposals for the problems that we're running into? And it looks like 2009's not going to be as bad, but 2010 could be the --

**MS. ZWIRN:**

As we said earlier, Legislator Alden, 2010 is what we're really deathly concerned about going forward; that, as the Presiding Officer said, and I appreciate his candidness with everyone here today, is that we're trying -- he's trying to get this County through next year any which way he can --

**LEG. ALDEN:**

Okay. And just --

**MR. ZWIRN:**

-- which is fine, but we're trying to look toward 2010, and, hopefully, in the next year, in a compromise that was worked out with the Presiding Officer and the County Executive, that they could go on a dual track, will get -- we put a CN in today for the RFP to move forward, for the Management Team to come into place. We'll do everything we can in good faith to see if this is doable, and whatever it is. In a year from now, we'll have a -- we'll have an idea.

**LEG. ALDEN:**

Then just -- and if it's okay to ask you, the procedure, we approve this, we have two hearings, we take the data that comes in from the hearings and we develop an RFP for either closure or sale?

**MR. BROWN:**

Well, the two hearings held by the Legislature and the County Executive is to discuss the idea of the data and the proposal. I can't say for certain that the RFP will not go forward until the conclusion of those two hearings. I think that they're on -- they're pretty much on a parallel schedule.

**LEG. ALDEN:**

I don't understand that. What do you mean by that, there could be a resolution coming in to close or sell while we're doing those hearings?

**MR. BROWN:**

I don't think so, no.

**LEG. ALDEN:**

Okay. So we do the hearings, then we get the -- we develop, you know, more data or more input from the public, and then we'll develop an RFP after that?

**MR. BROWN:**

Yeah, I believe so. Like I said, I believe they're proceeding on a parallel track. And I know Matt Miner was here, but he left, but the -- I don't think that the deadline is fully worked out yet as far as the RFP track is concerned, but the goal is to have the hearings concluded by December 5th.

**LEG. ALDEN:**

Do we have input into the RFP, or you develop the RFP?

**P.O. LINDSAY:**

I think it's done already. Isn't the RFP done already?

**MR. ZWIRN:**

There's an RFQ, but after this -- all these hearings are done, we will craft an RFP, hopefully, by the early part of next year, to go forward. But you have to understand, none of this can happen without the Legislature's input. I mean --

**P.O. LINDSAY:**

See, if you could suffer an interruption, Legislator Alden.

**LEG. ALDEN:**

Sure.

**P.O. LINDSAY:**

First of all, we -- our Legislative Counsel has a different opinion from the County Attorney's, that you guys can go ahead and issue the RFP without the public hearings, and that we're going to have to duplicate the public hearings if and when you come up with the deal that you're proposing. But, you know -- and the other thing is I thought that the -- I mean, the Executive had a press conference on what was going in the RFP already, didn't he?

**MS. CORSO:**

The RFQ that's going out is to pick a vendor to write the RFP for the sale. Do you understand? We don't have the technical expertise to draft an RFP of that nature?

**LEG. SCHNEIDERMAN:**

An RFP for an RFP.

**P.O. LINDSAY:**

No, an RFQ for an RFP.

**LEG. MONTANO:**

What's the "Q" stand for?

**MS. CORSO:**

It's an RFQ for a consultant to write the RFP. We do not have the inhouse expertise to do a sale.

**LEG. ALDEN:**

So then the follow-up question is, if I vote for this, all that automatically happens and the RFP could issue without coming back before us to vote on it or even see it?

**MR. ZWIRN:**

Yes.

**P.O. LINDSAY:**

Yeah. This is authorizing the RFP, all right?

**MR. NOLAN:**

By the Executive.

**P.O. LINDSAY:**

That doesn't mean that when that comes back -- you have to vote on it whether you want to sell the place, lease the place, or keep the place or --

**LEG. ALDEN:**

Okay, good. That's my point, then.

**P.O. LINDSAY:**

-- turn it into a dance hall.

**LEG. ALDEN:**

After you develop the RFP and you get responses, you come back and present those to us --

**MR. ZWIRN:**

Correct.

**MS. CORSO:**

That's right.

**LEG. ALDEN:**

-- as a plan for 2010, whatever.

**MR. ZWIRN:**

Right, correct.

**MR. NOLAN:**

And then we have to do the hearings again, two more hearings.

**MR. ZWIRN:**

Yes.

**MR. NOLAN:**

And I believe the County Executive is going to do two more public hearings.

**MR. BROWN:**

Yes.

**MR. ZWIRN:**

Correct.

**MR. NOLAN:**

And then the Legislature would have to approve a resolution, approving whatever plan is brought back to us. That's my understanding the way it's going to work.

**LEG. ALDEN:**

To allow it to go forward and get the data I think -- you know, I'm on board with that. But I'm not on board with, if I vote for this today and then we get a notice that Foley's closing, you know, December -- let's see, December 24th, everybody should have their clothes packed and be out.

**MR. ZWIRN:**

No.

**LEG. ALDEN:**

That's not going to happen, right.

**MR. ZWIRN:**

No.

**LEG. ALDEN:**

Okay. So it comes back to us after you evaluate and you present that to us.

**MR. ZWIRN:**

Right.

**LEG. ALDEN:**

The RFP.

**MR. ZWIRN:**

Correct.

**LEG. ALDEN:**

And then we'll take action from there.

**MR. ZWIRN:**

Correct.

**LEG. ALDEN:**

Thank you.

**LEG. MONTANO:**

Question.

**P.O. LINDSAY:**

Tom, you didn't want to speak, right?

**LEG. MONTANO:**

I did.

**P.O. LINDSAY:**

I got you.

**LEG. BARRAGA:**

But, you know, I will -- you know, put me down.

**P.O. LINDSAY:**

Okay.

**LEG. BARRAGA:**

I just have a quick question on the RFP.

**P.O. LINDSAY:**

Okay. Legislator Viloría-Fisher, Kennedy, Montano.

**D.P.O. VILORIA-FISHER:**

I just had a question for Counsel. For some reason, I thought I read somewhere that the County Executive could not pursue closure of John J. Foley unless there had been public hearings; is that so?

**MR. NOLAN:**

Well, I think, at the last meeting, the County Attorney was of the opinion that they could not issue an RFP to pursue privatization alternatives.

**D.P.O. VILORIA-FISHER:**

I'm talking about closure, not RFP.

**MR. NOLAN:**

Well, it's my opinion that the -- when the County Executive put the closure in the budget, that that was improper.

**D.P.O. VILORIA-FISHER:**

Right.

**MR. NOLAN:**

Okay.

**D.P.O. VILORIA-FISHER:**

But can he -- I thought I read somewhere that he could not pursue closure, I'm not talking about the RFP now, closure, without having public hearings first. Could he use these public hearings to then close it?

**MR. NOLAN:**

No, I don't think that could serve as the basis for closing the Foley facility.

**LEG. ALDEN:**

Get them on the record saying that.

**LEG. MONTANO:**

Yeah, what do they say?

**D.P.O. VILORIA-FISHER:**

Okay, yes.

**MR. BROWN:**

Excuse me, but first it was -- and, again, with all due respect, that was really two questions. One is whether or not hearings are necessary for closure, and your second question was whether or not these hearings can serve as closure.

**D.P.O. VILORIA-FISHER:**

Okay, you're right.

**MR. BROWN:**

With respect to the first question, and I believe that George has previously opined that he believed, at least with respect to the budget, that hearings would be required for closure.

**D.P.O. VILORIA-FISHER:**

Right.

**MR. BROWN:**

And we do take the position that hearings are not required with respect to closure, but with respect to privatization.

Now, as to your second question as to whether or not these hearings would be used as a predicate for closure to satisfy that A9-6 requirement, and these hearings do not by themselves serve as that -- serve as that basis. I believe that, as was -- as Legislator Alden was just told, once the RFP is developed, I believe the plan is to hold additional public hearings and to come back and to talk to you as well.

**D.P.O. VILORIA-FISHER:**

Okay. But that's for the sale. What about if --

**MR. BROWN:**

Privatization we're talking about. We're talking about privatization.

**D.P.O. VILORIA-FISHER:**

No, I'm talking about closure. My question is about closing the facility, which is one of the options

that the County Executive had mentioned at one time.

**MR. BROWN:**

Again, with respect to closure, we do not believe that A9-6 of the Code is applicable to closure, it's applicable to privatization.

**D.P.O. VILORIA-FISHER:**

Okay.

**MR. BROWN:**

And A9-6 says those services are enumerated services listed in the Code and in the Charter, that if they were to be performed by persons or entities other than employees of Suffolk County.

**D.P.O. VILORIA-FISHER:**

Okay. Mr. Chair, I just wanted to be certain that these public hearings wouldn't be used as -- you know, as a predicate to closure.

**P.O. LINDSAY:**

Well, it's the opinion of the Executive Branch that they don't need to hold hearings to close the place, and I think that's probably the subject of the lawsuit that was mentioned this morning. I mean, I haven't seen it, but that was mentioned in testimony.

**MR. BROWN:**

We haven't seen it yet either.

**P.O. LINDSAY:**

Oh, okay.

**MR. ZWIRN:**

But I think by moving forward with the hearings, I think the County Executive is showing his good faith in trying to do -- you know, he hears the Legislature, what they're trying to do, and he doesn't disagree. If we can find a buyer or somebody who could run the facility that is acceptable to everybody, then I think we can get there, but he was trying to do it the right way by going forward with the hearings. It will be open to the public, so everybody would have a chance to weigh in.

*(\*The following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)*

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I'm going to pose this to Counsel again, because he and I have had numerous discussions about A-96 (sic) which I have up in front of me now. And if you look at the first line, it talks about convening of these hearings when a proposal has been submitted, yet this bill that we're presented with is to go ahead and convene hearings associated with deriving proposals. Is this some kind of prelude that's been crafted to proceed A-96 (sic)? How does this relate?

**MR. NOLAN:**

No, I honestly believe that -- what the County Attorney said at the last meeting was that she believed that RFP's could not issue to pursue privatization without holding the public hearings that are mentioned in A9-6, but I said at the last meeting I disagreed with it. I thought that the County Executive could issue an RFP, get a proposal, a specific proposal, bring it to us and then the public hearings. That it would make the most sense to do the public hearings at that point when we had --

**LEG. KENNEDY:**

Because we would be then vetting a particular set of circumstances, an operator, an outcome for the residents and treatment for the patients. Here we're hypothesizing about a whole range of things.

**MR. NOLAN:**

Yeah, I don't think it makes a heck of a lot of sense to hold public hearings when we don't have the plan. But I will say this resolution states that when we do have a specific plan or proposal, we will hold another set of public hearings on the east end and west end of the County, and the County Attorney represented at the last meeting that the County Executive would also hold two additional public hearings at that point on the specific plan or proposal that results from the RFP. I just don't agree that holding public hearings is required under the law, but the County Attorney and the County Executive disagree with that.

**LEG. LOSQUADRO:**

In advance. In advance, right?

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

Okay. We have Legislator Montano.

**LEG. MONTANO:**

I have some questions, but I think most of them have been answered. The last RESOLVED clause, would you just give me a quick understanding of what you understand that to say? "After the thorough, legal and financial analysis and review, only the most" -- "the more fiscally and socially prudent options set forth herein above, as determined by resolution, shall be pursued"; what is that saying? What does it mean, "As set forth here and above"?

**D.P.O. VILORIA-FISHER:**

Ric, what page are you on?

**LEG. MONTANO:**

I'm on the resolution, the last page.

**D.P.O. VILORIA-FISHER:**

The last page.

**LEG. MONTANO:**

The last RESOLVED clause. If I have the right one; it's --

**MR. NOLAN:**

You do.

**LEG. MONTANO:**

-- 1966, right?

**P.O. LINDSAY:**

Right.

**LEG. MONTANO:**

The last, sixth RESOLVED clause, I just want to get an understanding of what it is that you're saying there. What does this translate to in terms of action or inaction?

**MR. BROWN:**

Well, I think the resolution -- and correct me if I'm wrong because I'm only looking at that sixth RESOLVED clause.

**LEG. MONTANO:**

I can't correct you because I didn't write it, so.

**MR. BROWN:**

Please, really.

**LEG. MONTANO:**

Go ahead, Dennis.

**MR. BROWN:**

I'm only asking you -- I'm looking at the sixth RESOLVED clause right now --

**LEG. MONTANO:**

So am I.

**MR. BROWN:**

-- because that's what you asked me to take a look at and I haven't read the whole thing yet, and it's been a few weeks since I've read it.

**LEG. MONTANO:**

Okay.

**MR. BROWN:**

But my recollection is that it spoke to two things, sale or lease of the facility. And I believe that that sixth RESOLVED clause refers back to those two possibilities, and it also speaks to coming back to talk to the Legislature about what is the best course to choose to follow.

**LEG. MONTANO:**

Right, but when you come back to us, if I understand this -- you know, I'm looking at it from this morning, I haven't had lunch yet, so I'm not sure I'm all that clear. But who's going to determine initially what is the more fiscally and socially prudent option? In other words, are you going to make that determination in the Executive Branch and give us a resolution and say, you know, "Take this or not take this," or is it -- what is the process that you're going to use to determine what is more fiscally and socially prudent?

**MR. BROWN:**

Well, I think the options are to be vetted before the Legislature.  
In fact, the resolution --

**LEG. MONTANO:**

I understand that, but in what manner? I mean, that's -- what I'm asking is how is this going to be handled? Who's going to make the initial determination and how is it going to be presented to us? Do you follow my question?

**MR. BROWN:**

The resolution says that there would be a resolution, a future resolution about which is the best option to proceed. So I don't want to really, you know, address a hypothetical, but what you're asking -- but what it sounds -- to me it sounds like a vetting of the process of the best course to follow by this -- by the Legislative body.

**MR. ZWIRN:**

We did this already.

**MR. BROWN:**

We did tobacco.

**MR. ZWIRN:**

We did this when we had --

**LEG. MONTANO:**

I know, you did this before and I had problems with it before and it passed.

**MR. ZWIRN:**

But you remember that working task force, I mean, and that language was similar to this language here.

**MR. BROWN:**

It's the exact same language.

**LEG. MONTANO:**

Yeah, and I think I voted -- I'm not sure how I voted on it, I think I was opposed to that language. But you know what? It's answered my question in terms of what I'm reading out of this is that you're going to make the initial determination of what is more socially and fiscally prudent and you're going to send us a resolution to either accept it or reject it; am I correct in that, Dennis, or Ben or whoever?

**MR. ZWIRN:**

No, I think we're going to bring the information back and you'll be able to evaluate it. We are confident that everything that we have -- that will be able to have been done by the consultant --

**LEG. MONTANO:**

When you say we're going to be able to evaluate --

**MR. ZWIRN:**

The collective "we", the Legislature and the County Executive's Office. Ultimately, you will have to be persuaded that what we recommend is the right way to go; if you don't, then you will not support it.

**LEG. MONTANO:**

Are you going to set up a committee again? I mean, I'm just trying to get your procedure and how you're going to reach that initial determination of what's best, fiscally and socially prudent.

**MR. ZWIRN:**

Well, there --

**LEG. MONTANO:**

And the way I read it, and I'll be quite honest, it gives you -- it's too vague, it gives you the right to set up what you think is the best option and give us, you know, a resolution to accept or reject.

**MR. ZWIRN:**

I think there's an awful lot of belt and suspenders with this approach. You're going to have -- the next CN to be addressed is for a management committee to be set up to watch the oversight, oversight of the Foley Nursing Home. We're going to go out and have RFP's -- an RFP done, people will respond to that, you will have the opportunity to view all this information.

**D.P.O. VILORIA-FISHER:**

An RFQ, right?

**MR. ZWIRN:**

Well, the RFQ is going to go out to have somebody draft the RFP because we don't have the

expertise in-house to do that. So that when that goes out, all that information is going to be out before the public.

I mean, this is going to have to be done in a public forum. I don't think anybody is going to be able to sneak anything by. I mean, no matter what -- you know, this is all going to be done right here.

**LEG. MONTANO:**

Okay.

**MR. NOLAN:**

Legislator Montano?

**LEG. MONTANO:**

Go ahead.

**MR. NOLAN:**

Can I just say that I think to comply with A-96, they're going to have to put out the RFP, they're going to have to come back to the Legislature with a plan or proposal, not a laundry list but a plan or proposal they think is the best.

**LEG. MONTANO:**

Okay.

**MR. NOLAN:**

Bring it to us and then there would have to be a duly enacted resolution of this body to approve that plan or proposal before you can move ahead with a privatization at Foley.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

My concern is not so much with reference to the public hearings;

I think they're necessary. I'm not so sure in terms of the input that we'll receive from those hearings where they would be really different from what we're already hearing from people for the last six or seven months at these sessions and at committee sessions.

My greater concern is the question of the RFP as it pertains to issuing an RFQ, where you're saying you have to send -- get a professional in to write the RFP; well, that's fine. But what I'm not clear on, what I did express at a private meeting with the County Executive, and a number of you were present, I think it's extremely important that when that person walks in who responds to the RFQ and is picked, that representation be at the table, a representative from the County Legislature, the Executive Branch and the union. Because the specifics going into the RFP, each group will have a certain point of view, certain things they want included in the RFP. If on the other hand -- the response I got from the County Executive was, "We'll reach out to them, Tom"; that's not the same as having them at the table. Because if you don't do that, if you roll back in here with this RFP and it's basically coming out of the Executive Branch, that's a no sale, you're in for a lot of grief. Because I would say what sort of input did this Legislature have in that RFP? They weren't at the table. Was the union at the table? We've been hearing these people for months and months.

So those are three -- whether it's elected officials or someone designated by the Presiding Officer or someone designated by the union, someone designated by the County Executive, I don't care. But when that person walks in there and he's developing this, I want those three individuals at the table so everybody has an imprint on the finalized version of the RFP.

**MS. CORSO:**

You're talking about the sale, right, not the management RFP, right?

**LEG. BARRAGA:**

Yeah, the sale.

**MS. CORSO:**

We're talking about the sale or lease.

**LEG. BARRAGA:**

I'm talking about the RFP that goes out eventually to make a determination as to who's going to respond, either on the sale or lease of that facility.

**D.P.O. VILORIA-FISHER:**

Is your mike on? Oh, you don't have a mike. Here.

**LEG. BARRAGA:**

I think you heard me, right?

**MS. CORSO:**

Yeah. I'm just a little -- I'm going to need a little clarification as to if you're going to sell or lease it or privatize, why would you need the input? What do you --

**LEG. BARRAGA:**

Well, simple. In an RFP the specifics are laid down. So for example, if I'm a private owner, say I own a nursing home right now, these are the requirements that I'd have to adhere to if I'm going to purchase or lease this facility. I may have to pay a certain wage, I may have to keep all the employees, I may have to keep -- there are certain criteria laid down in the RFP that I would have to adhere to before, you know, I'd even consider it. Do you understand that?

**MS. CORSO:**

Okay, I understand what you're saying. Some of the ideas that you've brought to us before you would like included in the RFP; is that what you're saying?

**LEG. BARRAGA:**

Well, yeah. I mean, I would think that there are ideas coming from the Executive Branch, the Legislative as well as the union.

**D.P.O. VILORIA-FISHER:**

Not just included, you want somebody there.

**LEG. BARRAGA:**

Again, if I am -- if I'm in the private sector and I'm considering purchasing this, I want an -- what do I have to adhere to before I even make an offer? There are some people, for example, who want job security for all their employees that are currently at Foley. There are others who are going to say, "Look, all the residents that are there, they have to continue to stay there." There might be something on benefits. That has to be spelled out in an RFP in order to get someone who's legitimate to make an offer in terms of a buy or a lease. If you don't have those parties at the table and you design something on your own and it comes rolling back in here, you're open to severe criticism by this Legislature for not including a representative from this group and the union in that scenario.

**MR. ZWIRN:**

I understand what you're saying. The problem that I see going forward is that -- part of the problem that I think we're going to run into, which has been the result of every study that's been done of John J. Foley, is the collective bargaining agreement. And I think if you make that part of the agreement saying, "You're going to have to meet, you know, the collective bargaining

agreement and the benefits and the salaries and the staffing levels that are there currently," I don't think we're --

**LEG. BARRAGA:**

You -- the RFP may well have something along the lines, "Look, as a private entity, as an owner of this facility, you will have to pay those employees the current union wage and benefits, all right, because the County will pick up the supplemental on the salaries".

**MR. ZWIRN:**

Yeah, that's --

**LEG. BARRAGA:**

Okay?

**MR. ZWIRN:**

Yes, that's -- yes, that could very well be part of the response that we get back on an RFP.

**MS. CORSO:**

I think the County Executive is willing to have the Legislature be part of the drafting of the RFP. So I think that that --

**LEG. BARRAGA:**

I've heard that terminology. What I'm looking for is that he picks someone who sits at that table, the union picks someone who sits at that table when you're vetting out the specifics associated with the RFP that's going to go out for a potential buy or sale.

**MS. CORSO:**

Right, but you have -- you're going to have that on the oversight committee that you're going to -- you're picking, you're going to set up with the next CN.

**D.P.O. VILORIA-FISHER:**

No, you're not.

**P.O. LINDSAY:**

The oversight committee was to try and turn the place around, to work with the new management.

**LEG. BARRAGA:**

That's different.

**MS. CORSO:**

Right, but we're on a dual track now. We're on a dual track.

**P.O. LINDSAY:**

You know, I mean -- well, I don't think it's harmful to use the oversight committee in this whole process. But that wasn't -- the intention of the resolution was to try and save the place, the oversight committee is to try and turn it around, you know, as a County entity.

**MS. CORSO:**

Right, but I think we have an agreement that we were going to go dual track here. So I think --

**LEG. BARRAGA:**

Well, the oversight committee can do whatever they can to turn it around. All I'm saying is that over here you've got this other group that's going to put together an RFP on the potential sale or lease of that facility and I'd like appropriate representation at the table when you do that.

**MS. CORSO:**

I understand, but I think that -- are you -- yeah. There are two -- let me just say one thing. One thing, I think you may narrow this down to a point where we wouldn't get any bidders, so I'm not sure how much we want to put in or how much we want to limit ourselves.

But number two, I want to say are you saying that you want representation on the RFP committee?

**LEG. BARRAGA:**

Yeah. I'd like to see a representative from the County Executive's Office --

**MS. CORSO:**

On the evaluation committee.

**LEG. BARRAGA:**

On the committee that will sit down to develop the specifics that's going to be in the RFP for a possible sale or a lease of that facility.

I can't be any clearer than that.

**MR. BROWN:**

Legislator Barraga, if I may. When -- just to explain the RFP process for a second. So first we'll have -- there will be an RFQ for a consultant, and this consultant will be possessed of the expertise that could draft the RFP. That consultant will outline the parameters of the RFP, the parameters to which any potential operators of the nursing home would reply. The -- it's best, it's more reasonable to have an RFP drafted broadly than to have the RFP drafted narrowly, because if we draft it broadly with certain goals and expectations that the County could like to have met, it will cast the widest net to those who are qualified to reply.

Now after that there would be another process. We start to get the replies, whether it be from one, two, three, ten interested parties, then that goes through a vetting process, through an evaluation process. So what you're saying is, if I understand you correctly, that when it comes times -- it comes time to award the contract, that would be -- the evaluation committee would consist of -- right now the code states who the evaluation committee would consist of. But if I understand you correctly, you're saying that you would like the evaluation committee to consist of the County Executive's Office, a representative of the Legislature, representative of the union --

**LEG. BARRAGA:**

No, I don't think you understand. No.

**LEG. D'AMARO:**

Could I get in here?

**LEG. BARRAGA:**

No. That in your context --

**D.P.O. VILORIA-FISHER:**

There's a list.

**LEG. BARRAGA:**

-- I want it a little more narrowly defined, then, as opposed to broad generalities. When that RFP is put together --

**D.P.O. VILORIA-FISHER:**

How can they not understand what you're saying?

**LEG. BARRAGA:**

-- I don't need broad generalities. I think you can narrow it so that any recipient of the RFP knows specifically, "Look, if we're interested, these are some of the parameters we have to adhere to.

We've got to keep the employees or we have to keep the residents, we have to pay a certain wage," it's right there. It's right there, okay? Not generalities. And I think to do that you've got to have the proper parties at the table.

**MR. BROWN:**

And so those are minimal qualifications that you're asking be included in the RFP.

**LEG. BARRAGA:**

If you want to use the term minimal, fine.

**MR. BROWN:**

And I think --

**LEG. BARRAGA:**

I want something like that in there.

**MR. BROWN:**

And if I'm not mistaken, from what Connie Corso just said, is that the County Executive is willing to work with the Legislature on putting in those minimum qualifications.

**LEG. BARRAGA:**

No, no. He is willing to work with the Legislature and reach out to the Legislature, but I am being more specific. Reaching out is one thing, having somebody at the table with your representative and the union is another; that's what I'm looking for.

**MR. ZWIRN:**

I understand what you're asking for, and you're very clear about it.

I think what the County Executive is concerned about, and why he uses the term input, is he doesn't want to make this RFP so restrictive that nobody would even bother to look at it. If the union representative on this proposed RFP committee states, "We're not going to go unless somebody gives us the exact same benefits and benefits package and salaries that we're getting now," and that becomes part of the RFP, there's no reason to even send it out.

**LEG. BARRAGA:**

Ben, you're right, you don't want it to be too restrictive. But I've attended meetings where you've had folks in from different nursing homes who have said, "Look, you know, we'll take the patients and we're willing to pay the union wage." They've said that, right up front, no RFP. Those two issues, they don't seem to be that Draconian to put into an RFP.

**MR. ZWIRN:**

Yeah, I think the union wages that they were talking about were private union wages, not --

**LEG. BARRAGA:**

But they were union wages.

**MR. ZWIRN:**

Yes.

**LEG. BARRAGA:**

I was there, 1199.

**MR. ZWIRN:**

1199 -- well, that's --

**LEG. BARRAGA:**

Okay? So what we have to do then is figure out later on, if we're going to do a supplement, where

does that money come from? Maybe it comes from the buying or the leasing of the facility, there's extra monies there for the current employees.

**MR. ZWIRN:**

I think that's -- I think --

**LEG. BARRAGA:**

If you already have the private sector saying those things to begin with, I don't think it's that restrictive to put it in the RFP.

**MR. ZWIRN:**

I think what you're expressing here is identical to what the County Executive -- he would agree with your assessment. He just doesn't want to be restricted and give up his Executive prerogative with respect to crafting the RFP. But I think everything that you've said I think will very likely be part of it, because I think that's the only way this is going to work. But I think he doesn't want to be restricted by putting everybody -- having an RFP committee where it's going to be so convoluted that this is never going to happen. That's his concern.

**D.P.O. VILORIA-FISHER:**

Are you done?

**LEG. BARRAGA:**

Yeah.

**D.P.O. VILORIA-FISHER:**

Legislator Browning.

**LEG. BROWNING:**

Yeah. You know, I'm looking at the other one that we haven't gotten to yet, with the Oversight Management Committee, and I'm trying to understand this. Because we have a resolution to have public hearings to issue an RFP and we have another one to put a management team together, and I'm looking at -- by the time we get a management team together, we're going to already have public hearings, and I'm just feeling that this is kind of making this a little bit redundant, putting the oversight committee together.

You know, I think we're rushing in to doing the RFP. I really don't get a warm, fuzzy about this at all. I just feel like -- you know, I don't support selling it, I don't support closing it. You know, I was willing to possibly support this resolution but, you know, I know how I feel about the issue, but I just wonder why we're even bothering with an Oversight Management Committee, you know, if we're not even going to get an opportunity to see if it's going to work.

**MR. ZWIRN:**

Yes, you will. You've put money back into this budget to fund John J. Foley through at least 2009, so.

**LEG. BROWNING:**

But I can guarantee -- I mean, I don't have a crystal ball, but I can guarantee you by the spring time we're going to have a resolution in front of us to close it, or should I say sell it.

**LEG. ALDEN:**

We're going to have a veto to look at, so.

**LEG. BROWNING:**

Say again?

**LEG. ALDEN:**

We're going to have a veto to look at.

**MR. ZWIRN:**

Yeah, I don't --

**LEG. BROWNING:**

I think we're real--

**MR. ZWIRN:**

I don't think that's true, Legislator Browning.

**LEG. BROWNING:**

I really feel that we're rushing, we're rushing.

**MR. ZWIRN:**

We have to come back -- well, you know, rushing --

**LEG. BROWNING:**

And I want us to give time to do the oversight committee. I just feel we need to give it time.

**MR. ZWIRN:**

How many -- how much time do you think it's going to take?

**LEG. BROWNING:**

I feel we need more time. Let's -- you know, we've got two resolutions running alongside each other; one's a resolution with the intent to sell and the other one is an oversight committee to run it better. And I just feel like we're not giving ourselves enough time, we're not -- it just doesn't feel right, it really doesn't.

**MR. ZWIRN:**

We thought -- I know the County Executive and the Presiding Officer had met to try to move this thing forward on a dual track and we have, I think, acted in good faith to try to make that happen.

**LEG. BROWNING:**

I'm not saying there's no good faith. I'm just saying that I feel to rush into December already for public hearings, why December? I don't know, is there a legal issue why we have to rush and do it in December?

**MR. ZWIRN:**

Because it takes time to get this all done and we're trying to -- that's why the funding has been restored by the Legislature, to do John J. Foley through 2009. The County Executive had only funded it for part of the year because we're under the belief that we have to have these hearings in order to move forward with a privatization.

According to your Counsel, we could do this without these hearings. We're trying to act in good faith by having these hearings and having additional hearings before we move forward. I mean, we're trying to do everything we can with a belt and suspenders approach and act in good faith to show that we're doing something above board and before the entire County and the Legislature and the public.

We're just asking for your indulgence to allow us to move forward. We're going to have the oversight committee which has representation from the union, from the Legislature and the County Exec's Office to try to see it -- you know, we're not sure that that can happen but we're willing to give it a try. We're saying, look, let's see with their oversight and management, maybe they come up with the kinds of savings -- you know, the State is going to come back in another couple of weeks and they're probably going to cut Medicaid reimbursement again and the situation is only going to get

worse instead of better. But we are willing to try to act in good faith to move forward on all tracks and we're just asking for your approval to let us do that.

Ultimately, this is going to come back to you for resolution, so just let us get the information, let us make a presentation to the Legislature and to the public. I mean, we're hopeful that when this is all said and done, we will have a proposal that everybody will say, you know, that this is a good idea. The patients are protected, most of the workforce is protected. I mean, we're hoping that this will all work out well. And perhaps there are other alternatives, as Legislator Barraga has talked about, as to how some of the money might be supplemented with respect to benefits or salaries, but we don't know until we're able to move forward and see what the private sector will allow us to do.

**LEG. BROWNING:**

But what I'm trying to say is public hearings in December, and I'm pretty sure that by the spring time -- March, April -- we're going to see, you know, "Let's sell this." And this Oversight Management Committee is barely even going to be up and running to even try and turn it around, that's my concern. I don't know what else to say other than it really just doesn't make me feel good. I would rather see that we have the public hearings at some time starting next year.

**P.O. LINDSAY:**

Could I just answer, please?

**LEG. BROWNING:**

And I'm willing to give you the opportunity to come and show us that, you know, we've proved this won't work, you know, I want to give you that opportunity, but I just feel like we're being rushed. You're talking about doing this on a dual track; it seems like one train's moving a lot faster than the other.

**P.O. LINDSAY:**

I don't necessarily disagree with that. But, you know, if what you say is true and one of the responders to the RFP is picked by the Executive Branch and brought back to sell it or lease it or whatever, it's going to come back before you again.

**LEG. D'AMARO:**

Right. That's the point.

**P.O. LINDSAY:**

It's going to come back before you again. We're going to have to do public hearings again. We don't even agree that you need public hearings now to put out the RFP. I mean, you know, according to George's interpretation, they could do that without us. I mean, I'm trying to create the oversight committee to give the place a chance, all right?

**D.P.O. VILORIA-FISHER:**

I'll put you on the list.

**P.O. LINDSAY:**

Whose next?

**D.P.O. VILORIA-FISHER:**

Legislator Stern.

**LEG. STERN:**

Yes, thank you. I think that's the critical point here. You know, Legislator Browning brings up this idea of two tracks and maybe one not moving quite as quickly as the other, but my understanding of this understanding is that the administration is to going to ensure that both of those tracks are moving at the same time. I mean, from my understanding, that's what this element is all about. I think that's the critical point here, is that in this quest for information, hopefully we're going to get the information that we all want and need to have all coming into us at the same time without

allowing one to progress much faster than the other.

**MS. CORSO:**

Actually, the management RFP, the responses are due back next week.

**LEG. STERN:**

So that's really --

**MS. CORSO:**

So that's moving right along.

**LEG. STERN:**

-- I think the critical element here, is that one is not speeding up more than the other, that this is part of a global understanding that will ensure that this Legislature is getting all of the most accurate information all at the same time so that we can make an informed decision. I do agree with Legislator Barraga that as you go through this process, you do have to bring in as many stakeholders as is possible because you can see it happening. We're going to be back here and inevitably it's going to come up that certain groups or representatives weren't given the opportunity to participate in this process and that in itself is going to become an issue. I'm sure that everybody would agree that we all would like to avoid that and just focus on the facts going forward so that we can make an informed decision.

**MS. CORSO:**

And here we're giving you really an extra opportunity, because your Counsel says we don't even have to hold the public hearings, for people to come out to the public hearings and have their opinion heard.

**P.O. LINDSAY:**

Who's next?

**D.P.O. VILORIA-FISHER:**

Okay, I'm sorry. Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you. I just want to address a couple of things that have been said here, and I'll try to do it as quickly as possible. Connie just made one of the points I was going to make, that we're talking about the public hearings and there is a disagreement and there seemingly are many disagreements on legal issues. But this doesn't create any harm, so I think we can do the public hearings.

Second, there's been a worry about the County Executive maybe coming back and closing and suggesting we close it, and I think we're looking for some comfort that he won't do that. And what I would offer is you can rely that he won't do it because you can rely on him being the County Executive, you can rely on him doing what he's always done.

And we know that selling the facility would produce a lot more revenue to Suffolk County than closing it. So I think if you want some trust that that's what he won't do, you can rely on the County Executive to be the County Executive. So I think that could -- I think that we can put that to bed for one second.

But in terms of this whole compromise that we've come up with, you know, we had an intensely heated issue, we've scores of newspaper articles about it, letters to the editor, public comments, press conferences that happened, then didn't happen, then did happen. And I just think that we've reached a point, we got what we wanted, which would be the next resolution, we got what many of the Legislators wanted, and what many of the Legislators and the County Executive also wanted was more information, information about what will this go -- you know, what will their interest be.

And the last part I just wanted to make is that Legislator Barraga had a lengthy conversation with the County Executive's Office about the technical specifications. And I worked on a few RFP's and it's my understanding that what you can do within the technical specifications is simply say, "and these alternatives as well." And I think that's what Legislator Barraga was asking for, so we can get the information and require that everybody responds, gives us information for these different scenarios, and I think that's really what we can do. And I hope I didn't put any words in Legislator Barraga's mouth that he didn't intend.

So I think we've reached a point where we've funded that we did this today and we now are going to try to save it, you know, and we're going to do that now. And then we're also going to say we're going to get information if we can't save it or if we have to make a decision, what is it worth and how can we do it? I think, you know, again, I'll try to be warm and fuzzy where it doesn't exist; we have compromised again. You know, maybe I'm still on a high from last night, but it seems like, hey, we're kind of working together a little bit. You know, I'm sure tomorrow it won't happen anymore, but today at least we're there. So I would just urge my colleagues to vote for this and the next one.

**P.O. LINDSAY:**

Yes, we can.

**LEG. BEEDENBENDER:**

Yes, we can.

**D.P.O. VILORIA-FISHER:**

Legislator Kennedy.

**LEG. KENNEDY:**

I don't know what else to add to the dialogue that we've had other than to just try to remind --

**LEG. D'AMARO:**

Then don't.

**LEG. KENNEDY:**

-- my colleagues. In March, we manifested what our desire was to go ahead and have a management group that was put in at that point. We still don't even have the benefit of seeing what an on-site management entity could do. We have a lot of policy dialogue that goes around, but I still don't know how many additional insurance contracts have been executed from where we started this saga some eight or nine or ten months ago.

I know a lot more about Medicaid reimbursement now. I know our AIDS beds go at triple what our regular bed rates go. I have not heard any effort to go ahead and add additional certified beds. And I keep hearing about this economic loss that John J is in, in this aggregate, large, sweeping manner, but nobody ever speaks about any kind of specific remedies or improvements. Once in a while I hear, "Well, we've got 500,000 more now because of our PT contract that came in." Mr. Fine was brought on board because he's supposed to be a fixer, but where are we today from where we were last month or two months or four months ago? We're contemplating this large-scale, we-need-to-do-this to show reciprocity. Nine months ago we had a direction and nobody took it. I don't subscribe to this one.

**P.O. LINDSAY:**

Ben, could I just -- if you would allow me. And I'm as frustrated with the amount of time it took to get the management RFP; I think it was in May we passed it, I don't think it was March, John, but it is about to come out. And in the meantime, the Health Department has put Mr. Fine there as an interim. I'll be very truthful with you, I had a meeting with him last week and I was very impressed. He is effectuating changes, I think dramatic changes, that's really going to improve the place, and I'm anxious to get this oversight group going that we can get the information that you're looking for, to set real goals and see how close we are to getting those real goals.

**LEG. KENNEDY:**

Me, too. I'll cosponsor that.

**P.O. LINDSAY:**

Well, it's on the agenda, it's the next one.

**LEG. KENNEDY:**

Good.

**LEG. SCHNEIDERMAN:**

Can we take it out of order?

**P.O. LINDSAY:**

No, we can't take it out of order. I'm a man of my word. Who's next?

**D.P.O. VILORIA-FISHER:**

Me.

**P.O. LINDSAY:**

Oh, Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

I just want to say that I have all the same trepidation that has been expressed by Legislator Browning. I'm just concerned about this dual track because it -- I don't know if it would give our management group enough time. But I want to respect the agreement that the Presiding Officer has worked out. So in that spirit and feeling that this really isn't going to have an impact because the County Executive could go ahead and issue an RFP, according to our Counsel, without our having the public hearings anyway, so this is a kind of no harm/no foul. So I'll be supporting --

**P.O. LINDSAY:**

I don't know about that.

**MR. ZWIRN:**

But to show the County Executive's good faith, we did put -- he found somebody who is qualified and is doing, making all the recommendations that the HMM report suggested. They are putting it into place as quickly as possible, it is making a difference.

**P.O. LINDSAY:**

And some changes that they didn't recommend.

**MR. ZWIRN:**

Well, that' -- and I'm glad -- you know, the County Executive will be glad to hear that, you know, he's done something right today. But he brought somebody in there and I think that's a demonstration of his --

**P.O. LINDSAY:**

Ben, you're just too sensitive, Ben. Jesus.

**MR. ZWIRN:**

Me?

**D.P.O. VILORIA-FISHER:**

Ben, I didn't agree with all their recommendations either, so that's neither here nor there.

**MR. ZWIRN:**

But I'm just saying, but he's making a good faith effort to try to do everything they can to make

every recommendation that they think where they can save money and provide quality care. So I think he has demonstrated that and nothing is going to change as we move forward. And I appreciate your comments, Legislator Viloría-Fisher.

**P.O. LINDSAY:**

Did we miss anybody?

**D.P.O. VILORIA-FISHER:**

No.

**P.O. LINDSAY:**

Yeah, Legislator D'Amaro.

**D.P.O. VILORIA-FISHER:**

Oh, my God.

**LEG. D'AMARO:**

I was eating my lunch. She's keeping the list, don't blame me.

**D.P.O. VILORIA-FISHER:**

I'm sorry.

**LEG. D'AMARO:**

That's okay. That's all right. It's interesting to listen to all of this, but I just want to add that -- a couple of things. First, we just funded Foley about, what was it, \$8 million I think in the budget for --

**P.O. LINDSAY:**

We added four and a half to the three and a half that was there already; that's correct.

**D.P.O. VILORIA-FISHER:**

Eight million, yeah.

**LEG. D'AMARO:**

So that's eight million. And we did that for the right reasons, keep it open. I mean, whether we're going to sale -- sell it or get the management in place and turn it around, we needed that year, we needed that time. So that was the right thing to do. But I don't feel like we're rushing into anything. In fact, you know, let's welcome the information, let's bring it on. Because if we're going to get the management in place and the improvements are going to come to fruition, then, you know, let the RFP go out, let the proposals come in, let's take a look at them and let's see -- let's lay everything on the table and see what makes sense. I'm not really afraid of making that decision year. We need to get past this decision.

With respect to Legislator Barraga, I don't really agree with you that the proper time for all of that input is at the drafting of the RFP. I think the RFP needs to go out very broad. I think -- I agree with all of your ideas, Legislator, but I think those come in more when you get the responses back, then you bring your parties to the table and you negotiate the actual deal and the contract, and that's where the County can make some further demands and put some more conditions into it.

But I'd rather see the RFP go out much more broad and come back with -- you know, let the experts draft the RFP. Let the exports respond to it from the private sector, let's see how they think out of the box and how they'll make it work for us. We can then evaluate that, and that's where I agree with Legislator Barraga, that everyone should be at the table at that point and say, you know, "Here's the column of good items, here's the column of items we can't accept and here's a third column of our ideas," and then that's a negotiation process that takes place. So just for what it's worth, I think the timing -- I think it's important to do exactly what you're saying, but I think that

needs to be done more in a negotiation stage, not at a drafting of the RFP stage because that's a very technical RFP that's expected to go out.

And the last thing I want to say is, you know, we have been debating and talking about this for months and you know if there is a three point plan now in place where the RFP will move forward, this is only authorizing hearings on that HH -- what is it, HMM report. So we'll have more public hearings, there's nothing wrong with that, let's hear what the public has to say. But if it's part of a larger plan where we're going to get the oversight in the next C of N and if it means the management consultant is going to move forward expeditiously, I think that's -- I think we're pursuing every avenue and that's exactly what we should be doing, and the bottom line is that we get the last say. You know, if a proposal comes forward and the County Executive says it makes more sense to me to sell this facility; well, you know what? We're going to review that, we're going to determine whether or not it makes sense and we're going to have the final say on that issue anyway. So I'd rather two-track this, I'd rather move it along expeditiously. Let's get past this issue, let's get all the information on the table, then we can make a decision.

**P.O. LINDSAY:**

Okay. Thank you. I don't have anybody else on the list.

**D.P.O. VILORIA-FISHER:**

Hallelujah.

**P.O. LINDSAY:**

We have a motion and a second. Oh, here comes the Clerk.  
We have a motion.

**MR. LAUBE:**

Yes, you do.

**P.O. LINDSAY:**

Yes, we have a motion and a second; roll call.

**(\*Roll Called by Mr. Laube - Clerk\*)**

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. ROMAINE:**

Please note my recusal on this matter.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Thirteen.

**MR. ZWIRN:**

Thank you, Mr. Presiding Officer.

**P.O. LINDSAY:**

Okay.

Page seven on the calendar -- on the agenda, **IR 1971, it's a CN creating an Oversight Management Committee for the John J. Foley Skilled Nursing Facility.** I will make a motion.

**D.P.O. VILORIA-FISHER:**

Second.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. Is there any -- anyone want to comment, talk? No, okay. Roll call.

(\*Roll Called by Mr. Laube - Clerk\*)

**P.O. LINDSAY:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

Please note my recusal on this matter.

**MR. LAUBE:**

Yes, sir.

**LEG. SCHNEIDERMAN:**

Yes; and cosponsor, please

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not present).

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Recusal: Legislator Romaine).

**P.O. LINDSAY:**

Okay. We have overrides -- or vetoes, excuse me. The first one is **Resolution 817-08 - Amending the 2008 Operating Budget to provide funding for the Smithtown Alumni Association.**

**LEG. KENNEDY:**

Mr. Chair, on that item, you'll note my correspondence that I forwarded to you --

**P.O. LINDSAY:**

Yes, I saw that.

**LEG. KENNEDY:**

-- and to the Clerk. Unfortunately, the recipient of this grant communicated with me and was concerned as far as the -- what occurred last Thursday. So I respectfully request that this --

**P.O. LINDSAY:**

So you're not making a motion to override.

**LEG. KENNEDY:**

No.

**P.O. LINDSAY:**

Okay. So there's no motion to override. Okay, the veto is sustained.

Okay, Reso -- oh, **veto of Resolution No. 835-08 - Directing the Department of Public Works to issue Public Health Nursing Task Force RFP.**

**D.P.O. VILORIA-FISHER:**

Do you want me to just make the motion, you've got conversation?

**P.O. LINDSAY:**

What, you're going to make --

**D.P.O. VILORIA-FISHER:**

You want to make the motion to override or do you want me to do it?

**P.O. LINDSAY:**

You do it.

**D.P.O. VILORIA-FISHER:**

It's your resolution.

**P.O. LINDSAY:**

Oh, it's my resolution? Okay, I'll make a motion to override.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the question?

**D.P.O. VILORIA-FISHER:**

Okay, we can just call the vote. Nobody?

**P.O. LINDSAY:**  
Nobody. Okay?

**LEG. D'AMARO:**  
Hold on.

**P.O. LINDSAY:**  
Uh, Legislator D'Amaro.

**LEG. D'AMARO:**  
I'm sorry. Which one are we on?

**P.O. LINDSAY:**  
We're on 835 about the Public Health Nursing Task Force RFP.

**LEG. D'AMARO:**  
Yeah. Well, I read the veto message and I was just a little bit concerned about some of the issues that are raised here that, you know, I don't really have any personal knowledge whether or not it's true that one of the appointees to this committee was actually excluded or never informed. I mean, did we ever get to the bottom this?

**D.P.O. VILORIA-FISHER:**  
Actually, we spent a lot of time on this at our last meeting --

**LEG. D'AMARO:**  
I do recall that.

**D.P.O. VILORIA-FISHER:**  
-- where there was a claim that the County Executive did not know that he had an appointee. I have notes from the Clerk's Office, I have a number of -- well, Gail Vizzini went through the whole paper trail on this. There was also testimony by Barbara LoMoriello about having called the County Executive's Office with the date of the next meeting, she was the person who was representing the Presiding Officer's Office. There were just a number of claims being made here that were certainly, I think, debunked at our last meeting. Certainly one of the claims made was -- well, I won't go -- I'll just answer your question which is that it was very clear that it was in the actual resolution that went to the County Executive from this body. There was a notice that went out, the Clerk's Office was involved and has a record of having made the notifications. Gail Vizzini has the whole time line of this thing, my office has the paper trail. It was certainly something that we did our due diligence.

**LEG. D'AMARO:**  
Legislator Vilorio-Fisher, since you seem to know a little about that, and I appreciate you answering my question. So was -- it says here that the Budget Director, "Connie Corso, my appointee, was never informed by the task force of the meetings and was, therefore, excluded from the opportunity to provide input into the final report." So was Ms. Corso notified in the same manner as all the other appointees to the committee, as far as you know?

**D.P.O. VILORIA-FISHER:**  
Yes.

**LEG. D'AMARO:**  
All right. And Ms. Corso, you're here; were you notified?

**MS. CORSO:**  
I contacted both the Presiding Officer and the Deputy Presiding Officer's office and was notified that

the Chair, Ms. {Quarino} did the inviting and I do not have any such correspondence, I have no invite. I also wrote to both of you on several occasions asking for input. But can I just add here, in the spirit of cooperation, that we just mea culpa here and move on with the RFP.

**D.P.O. VILORIA-FISHER:**

Thank you. Thank you.

**LEG. MONTANO:**

What are we doing?

**LEG. ALDEN:**

Moving on with the RFP.

**D.P.O. VILORIA-FISHER:**

Move on with the RFP.

**P.O. LINDSAY:**

Okay?

**LEG. MONTANO:**

Oh, we don't get to vote and debate?

**D.P.O. VILORIA-FISHER:**

We can override this.

**P.O. LINDSAY:**

There's a motion before you to override the veto.

**LEG. D'AMARO:**

So we're going to do this even though the veto message says, "The report was issued overwhelmingly one-sided and calling for additional resources"?

**P.O. LINDSAY:**

Well, Legislator D'Amaro, I mean, a motion and a second is there.

Ms. Corso, you know, seems to be in agreement to move forward with the RFP. But, I mean, if anybody wants to make further comments or vote a different way, that's fine.

**LEG. D'AMARO:**

Well, I understand that. I just didn't realize that I had relinquished the floor by Ms. Corso agreeing to whatever that said. But that's fine.

**P.O. LINDSAY:**

That's fine. Go finish what you'd like to say?

**LEG. D'AMARO:**

No, that's all right. Thank you.

**P.O. LINDSAY:**

Does anybody else want to make a comment? Okay, roll call.

**(\*Roll Called by Mr. Laube - Clerk\*)**

**P.O. LINDSAY:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

Yes to override.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

No.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**MR. LAUBE:**

Sixteen (Opposed: Legislators Stern & D'Amaro).

**P.O. LINDSAY:**

Okay. Veto of **Resolution No. 840-08 - To establish a policy for continued Police Officer presence in the Police Athletic League Programs.** I'm going to make a motion to override.

**LEG. COOPER:**

Second.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Kennedy. On the question? Legislator Eddington.

**LEG. EDDINGTON:**

Yeah, I just -- actually, I just want to make a statement that I don't feel comfortable micromanaging any part of the public safety group. But in this case, it does say PAL, the Police Athletic League, so I'm kind of in a loggerhead here. Because I don't like to establish that policy, but I do -- have experienced myself as a kid the benefit of having a Police Officer there. So I'm going to support this.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

I take it the veto message is here because of the cost involved of \$168,000 for a highly-trained police officer to do this job?

**MR. ZWIRN:**

In part. Originally, the County Executive made -- suggested the changes because of the financial situation and he thought that retired Police Officers could certainly handle the assignment of coaches and whatever else, administrative work that the Police Department was doing at PAL.

**LEG. BARRAGA:**

Well, that seems to be what the veto says.

**MR. ZWIRN:**

Yes, but it also goes beyond that with respect to micromanaging, you know, the Police Department. What I think the County Executive is also afraid of is that the Legislature -- in fact, we have to have certain number of -- you're going to decide the staffing requirements here at the Legislature and that would be better left to the Executive Branch and the Police Commissioner.

**LEG. BARRAGA:**

But hiring non-active duty Police Officers is a lot less expensive than paying 168,000 for --

**MR. ZWIRN:**

No question. He just doesn't want to be locked in to having not be able to do that in the future if things get worse and we can demonstrate that the people that are going in there -- in fact, I remember the gentleman who was head of the PAL Program is a retired Police Officer himself.

**P.O. LINDSAY:**

Could -- and I'm going to jump in because I made the motion to override.

The Police Athletic League does a lot more than act as coaches. They coordinate a huge amount of volunteers, they raise well over a million dollars every year to fund various youth programs as well as some other real Police programs, the Ident-a-Kid Program, the Anti-Bullying Program. They operate really in areas that are a hard hit with crime to try and keep kids from going into crime; it's a real anti-crime program.

Most of the other neighboring jurisdictions have a lot larger Police presence in this program than we've had for some time. I think we had four Police Officers; I'm not mistaken, I believe Nassau had over a dozen. The city might even have, you know, legions of them. And when this came up, I didn't want to destroy the program, that's why I put in this resolution to use light-duty Police Officers because we're paying them anyway, anyway to sit home. I think this is a no-brainer. If you're paying them anyway, you're saving money by going with this resolution because we're not hiring somebody new. Whether they're a retired Police Officer or they're a Janitor, it doesn't cost you anything. And at that time the Executive thought it was a good idea, he was going to implement this, but I'm surprised he vetoed this because he doesn't want to be locked in.

**LEG. NOWICK:**

Can I ask a question?

**P.O. LINDSAY:**

Yes.

**LEG. NOWICK:**

Do retired Police Officers, when they work in this capacity, or if they were to work in this capacity, wear uniforms?

**P.O. LINDSAY:**

No, they can't.

**MR. ZWIRN:**

No.

**LEG. NOWICK:**

Okay. So that would be a different kind of an effect on a young person. Thank you.

**LEG. MONTANO:**

What was that?

**LEG. NOWICK:**

I think the absence of a uniform sometimes would be a different effect on a young person. I think the uniform, I've seen these officers in uniforms and they make a connect with the young people which is a pleasant connect.

**LEG. ALDEN:**

Just like the DARE Program.

**LEG. NOWICK:**

Yes, like the DARE Program, like the Ident-a-Kid Program; yes, absolutely.

**LEG. ALDEN:**

Oh, wait a minute; we don't have a DARE Program.

**LEG. HORSLEY:**

All right, Cameron, you're right.

**LEG. STERN:**

Let's vote. Let's vote.

**P.O. LINDSAY:**

Would anybody else like to speak on this subject?

**D.P.O. VILORIA-FISHER:**

No.

**P.O. LINDSAY:**

No. Okay, we have a motion and a second; roll call.

**(\*Roll Called by Mr. Laube - Clerk\*)**

**P.O. LINDSAY:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ROMAINE:**

Absolutely.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. I don't have anything else, but this is so much fun, does anybody want to address anything else or you want to take a dinner break? I'll accept a motion to adjourn.

**D.P.O. VILORIA-FISHER:**

So moved.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

*(\*The meeting was adjourned at 4:02 P.M. \*)*

*{ } - Denotes Spelled Phonetically*