

General Meeting 12/4/12

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

FIFTEENTH DAY

December 4, 2012

Verbatim Transcript

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

*Minutes Taken By
Lucia Braaten & Alison Mahoney - Court Reporters*

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*(*THE FOLLOWING WAS TAKEN AND TRANSCRIBED BY
LUCIA BRAATEN, COURT REPORTER*)*

(THE MEETING WAS CALLED TO ORDER AT 9:32 A.M.)

P.O. LINDSAY:

Could everyone rise for a -- first of all, roll call. Roll call.

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

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. MURATORE:

(Not Present)

LEG. HAHN:

Present.

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. MONTANO:

Here.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not Present)

LEG. NOWICK:

Here.

LEG. GREGORY:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

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LEG. SPENCER:

(Not Present)

D.P.O. HORSLEY:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

Fourteen. (Not Present at Roll Call: Legs. Muratore, Kennedy and Spencer)

P.O. LINDSAY:

If everyone could rise now for a salute to the flag, led by Legislator Anker.

*(*Salutation*)*

If everyone could remain seated -- I mean, standing, for our National Anthem. Eleven-year-old Katie Garthe of Miller Place will sing the National Anthem. This past summer she sang at the U.S. Open. There you are, Katie.

*(*National Anthem Performed by Katie Garthe*)*

P.O. LINDSAY:

That was a beautiful voice from a beautiful young lady. Next, Legislator Anker is going to introduce our visiting Clergy.

LEG. ANKER:

Again, welcome today, everybody, for our Legislative meeting. That was absolutely beautiful, Katie. Thank you so much. Katie has been singing -- she is just like a beautiful angel; her voice is just amazing. And I just wish her all the best in her amazing future I'm sure she'll have as a singer.

Okay. We have Little Portion Friary. We have Brother Eric Michael today. Little Portion Friary is a beautiful Friary located in the hills of Mount Sinai along Mount Sinai Harbor, and it's just such a lovely place to go. If you ever need a place just to get away from all the stress and strain, it is relaxing, it is a wonderful place to pray and meditate, and I highly recommend to visit.

Brother Eric Michael is the Guardian of Little Portion Friary, a Franciscan Friary in the Society of Saint Francis, a religious order in the Episcopal Church and Worldwide Anglican Communion. He is also Anglican Representative to the Franciscan International at the United Nations.

During his time as a Brother, he has lived and worked on Long Island and in California, England, and Italy. He has been involved in ministry to serve the poor, needy and relief to refugees, and to work also with the mentally ill.

So I would like to welcome Brother Eric Michael for our invocation.

BROTHER MICHAEL:

Let us pray. We gather here today in continuance of the tradition of our nation to work together in a system of relative cooperation and good will. We pray that our hearts are open to the words and witness of the experiences of those who represent us, as well as those who are represented. And we open our hearts as well as our minds to that mysterious source from which all that is has its being. We reach forth from within, praying in the spirit of the poor little man, Francis of Assisi, a

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patron of nature, lover of plants, animals and all creation, an advocate of the marginalized and unprotected within society by asking to be channels of peace, so that where there is wrong, we may bring forgiveness; where there is discord, we may bring harmony; where there is doubt, we may bring faith; where there is despair, we may bring hope; where there are shadows, we may bring light; and where there is sadness, we may bring joy.

May we seek to comfort rather than to be comforted. May we seek to understand rather than to be understood. May we seek to love rather than to be loved. For it is by serving the needs of others that we find ourselves. It is by forgiving that one is forgiven. And it is in dying to self that one is awakened into a greater life in the community divine. Amen.

*(*Amen Said In Unison*)*

P.O. LINDSAY:

If everyone could remain standing, as always, let us also remember all those men and women who put themselves in harm's way every day to protect our country.

*(*Moment of Silence*)*

Good morning, everyone. Some of my colleagues are still showing up. Traffic was really heavy today.

We have proclamations. The first proclamation is by Legislator Anker with certificates for our beautiful singer, Katie, and Brother Eric Michael.

LEG. ANKER:

As I had said before, Katie is here. She gave a beautiful song for us to really hold in our hearts and our souls, and it's just amazing. Like I said, I can't wait to see where your future's going to lead you, and also what -- the benefit you will give to so many others by your beautiful voice.

So I would like to give a Certificate of Notable Recognition to Katie Garthe. Again, 11-year-old Katie just sang for us, and she's a student at Miller Place -- is it elementary or middle school?

MISS GARTHE:

Middle school.

LEG. ANKER:

Middle School, okay. And, again, my congratulations to Katie.

*(*Applause*)*

LEG. ANKER:

Okay. We have, again, Brother Eric Michael who gave that wonderful invocation. I would like to present you a, again, Certificate of Notable Recognition for all the work that you have done. And, again, I look forward to all the work that you will be doing, because, again, we need as many prayers and good thoughts as possible to get through these hard times. But, again, sometimes the challenges just make us stronger and better people and better society. So, again, thank you so much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Legislator. At this time, Presiding Officer Lindsay will present a proclamation

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to the Suffolk County Sheriff's Department on behalf of the Legislature.

P.O. LINDSAY:

Yeah, I see our Sheriffs with us this morning. Come up and join me, Vin.

This Legislative proclamation is to recognize an event that took place last July, in that our Sheriff's Department was recognized in Albany with the New York State Law Enforcement Accreditation Program. I believe that this is a difficult accreditation to get and it's something that we should be very, very proud of, of our Sheriff's Department who does an excellent job day in and day out.

SHERIFF DEMARCO:

Thank you very much.

P.O. LINDSAY:

You're welcome. Do you want to say anything?

*(*Applause*)*

SHERIFF DEMARCO:

I would like to thank the Presiding Officer and the whole Legislature for recognizing our accreditation. It is a very difficult process, as Legislator Lindsay had said. When I became Sheriff in '06, we started this process. And because we were so far behind in technology and policies, it actually took us six or seven years to reach this goal. So Investigator Weick and Deputy Weinfeld did a lot of the work and the research and communication with Albany to make sure we got it right, so they deserve a lot of credit as well, as well as Chief Sharkey and Chief Kneitel. So thank you very much.

*(*Applause*)*

D.P.O. HORSLEY:

All right. Thank you very much, and congratulations. Legislator Hahn will present a proclamation to the Port Jefferson Royals Varsity Boys Soccer Team for winning the New York State Class C Championship title. This is the second year this team has won that title.

LEG. HAHN:

Thank you very much, Deputy Presiding Officer Horsley. We have State champions in the house.

*(*Applause*)*

D.P.O. HORSLEY:

There you go.

LEG. HAHN:

I'm going to say it one more time because it's two times, State Champions in the house.

You guys all know how proud I get of my teams from the District. And the Port Jefferson Royals, the Boys Soccer Team won the State Championship again this year. Congratulations.

*(*Applause*)*

That was on November 18th. The Class C Championship against Lansing High School, and it was a win of one to nothing. Congratulations, boys.

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This soccer, you know team sports, what it does for kids, and these are our young leaders. These boys, the success and the pride that your school has for you, your Village has for you, my District has for you, I have for you, we are so proud. You guys worked so hard and your dedication paid off. All of your practice made a difference, and you are State Champions and no one can ever take that away from you. How did it feel that day?

("Great" Said in Unison)

LEG. HAHN:

Okay. Quickly, I am going to congratulate Casey, Cihad, Vincent, Blake, Alexander, Harrison, Connor, Nicholas, Gabriel, Corey, Erik Jonathan, Kareem, Daniel, Tristan, Christopher, Stanley, Jacob, James, Nathaniel, Romain, Gerard, Steven, Amr, Reiner, Jasper and Kent, with Head Coach John and Assistant Coach James Poulianos. Congratulations, again, State Champions.

*(*Applause*)*

And I have a team proclamation for the Port Jefferson Royals Varsity Boys Soccer Team. Congratulations. Who was the goalie?

MR. DAVIS:

Me.

LEG. HAHN:

Way to go.

*(*Laughter*)*

And the scorer of the goal?

MR. BOHLEN:

Me.

LEG. HAHN:

Congratulations. And everyone, the defense, the offense obviously made a difference. In a one-nothing goal, every single play matters, every single player matters for the whole season. So thank you and congratulations.

*(*Applause*)*

D.P.O. HORSLEY:

Congratulations, Team. Nice job. We're all very proud of you.

All righty. Legislator Browning will present a proclamation to the Air National Guard, 106th Rescue Wing out of Francis Gabreski Airport in Westhampton Beach. In the aftermath of Hurricane Sandy, the 106th Rescue Wing provided support services throughout Suffolk County, and were extremely helpful in the recovery efforts in Mastic/Mastic Beach and Shirley.

LEG. BROWNING:

Thank you. And I have today with me Colonel Owens and Chief Reiter of the 106th. Would you want to move up? And also being joined by Legislator Schneiderman, whose District the 106th is in.

You know, it's funny because it was a lot of years ago there was discussion about closing the 106th Rescue Wing, and I think that after Hurricane Sandy we see the importance of making sure that the

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106th stays just right where they are.

There is a number of things that the 106th was required to do. They were assigned -- they had assigned four military liaison officers to Suffolk County and Nassau County Emergency Operations Centers, and provided crucial and essential personnel command and control link between the military and the civilian agencies. They supported the Suffolk County Police Department several times, villages and police departments with personal recovery, roving patrols, local businesses, and residential and anti-looting patrols. They did relief supply distribution, conducted traffic control duties, protected and monitored power generators at intersections throughout Suffolk County, conducted roving portable -- potable, sorry, water distribution patrols, and assisted various law enforcement agencies with gas station traffic control efforts. These missions were conducted throughout the day and the night. They also assisted LIPA at -- when they needed to get to remote sites in order to access the power lines to do the work that they needed to do.

And the reason why I've asked them to come is their support of Mastic Beach, and the request to bring them to Mastic Beach community in the relief efforts throughout the Village, and this mission was conducted for many days. And in the midst of all of this, many of the members were deployed. And on Friday, after Thanksgiving, many of the members, who spent many hours away from their families to aid during Hurricane Sandy, they were deployed also. And I believe you were saying today there are some still deploying up to today.

So when people -- I know a lot of times the guys, and I've talked to them and they said, "Well, that's my job." However, I can't express enough thanks and gratitude to the 106th for their work in the protection of the Mastic Beach residents. So I have a proclamation for you. And, Jay, do you want to say anything?

LEG. SCHNEIDERMAN:

Well, it may be their job, but these guys certainly go well beyond the call of duty, they have time and time again. They did it in Hurricane Katrina, and here they were again in Hurricane Sandy. We are blessed to have them in Suffolk County. And, certainly, the Second District, Legislative District is blessed to host the 106th Rescue Squad. So I'm happy to have you here, and join in thanking you for all of your service.

COLONEL OWENS:

Well, I'd just like to thank Legislator Browning, Legislator Schneiderman, and the entire Legislature for this -- the honor of this recognition. And it is truly our privilege to serve, not only the local community, but the great State of New York, and, of course, our great United States. So thank you very much.

*(*Applause*)*

LEG. BROWNING:

And, again, keep in your thoughts and prayers, because many of the members who have left will be gone for the holiday season, so we'll keep our thoughts and prayers for them. Thank you.

D.P.O. HORSLEY:

Gentlemen, on behalf of the full Legislature, thank you for your service. Happy holidays.

*(*Applause*)*

All right. Next up, we have Legislator Cilmi who will present a proclamation to Probation Officer Rachel Hernandez.

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LEG. CILMI:

Well, thank you very much, Mr. Presiding Officer. It's a privilege and a pleasure to be here again today to talk about one of our great Probation Officers in Suffolk County. You'll forgive me, this may be just a tad longer than what they normally are. And I think after you begin to hear about Probation Officer Hernandez, you'll understand why. I'm just going to read this; it bears reading.

Probation Officer Hernandez has been a Probation Officer since October of 1999. She's assigned to the Pre-Sentence Investigation Unit. Probation Officer Hernandez was completing a pre-sentence investigation on a young woman who called the morning of her interview appointment to say that she was sick and could not come in. In the course of her conversation, Probation Officer Hernandez came to find out that the woman had actually been raped the previous Friday night. The young woman reported that she had gone with a friend to a house where several Latin King gang members live. She said that her friend was beaten badly and was taken out of the house via ambulance. The young woman then admitted that she was raped by four Latin Kings.

Probation Officer Hernandez asked her if she had gone to the police. She said she was afraid because they took her wallet and knew where she lived. She said that she went to Stony Brook Hospital the following Sunday and had a rape kit done, and went to the precinct at that time, but did not know the names of the men. The young woman was, however, aware of their gang names, which she gave to Probation Officer Hernandez. Probation Officer Hernandez then called the Probation Gang Intelligence Office, and working with the victim, the detectives and our Gang Intelligence Unit, they were able to determine the names of the gang members, some of whom were on probation. The victim also provided information to Probation Officer Hernandez about a specific location of a handgun in the house, and this information was relayed to the police and probation officers. The victim was able to identify three of the four men that were there, and was awaiting I.D. on the fourth man who was the main aggressor.

Probation Officer Hernandez provided the victim with the VIBS hotline number and discussed rape counseling with her. She also counseled her through the emotional distress of having to repeat the story of the rape to the police. Probation Officer Hernandez explained that this was part of the process and provided support and crisis intervention services.

Our Probation Officer's past experience as a domestic violence advocate certainly played a key role in her ability to assist the victim. Her knowledge of available resources and ability to speak with the young woman caringly and knowledgeably about her victimization was key in getting the young woman the help that she needed.

Furthermore, her ability to act as liaison between our Gang Intelligence Officer, the police and the victim is not only a testament to her experience, but was invaluable to the investigation. Probation Officer Hernandez encouraged this young woman to seek police assistance when she was resistant -- reticent to reporting the crime; advocated on her behalf with the Police Department; assisted the police with gang information to help identify the perpetrators; provided the victim with emotional support; encouraged her to get proper medical treatment and counseling, and gave her the resources to get help with medical and mental health issues surrounding her victimization.

I don't know what more to say other than God bless you and thank you on really a job well done; really exemplifies the comprehensive work that those in our Probation Department have to do day in and day out. And, Rachel, you are just a shining example of one of those Probation Officers. And on behalf of all of my colleagues and everyone in Suffolk County, I commend you and thank you, and wish you all the best.

PROBATION OFFICER HERNANDEZ:

Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Officer Hernandez, congratulations on behalf of all of us. Nice job.

All righty. The next proclamation is from Legislator Montano, who will present a proclamation to the Long Island Ducks, recognizing their accomplishment of winning the 2012 Atlantic League Championship.

LEG. MONTANO:

Thank you, Members of the Legislature. It's my privilege this year to recognize and award this proclamation to the Long Island Ducks and their organization.

As you may know, on October 7th of this year, Long Island Ducks won the Atlantic League of Professional Baseball. They defeated the Lancaster Barnstormers by a score of five to four in a game that -- they took the series three out of two, and I'm very pleased. They play in -- they play in my District, that's where the stadium is located, but they really are the Long Island Ducks, so it's really something that we, as a County, can be very proud of. I don't think they've won a series since 2004; is that correct?

MR. BOULTON:

That's correct.

LEG. MONTANO:

That's the year I got elected, so I want a --

MR. BOULTON:

We won a bunch of series.

LEG. MONTANO:

Okay. Actually, I threw out the first ball during the season, and Frank Boulton and I, the CO, were talking and he was saying that he thought Lancaster had it this year, but they were going to give it a good run, so I guess you took care of that. And, of course, Bud Harrelson is here. Everybody knows Bud, and knows him from his days as a Mets star, and also Michael Pfaff, the Manager. Is that your position, Mike?

MR. PFAFF:

General Manager.

LEG. MONTANO:

General Manager. So --

MR. BOULTON:

And president.

LEG. MONTANO:

And President. Congratulations. Congratulations to all of you. And as it's said, C.I., where you play, is a home run community. So we wish you well. And on behalf of the County and on behalf of myself, as a Legislator who's lucky enough to have you in his District, congratulations.

*(*Applause*)*

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MR. PFAFF:

Thank you, Members of the Legislature, and especially Rick. We appreciate this recognition. It's an honor to be able to provide affordable family entertainment to Suffolk County and all of Long Island. And we were especially happy to bring home the championship this year. As Rick points out, we hadn't won one since 2004, but we promise that you won't have to wait eight years for another one. So thank you very much. Happy holidays.

*(*Applause*)*

D.P.O. HORSLEY:

Congratulations on behalf of all Long Island. Frank? Oh, I'm sorry.

MR. BOULTON:

No. Rick wants me to say something, so I will. Just thank you. Happy holidays to everyone. Thanks for supporting us.

As Rick mentioned, we are the Long Island Ducks. We're very proud to have our home in Suffolk County. You know, it's been a quick 14 years, believe it or not. And you're all invited out, warm up those arms; want to see you out at the ballpark throwing first pitches, each and every one of you. Your constituents, I promise you, when you get out there, you'll see more of your constituents on a day at the ballpark than you will almost anywhere else.

Also, I'd like to congratulate all the other recipients of proclamations today; a great Port Jefferson team. That's how we build professional athletes, by playing in high school, by playing in college, and then continuing on for those very few who are lucky enough to play professionally. So, hopefully, we'll see you out there at the ballpark in April. Thanks, and have a great holiday.

*(*Applause*)*

D.P.O. HORSLEY:

Congratulations to the Ducks. All righty. The next proclamation is a situation of where the apple doesn't fall far from the tree, and I'll leave it at that. Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Vice Chair, and my colleagues. It's a pleasure to stand before you today to present a special person to you, and this person actually doesn't know that she's being honored today. So Laura McVeety Pawlewicz, would you please come to the podium?

Laura is -- she's full of energy, she's bright, she's energetic, she's an A-type personality, and she has a heart and a passion bigger than this room. And Laura was the impetus behind coordinating two truckloads of food, and clothes, and supplies for Super Storm Sandy, the victims. And, you know, she had a friend that had a connection with a trucking company in Louisiana, and she came to me to say, "You know what, we have these supplies coming." Actually, it was supposed to be one truck and it turned out to be two trucks, 120,000 pounds of donations. And she came to my office and she said to me, "You know, can you help us? Would you be interested?" And I certainly said yes, but she was the wind behind this -- well, I won't -- let me stop that pun right there.

She's certainly the -- well, the wind beneath our wings, I'll say that and -- but she's not the type of person to take credit, so we kind of told her that she was going to come here today to make a presentation and to -- and with her personality, she was getting all anxious, and "What are they going to ask me," and "What should I say?" And I said, "It's all right, it's all right." But we really wanted to present her for her efforts, because we knew that she's not the type of person to stand

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forward and take credit for something. It's something that really came from her heart, and her community really enjoys it. She goes out on Sundays and weekends, and we were giving out food and to people that were affected. And she's really, you know, bringing the community together. She loves her community. We love you and wanted to surprise you. Sorry. Oh, this is her son, Chase. Hi, Chase.

MS. PAWLEWICZ:

Little mommy's boy.

LEG. GREGORY:

And we have her husband, Michael, and former Councilwoman and mom to Laura is Ellen McVeety, and her husband, Don. And those of you who know Ellen, she's a very passionate, warm person. So, yes, the apple doesn't fall far from the tree.

And so, Laura, we wanted to thank you for all your efforts in your past and your continued efforts in helping those people that are affected by Super Storm Sandy. And thank you. Our community loves you.

*(*Applause*)*

D.P.O. HORSLEY:

Laura, congratulations, on behalf of all of us.

MS. PAWLEWICZ:

Thank you.

D.P.O. HORSLEY:

Good stuff.

MS. PAWLEWICZ:

Thanks.

D.P.O. HORSLEY:

Love it. Legislator Gregory, I understand you have another presentation to make.

LEG. GREGORY:

No. We're actually going to present that. The person from the school district couldn't make it here. We wanted to recognize Amityville High School, because they opened up their -- with Laura's efforts, they opened pretty much the west wing of the building, the lobby, and the auditorium, and we filled it with donations, probably more than twice the size of this auditorium, with clothes, and water, and food, and other things. And so we wanted to recognize them for their generosity. And through Laura's efforts, I mean, like I said, we had 120,000 pounds of donations. We got rid of it in probably -- I think it was like less than a week?

MS. PAWLEWICZ:

Last of it yesterday.

LEG. GREGORY:

Yeah. So it's a truly amazing effort.

D.P.O. HORSLEY:

Well, Legislator Gregory, let me just share with you that -- and I am sure you feel the same way, that we couldn't be more proud of our residents, how they helped each other throughout the Sandy

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Hurricane, and how much help and love that we all shared with each other. And it's heartwarming, and the South Shore is the best.

LEG. GREGORY:

Yep, absolutely.

D.P.O. HORSLEY:

Okay.

LEG. GREGORY:

Thank you.

D.P.O. HORSLEY:

All right. I have the -- Legislator Spencer will present a proclamation to Ian Zakow, President, and Justin Weigold, Vice President, of the Young Leaders for their participation in the Hurricane Sandy relief effort. They are both high school students.

LEG. SPENCER:

Good morning. I continue to be warmed by the spirit and kindness and generosity that I also observed during the super storm. And we know Sandy changed all of our lives on that day, and it really brought out a lot of heroes in our community. So today, I have the privilege of recognizing three organizations that I felt went really above and beyond, although there were really dozens of businesses and people that really stepped up and contributed to help us during a very difficult time.

But today, the first organization I wanted to recognize was the Young Leaders, and they're an organization that is comprised of young men who are throughout the Town of Huntington in high school, and their purpose is to do the right thing in the community, and that's exactly what they did. After the super storm, they rented a U-Haul truck and they placed it at Huntington High School for two days until it was packed with clothes, toys, furniture, food. And then they delivered these items throughout the community, to shelters, and they donated the balance of the items to the Family Service League to help those in the community who were affected.

So here today on behalf of Young Leaders is Ian, Ian Zakow, who is President. Is Justin here with you?

MR. ZAKOW:

No.

LEG. SPENCER:

Okay. All right. And I'd like to thank you so much for your valuable contribution, and really just recognize a true community hero. So thank you.

MR. ZAKOW:

Thank you.

*(*Applause*)*

LEG. SPENCER:

And I present you with this proclamation.

Also, I'd like to ask if there is a member of the Huntington Youth Football League here today? And this is another great story of just I think true compassion and kindness and heroism. The Huntington Bulldogs, which is actually a championship caliber team, when they saw a need, they

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suspended the rest of their season and they donated the funds that they would normally use during their season to contribute to the community of those who were affected by the storm. So it gives me great pleasure to welcome Larry?

MR. FLOOD:

Matt Flood.

LEG. SPENCER:

Matt Flood. Okay.

MR. FLOOD:

Larry couldn't make it.

LEG. SPENCER:

Larry couldn't make it.

MR. FLOOD:

Yeah.

LEG. SPENCER:

Matt Flood. Thank you, Matt.

MR. FLOOD:

Thank you.

LEG. SPENCER:

You didn't look like Larry.

MR. FLOOD:

No, I don't.

LEG. SPENCER:

Thank you for being here and for really stepping up to the plate. And in addition to helping, you also set fine examples to a lot of organizations throughout our community. So I present you with this proclamation. Let's give him a big hand. Thank you.

MR. FLOOD:

Thank you, Legislator Spencer.

*(*Applause*)*

And last, but certainly not least, I'd like to have the Cold Spring Harbor Soccer Club. And I think today Keith McGowan.

MR. FRIEL:

Dan Friel.

LEG. SPENCER:

Dan Friel, okay. And Dan Friel is the President, Keith is the Treasurer. So we have the President of the Cold Spring Harbor Soccer Club with us, and they have about 1100 members. And to help in the Sandy relief effort, they hosted a charity golf tournament. They collected and donated 100 large bags filled with food and cleaning supplies and warm clothing to the Family Service League at the Manor Field Family Center. Their efforts were so successful that they are considering doing this on

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an annual basis. So we want to do everything we can to encourage them to do this on an annual basis. And thank you for stepping up when we were at our greatest need. Appreciate it.

MR. FRIEL:

Thank you, Legislator Spencer.

LEG. SPENCER:

Absolutely.

*(*Applause*)*

And I present to you this proclamation on behalf of our residents of Suffolk County.

MR. FRIEL:

Thank you.

LEG. SPENCER:

Thank you.

D.P.O. HORSLEY:

Thank you very much, Legislator Spencer. We appreciate your honorees. Next up is Legislator Schneiderman, who is going to give an award -- proclamation to the Sag Harbor Ambulance Corps, who apparently helped out in Sandy as well in helping the Broad Channel region of Long Island.

LEG. SCHNEIDERMAN:

Thank you, Deputy Presiding Officer. And I'm joined by Ed Downes, who is President of the Sag Harbor Volunteer Fire Department.

Time and time again, our ambulance and first responders have shown their commitment to our communities, and sometimes they actually go beyond our communities to go into other communities. And though Sag Harbor did get hit by Hurricane Sandy, we had some flooding and erosion, we all understood that the devastation we suffered was nothing like the devastation other areas suffered. And I'm sure people have heard about Breezy Point and Rockaway, in that area. Broad Channel is kind of right in the middle of those two, and they have also a volunteer fire department. Actually, I'm not sure if it's a volunteer.

MR. DOWNES:

Yes, it is.

LEG. SCHNEIDERMAN:

It's a volunteer fire department and ambulance. And these guys responded to the call. When they heard they needed help, they sent food, they sent a check for \$1200. They packed up actually an ambulance and they filled it with all kinds of supplies, medical supplies, blankets, etcetera, and they drove it all the way up to Broad Channel. And not only did they drop off the check and all the food and all the clothing, but they left the ambulance there, too, because they needed a new ambulance, because, guess what? With the flooding, they lost almost every vehicle that this department had, so it was a great gift.

And I wanted to thank the Sag Harbor Volunteer Fire -- Volunteer Ambulance. I have a proclamation. I won't read it, but I will give it to Mr. Downes. And on behalf of myself, my district and the full Legislature, let's give them a warm thank you.

MR. DOWNES:

Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Mr. Downes, you are certainly the best, and thank you.

LEG. SCHNEIDERMAN:

Do you want to say anything?

MR. DOWNES:

You said it all.

LEG. SCHNEIDERMAN:

Okay, thanks. All right. Thank you.

D.P.O. HORSLEY:

All righty. That concludes the proclamations, right?

P.O. LINDSAY:

Could I have Legislators to the horseshoe, please?

D.P.O. HORSLEY:

All righty. We'll be moving into the public portion section of our agenda. Of course, all speakers will have three minutes to address the Legislature, and we'll move on from there.

The first one is Elsa Ford, and she apparently is with Brentwood/Bay Shore Breast Cancer.

MS. FORD:

I'm Elsa Ford, President of the Brentwood/Bay Shore Breast Cancer Coalition, speaking in support of Introductory Resolution No. 2062-2012, to reduce exposure to BPA from sale slips.

When body burdens of toxins are found to be building, the policy of acceptable risk does not work. True risk is not a general mathematical calculation when it varies from person to person, depending upon age, level of buildup and circumstances of current exposure. What we need is a reducing-risk policy with incentives for making changes that offer alternatives to these toxins. Rewarding such innovations will provide opportunities to build new businesses and save life, health and money for our society in the long run.

The Brentwood/Bay Shore Breast Cancer Coalition is a grassroots not-for-profit group. We focus on the many possible causes of breast cancer and the need for prevention, monitoring, informed treatment and accessibility of health care. The Brentwood community is rich in its number of cultures and has the second largest Hispanic population in New York State, with New York City as the first. We offer a dedicated Spanish language hotline, and monthly meetings for our Latina breast cancer support group. Maria Gonzalez is the Director of this group. She cannot be here this morning, but offers this testimony.

"I am Maria Gonzalez, Coordinator of the Brentwood/Bay Shore Breast Cancer Coalition, working for more than eight years with the Latino community for the elimination and finding the cure of breast cancer.

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As an eight-years cancer survivor and leader of the Latino community, I want to alert of the danger of thousands of female cashiers and clerks working in supermarkets, restaurants, gas stations and many retail environments who are in constant numerous hours per day with thermal paper receipts -- in and contact with.

The lack of education and the need of a job make these women perfect victims to acquire diseases from BPA and thermal paper receipts. BPA is found in ATM machines, gas pumps and cash registers. BPA is unbound and transmits to our hands and through the skin, and, in turn, is transmitted to others. Store clerks in checkout lines that handle these receipt papers for hours on end each day.

BPA is linked to breast cancer and prostate cancers, reproductive disorders, obesity and insulin resistance, diabetes and cardiovascular disease. Pregnant mothers can unknowingly transmit this chemical to their developing fetus by doing the weekly grocery shopping."

D.P.O. HORSLEY:

Mrs. Ford, you have to start wrapping up.

MS. FORD:

Okay. On behalf of the Latino community in Suffolk County, we are in support of the Introductory Resolution 2062, adopting a Local Law to reduce BPA, and urge the Legislators to ban BPA in the thermal receipts and look for healthier choices. That's it. Thank you.

D.P.O. HORSLEY:

Thank you very much.

MS. FORD:

You're welcome.

D.P.O. HORSLEY:

We appreciate you being down here today. Okay. The next speaker is Lance Reinheimer, our Vanderbilt person.

MR. REINHEIMER:

Thank you very much. I'm here to speak in favor of I.R. 2087, which is a capital appropriating resolution to appropriate \$100,000 that's scheduled in the adopted Capital Program this year. These funds are going to be used to rewire the 90-year-old Hall of Fishes or Marine Museum. That building was built in 1922. It's the original museum William K. Vanderbilt built. It has a lot of exhibits in it with lighted cases. This will be used in conjunction with our overall plan to improve the building.

Earlier this year, you appropriated \$300,000 for roofing. The roofers started on the planetarium this week, actually yesterday, and they were going to go forward later on this year, beginning of next year, to reroof the Hall of Fishes. So this is a second stage to restore that building. The funds to do the roof have been appropriated. After the roof is done, the leaks are fixed, this would rewire the building. It's a safety issue. It's an environmental issue in terms of energy efficient lights will be installed.

And I want to thank the Legislature for your support. This past week the parking lots were all paved. They're striping the lots today and yesterday, weather permitting. The museum is really looking good. We had a donation of 23 trees from one of our Trustees that we planted. We painted the outside of the planetarium. When I say "we", I mean the staff of the museum. Using operating funds, we painted the whole exterior. We're doing renovations to the lobby using funds that we raised. So we've raised \$150,000 towards the planetarium. We're aware of -- you know, we have to do our part also.

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And so this -- I ask you to support this resolution. It's part of our plan to rewire the building, the Marine Museum, along with reroofing it, and it's part of an overall plan to maintain the museum and improve the museum. And thank you very much.

D.P.O. HORSLEY:

Thank you very much, Lance. All righty. The next speaker is Peter Quinn. He wants to talk to us about LIPA.

MR. QUINN:

Good morning, Members of the Legislature. My name is Peter Quinn. I'm speaking to you today about LIPA and its 6.9 billion dollars worth of debt. And I should remind you that that was based on the principal only, not the interest. So if we added the interest, which Pat Foye, formerly a deputy of NYPA -- LIPA, and a member of the investment community, indicated that the interest was two to three times the principal amount. So we're talking about LIPA having to cost ratepayers 23 billion dollars, if you add that interest to the principal component. No wonder we have so much debt.

But I wrote a letter to Newsday, an op-ed piece actually, and they haven't published my letters for years. So I thought I'd share it with you by leaving you a copy and asking it be for all 18 Legislators, and, hopefully, your aides will read it, and you'll see that that 6.9 billion was something I was agitated about when Newsday wrote an editorial piece on August 17th in which they indicated that -- they quoted a LIPA representative who said that the debt had been cut in half. Now, I thought these are the editors of Newsday who are supposed to do some fact-checking, so I did and found by looking at the LIPA budget, that the debt was actually 6.9 in 2012 still.

So I wanted to share this with you and ask that your aides read it and confer the information in it to you, since I've had a long institutional background in looking at both LILCO and LIPA. And I oppose the idea that we should pull the plug on LIPA by converting it into an investor-owned utility again, much like LILCO, which would be disastrous to the ratepayers on Long Island. And I called for creating -- selling off the Far Rockaway section of the LILCO service -- LIPA service territory, getting the funds from the sale. And when you consider that National Grid sold Ravenswood for almost four billion dollars, we ought to be able to get almost double that amount by selling off the Far Rockaway section for six, seven, eight billion dollars and pay off our debt in full, and improve the economy of Long Island by having far reduced LIPA rates.

And I also wanted to react to Resolution 2067. When I saw collective bargaining as part of the deal, I questioned whether -- I know that in reading the bill, it looks like there's a conflict between the County Executive and the Legislature over all the things that are told to you about collecting bargaining. But in reading the bill and its six points, it looks reasonably good, but I don't want to do any harm to the way in which collective bargaining is done for the various union groups in this County.

So I just wanted to share both of those points with you, and I'll leave a copy here for duplication.

D.P.O. HORSLEY:

Thank you very much, Mr. Quinn. By the way, the Legislative Oversight Committee on LIPA estimated it as 11 billion, so it's all over the map.

MR. QUINN:

Yeah. But -- and then, if you consider --

D.P.O. HORSLEY:

Okay. I didn't mean to get into discussion.

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MR QUINN:

Okay.

D.P.O. HORSLEY:

I just wanted to let you know that there was a --

MR. QUINN:

But if you consider National Grid as well, for whom -- who has the management service agreement with LIPA, we're paying a ton of money.

D.P.O. HORSLEY:

Got it.

MR. QUINN:

I won't go into the details either.

D.P.O. HORSLEY:

There you go. Okay. Thank you very much for being here today. The next speaker is Don Dailey from AME.

MR. DAILEY:

Good morning. My name is Don Dailey, I represent AME. I'd like to thank the Legislative Body for allowing me to be here to speak today, and to wish all of you and your families a happy holiday season.

I'm here to speak today in support of I.R. 1935, a Local Law to safeguard employees displaced by privatization.

While Suffolk County faces financial -- the financial crisis, we must not forget the important work done by Suffolk County employees who perform their jobs in an expert manner, regardless of the difficulties presented by manpower shortages and material shortages. While many large projects, DPW projects and such, are performed with large teams of workers, engineers and whatnot, a lot of the smaller projects are done by small crews who are basically engineering the job on the fly.

The Suffolk County worker is your best bang for the buck in terms of -- in terms of production and in terms of pay. The Suffolk County workers work for a lot less money than their counterparts in the public pull sector, but their craftsmanship is nothing short of outstanding. While many of our County workers provide services with dedication and devotion to duty, they are met at work by layoff letters, exit interviews and the Sherman brothers with the County Executive at Foley. In addition, they're met at the Tri-Community Health Center with a Legislator in the presence of the private agency that wants to take over the facility in a public meeting that the public didn't know about, in a largely Spanish-speaking community where there was no Spanish-speaking person from the company. We're also facing privatization in the methadone clinics.

While AME supports legislation to give an additional cushion of time so that members can prove their worth to new employers and have a chance to work on a collective bargaining -- to work with a collective bargaining agent, we don't agree that the County has been forced to lay off the -- our leadership in Washington is calling for increase in revenues, and what Suffolk County really needs to do is work on increase in revenues and not on privatization.

This privatization situation has gotten out of control. It's really -- it's come down to a point where it's an attack on organized labor. A lot of things are going on in various departments where even the contract is not being honored. Appendix F in our collective bargaining agreement calls for the

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County to reach out to AME to offer alternatives to privatization before this happens and they have not done that. Thank you very much.

D.P.O. HORSLEY:

Thank you very much, Mr. Dailey.

*(*Applause*)*

Okay. The next speaker is Shelby Poole; wants to speak on 2062.

MS. POOLE:

Hi. How are you? I'm Shelby Poole. I own Jackson's Restaurant in Commack, I run it with my husband. We are a young family, we have a two-year-old daughter. We switched to BPA-free receipt paper about two years ago. I was volunteering with Karen Joy Miller from Huntington Breast Cancer Action Coalition for the Bag Ladies benefit, and she let us know about the BPA and the receipt paper, and it was -- I was the youngest person on the committee at the time and I felt she was talking directly to me when she said, you know, "Make sure you're paying attention to all the dangers in it." It was horrible.

I have a two-year-old daughter. I had just spent two years -- well, at the time, I had spent about a year doing a lot of research about all the products that were out for young -- for infants and newborns and pregnant women about BPA-free products, and then I found out that the papers that I have my hands all over all the time, every single day, from the second I get to work until the second I leave work, are covered in exactly what I'm trying to avoid. So I made a change.

We've been using the paper for I guess about two years. It's extremely available. I know that people are a little bit concerned about having to change your computer, having to change your printer, but every single roll of paper that we have gotten has been totally fine, it's exactly the same. My husband was telling me that it might be a little different, but then he found out that it wasn't even the same paper that we were talking about. So every single thing is the same.

The cost difference in the paper is \$10 a case. So that just means that you can -- every business has a way that they can shorten the paper a little. They can shorten their receipt, they can take one line off. Literally, in a roll, that would make the difference, and the cost is 20 cents a roll. So it's been -- the difference has been nil. And the fact that myself, my mom, who's the bookkeeper, and for the past 20 years has been handling all these receipts, not a good feeling for me, not a good feeling for her. I want to make sure that my daughter, who like rolls around in the receipts every day while we're doing the paperwork, isn't rolling around on BPA. She does art on it, and Jackson's is the only place that I let her do her art work on any receipt. We can't go to Bed, Bath and Beyond and that's annoying.

So that's about all. It's been great for us. I just want to thank Karen and Steve Stern for everything, because it means a lot to us as young businesspeople and young businesswomen. So thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Poole. All righty. The next speaker is Laura Weinberg, also on 2062.

MS. WEINBERG:

Good morning, everybody. I'm President of the Great Neck Breast Cancer Coalition, and so we are

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in favor of the ban of BPA in sales receipts, 2062. And I'm going to read a written testimony by Dr. Laura Vandenberg, who is a Post Doctoral Fellow, Center for Regenerative and Developmental Biology at Tufts University. From Dr. Vandenberg:

"Dear Members of the Legislative Committee, because I am unable to attend the public hearing on the Safer Sale Slip Act in person, I am writing to you today in support of it.

As a research scientist, I have spent nine years investigating the affects of exposure to BPA during early development. The data I and other independent government-funded researchers have collected thus far in the field of Environmental Toxicology are sufficiently robust to raise concerns about the potentially deleterious impact of this endocrine-disrupting chemical on human development.

A 2008 study from the U.S. Center for Disease Control and Prevention found that 92.6% of 2500 Americans tested have detectable levels of BPA in their urine. The highest levels were found in children and adolescents. BPA has also been found in breast milk, amniotic fluid and serum from pregnant women and fetuses, providing evidence that this chemical crosses the placental barrier. Although some agencies suspect that the majority of human exposure is through food and drinks, recent studies indicate that thermal receipt papers could contribute significantly to human exposures.

Thermal papers, including those that are used in receipts and other kinds of tickets, have been shown to contain large quantities of BPA. This chemical is applied to the paper in an unbound form and is easily absorbed through the skin. Further studies indicate that when these thermal papers enter the recycling stream, they contribute to the contamination of other papers, as well as the water used in the recycling process, with significant amounts of BPA.

Human populations, including unborn babies, infants, children and adults are regularly exposed to low doses of BPA. Several large epidemiological studies have revealed positive correlations between urinary BPA concentrations and the prevalence of diabetes, obesity and heart disease. Girls exposed to higher levels of BPA in the womb were more likely to display aggressive behaviors in early childhood. Women with higher levels of BPA in the urine are more likely to have Polycystic Ovarian Syndrome, a serious condition associated with infertility. And adult men exposed to higher levels of BPA from normal environmental sources, just like you and I are exposed, report higher level of sexual dysfunction and problems with fertility. Hundreds of animal studies indicate that developmental exposure to environmentally relevant levels of BPA alters development of a brain, the male and female reproductive tracts, the mammary gland and other organ systems. BPA exposure also increases the incidents of prostate and mammary cancers in rodents. In other words, animals exposed during critical periods of development will develop a variety of chronic diseases.

D.P.O. HORSLEY:

Ms. Weinberg, please, start to wrap it up.

MS. WEINBERG:

Okay.

D.P.O. HORSLEY:

Thank you.

MS. WEINBERG:

That usually manifests many months after the exposure evolved. I often hear, "But we've been exposed" -- "We're all exposed and we're all okay." Unfortunately, this is not actually true. Incidences of breast cancer, prostate and testicular cancer have risen dramatically.

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These conclusions are not made by fringe scientists, since the U.S. National Toxicology Program concluded there was some evidence that BPA could alter the development of the prostate and brain.

For all the aforementioned reasons, I strongly support the phase-out of BPA from receipt paper, protecting pregnant women and the fetuses they carry of exposure to BPA by removing it from these sources is as important.

D.P.O. HORSLEY:

Ms. Weinberg, please. Okay. Thank you.

MS. WEINBERG:

Okay.

D.P.O. HORSLEY:

We'll be glad to take a copy of that, and please distribute it.

MS. WEINBERG:

Yeah. And she's also submitting a study, which I also will give to the Clerk --

D.P.O. HORSLEY:

Thank you.

MS. WEINBERG:

-- that you will all receive copies.

D.P.O. HORSLEY:

All righty. The next speaker will be Karen Miller from the Huntington Breast Cancer.

MS. MILLER:

Hello, and thank you. My name is Karen Miller from the Huntington Breast Cancer Action Coalition, and I'm here in support of the Safer Sales Slip Act, 2062, I believe. So my remarks will be brief, which is extraordinarily unusual.

In 1987, I was diagnosed with breast cancer. And Michael and I have three children. There was no known breast cancer in my family. I became an activist, and for 25 years I have listened and been among women, healthy, and the majority not, and many who have died of breast cancer. And what got me to this was not being a champion and running a not-for-profit group, what got me into this was total guilt. There was no known risk in my family. I wanted to know why I had breast cancer. So that path led me to do some research and to find the most extraordinary people.

My years following also were very difficult. I was at one point told that I had metastatic disease to the membrane around my brain. They were going to do invasive surgery. I've had other things throughout the years, so beyond the smiley face, there's been trial and tribulation. But beyond that, I am one of the lucky ones.

I have been around young mothers who find out that they have cancer when they're first pregnant. Most recently, two weeks ago, and at any point I can speak in front of this Legislature, there is a young woman, a champion fighter from California who just had her fourth baby. Four weeks after the birth of her fourth child she died. She left her husband with a nine to a four-week-old baby, four children.

We've got to end this disease. We know that there are bad-acting chemicals; Bisphenol A is at the top of this list. You've heard continuously from not-fringe scientists that it needs to be eliminated

from exposure.

I am very encouraged with your questions. I think two weeks ago you were really interested in the Safer Sales Slip Act. I was totally encouraged during the hearing that the Health Committee passed it unanimously. And I'm asking you today to take it into serious consideration and eliminate BPA from thermal receipts. Thank you very much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Miller. William Stoner from AARP.

MR. STONER:

Good day. I'm Will Stoner, Associate State Director for AARP and a Suffolk County resident. On behalf of our more than 300,000 members living here in Suffolk County and 2.4 million members statewide, I want to thank County Legislator Calarco and Hahn and this entire body for considering the Complete Streets resolution today, 2025.

The nation's baby boomers have already begun turning 65, setting off an unprecedented growth in the State's older population. By 2025, nearly 20% of New York's population, and Suffolk County's, will be over the age of 65. And just 13 years from now, 8,000 baby boomers across the United States will be turning 80 years old every single day, and that's about 40 every day here in Suffolk County.

AARP has 65,000 members over the age of 100; 850 of them live here in Suffolk County. As our nation, State and County undergoes this population shift, we are also experiencing a change in the paradigm of retirement. More and more older adults today are staying in their homes and communities, with the goal of remaining independent and living active, vital lives. Unfortunately, many of New York's streets and roads create barriers for people who want to age in place and remain active where they live. New York ranks fourth in the nation for pedestrian fatalities for people over 65. Twenty-two percent of traffic deaths in New York involve pedestrians, twice the national average. And we have some of the most dangerous roadways right here on Long Island.

According to a recent AARP report, nationally, most people, age 50-plus, feel their neighborhoods do not have adequate sidewalks, and nearly half feel that streets near their homes are not safe to cross on foot. Despite these troubling statistics, more than two-thirds of transportation planners and engineers have now begun to consider the needs of older people in street planning. There is, however, an approach to road design that can help residents of our community get around safely. Complete Streets legislation in Suffolk County will ensure that when roads of Suffolk County are planned, the needs of all users and modes of transportation are taken into consideration.

In a time of fiscal constraints, the concern of cost increases is always top of mind when projects are planned, and one of the first questions asked by a municipality, considering Complete Streets design. Typical, if the Complete Streets Project's needs are taken into consideration in the planning and design phase, costs are negligible at best. The long-term cost savings, because the road was designed with all users in mind and the lives saved, would certainly outweigh any increase in costs. And the resolution allows for exemptions for when the cost far outweighs the perceived need.

Safe and accessible roadways and sidewalks are a vital link in our transportation system. They help older New Yorkers access essential community services, stay active, and give back to their communities as they age. More importantly, they save lives by creating safer streets for people of all ages.

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The livability of our communities depends on having safe travel choices. Supporting communities to become age-friendly is one of the ways AARP is working to ensure that more communities are healthy, thriving places for families to live, work, learn and play. In an age-friendly community, policies, services, settings and structures enable older people to age actively. Suffolk County can play an important role in this historic effort by joining AARP's network of age-friendly communities and intentionally creating a strategic direction for addressing community issues and improving the lives of all citizens.

You can expect some of these volunteers you see today to be visiting you in the coming months to ask Suffolk County to join that AARP network of age-friendly communities.

D.P.O. HORSLEY:

Thank you very much, Mr. Stoner, we appreciate it.

MR. STONER:

Thanks for your hard work.

D.P.O. HORSLEY:

Thank you.

MR. STONER:

And please pass Complete Streets. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

All right. The next speaker is Ryan Lynch, Tri-State Transportation Campaign.

MR. LYNCH:

Good morning. Thank you for the opportunity to testify today. Thank you to Legislator Calarco and Legislator Hahn for putting forward I.R. 2025, Complete Streets policy for Suffolk County.

My name is Ryan Lynch. I'm the Associate Director and Long Island Coordinator for the Tri-State Transportation Campaign. We are a nonprofit organization dedicated to creating a more balanced, environmentally friendly and equitable transportation system in New York, New Jersey and Connecticut.

A Complete Streets policy in Suffolk County would aid in designing and building roads with all users in mind, pedestrians, cyclists, transit users and motorists alike. This resolution will go a long way towards mitigating preventable fatalities and accidents along County roads, while also encouraging increased transportation choices for Suffolk County's residents, a need that was highlighted no better than through the images of miles-long lines for gasoline in the wake of Hurricane Sandy.

Safer infrastructure for walking, biking and accessing transit will give Suffolk County residents more viable options to conduct day-to-day business, especially in a time of crisis. But Complete Streets also have been shown to be economic development drivers, and this policy will assist in the various revitalization efforts and economic development initiatives taking place throughout Suffolk, as well as support the County smart growth and transit-oriented development pursuits.

Tri-State supports this resolution and urges its adoption by the County Legislature. If adopted, this policy will be the first countywide policy on Long Island, showing that Suffolk County, when coupled with ideas like Connect Long Island, concepts like Bus Rapid Transit, is leading the way on smart

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transportation policy.

While Suffolk County will be the first countywide policy, there have been seven town and municipal policies adopted on Long Island, and New York State adopted a policy last year. However, local municipal town and county policies remain important, because the State policy only applies to projects that are funded with State and Federal dollars.

Adopting a County Complete Streets policy fills this gap in projects that may be funded entirely with County dollars.

Tri-State supports the adoption of this Complete Streets Policy, and we applaud the County's efforts to improve safety of all users of the roads. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Lynch. All righty. The next speaker is Sal Russo from AME.

MR. RUSSO:

Thank you for giving me the time to speak. I'm Sal Russo from -- Second Vice President from AME. Okay?

Bill 1935, to privatize, we know it don't work. Look at the security guards. They tried to bring in the privatizing. They keep quitting and they have to bring in new guys that they have no idea what's going on, and it takes them a couple of weeks to learn. Okay? So privatizing does not work, that's conclusive proof. Okay?

The other bill I'm interested in is Bill 2025, about the streets. It's very important because we do have a lot of accidents on streets, and we do need roads so bicycles could ride alongside. I'm a bicyclist, I enjoy bicycling. Okay? Now, my main concern is upgrading and taking them off them. The DPW guys, they can handle these jobs, they have no problem with them. Okay? We've proved that during the storm. When times were tough, what did they do? They went out and got the Parks Department to help out with all these cutting down the trees and everything else.

And I want to go back into that, because we have members that are -- they're County employees that worked during the storm and the County don't want to pay them. What's up with that? They came in, they left their families for two or three days, and the County don't want to pay them? That doesn't make any sense to me. Okay? I've got a list, people calling me up, members, every day. More and more of them are like, "Wait a minute, the County is refusing to pay me." What's up with that? That doesn't make any sense.

We really got to get our act together before we go and get all these projects done. You have sewer departments. You want to upgrade sewer departments? That's fine, but what are we going to do, spend all these millions of dollars on upgrading it? And then what are you going to do, privatize it, send it out? All top of the line stuff, you're going to give it to privatization? Spend millions of dollars of taxpayers' money and then get rid of it. And what are we going to do with the DPW guys? You guys really got to put a puzzle together. You're taking it apart, you're not putting it together. We really need your help. We can work together. AME wants to work with you guys. I appreciate it. Give us a call. Thank you very much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Russo. All righty. Mr. Steve Rosario wants to talk about -- from the

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American Chemistry Council.

MR. ROSARIO:

I just have -- it's not all of my comments, my comments are short. Those are some attached reports.

Again, for the record, my name is Steve Rosario. I work for the American Chemistry Council. I represent the men and women, the moms and dads, the grandmothers and grandfathers who are your neighbors, who live out here in Suffolk County, and who work in this very proud and important industry.

I'm going to talk about two or three things very quickly regarding thermal paper. First is a level playing field that we're looking for, that whatever standard is applied to BPA has to be applied to any of the alternatives. A second issue is being consistent with other laws that have been adopted.

The draft EPA report identified approximately 20 potential alternatives, but the only one that is commonly used and commercially available is BPS or Bisphenol S, which is the one that will most likely be found in Suffolk County. As a result, BPS is very similar to BPA, that is chemistry, and both have been shown to be estrogenic. The real question is, is BPA -- is BPS safer than BPA? We talk about safer alternatives, but you simply cannot say the word. And what scientific evidence is available to answer that question? Because EPA is doing an alternatives assessment, shouldn't we wait until EPA does its work, which should be completed in 2013?

When looking at the human health consequences, you have to look at toxicity, exposure and safety evaluations. We know that BPA over 45 in use has gone through all three of those levels of scrutiny. The question is, has BPS gone through that level of scrutiny? BPA had been well studied and found to be safe in thermal paper by many national governments. No government authority has evaluated BPS.

In terms of environmental consequences, this is what we know: BPA is readily biodegradable, but BPS is not. BPS will accumulate in the sediment.

And some of this information that I'm talking about is in the research abstracts attached to my comments.

We know that BPA has been well tested, and its presence in the environment has been -- to be found within safe limits. Do we understand the environmental consequences of releasing BPS into the environment, especially if that is going to be the alternative?

Lastly, recent reports from two researchers, one at U.S. -- at U.S. -- at SUNY Albany, and the other one at the New York State Department of Health, show that thermal paper tested have detectable levels of BPA and BPS for where that is used. Shouldn't Suffolk County at least review the work of Dr. Liao at SUNY Albany and Dr. Kannan?

D.P.O. HORSLEY:

Mr. Rosario, you have to start to wrap it up.

MR. ROSARIO:

Yup. At the New York State Health Department. We, therefore, respectfully request that the bill, one, be laid aside to review a lot of the information that we've given you on BPA and BPS comparison, and, at a minimum, that at least it be amended to be consistent with the State of Connecticut. As you know, for manufactures, the most difficult thing for us to do is to make a product for one Jurisdiction "X" and make it differently for another Jurisdiction "Y". Thank you very

much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Rosario. All righty. Next speaker is Eric Alexander from Vision Long Island.

MR. ALEXANDER:

Thank you, Legislator Horsley, Members of the County Legislature. We're very happy to be here today. I was very excited to see that the Complete Streets policy is moving forward. A special thanks to the leadership of Legislator Calarco, who is moving this forward after many years of discussion, in some cases debate. There's a great opportunity here. I just want to acknowledge Legislator Steve Stern, and even in the past, Legislator Brian -- past Legislator Brian Foley who had advanced these types of ideas before.

We know that the Towns of Brookhaven, Islip, Babylon, and Southampton and New York State have these policies in place to deal with their roads, and, you know, we certainly have questions regarding implementation in various areas, but it's a great start. I think it's a recognition, and not just automobiles use our roadways, that we have folks walking, folks biking, folks using transit, folks who are disabled, folks who are young, folks who are old, and we need to design our roadways with that consideration. And there is precedent in Suffolk County for doing it the right way, right? County Road 16 is a great example, where all the folks along that roadway, that redesign was considered in coordination with the community, the Chamber of Commerce, the Civic Association, and you got a great project.

Straight Path also was redesigned many, many years, and narrowed, actually, because there were deaths along that roadway, and think that's critical to look at that.

Now, County Road 39 in Southampton, County Road 58 in Riverhead didn't meet those marks, right, and those are the most recent developments. So you have an opportunity to take a second look at some of the roadways you've already done and work with your management at DPW to do that.

You also have an opportunity as far as new improvements that you're going to see coming down the pike. There is a Federal Transportation Bill that's going to have dollars and Capital Program for Suffolk County, folks are going to be rebuilding, and there's going to infrastructure dollars coming down. And I think we're glad to see the things like crosswalks, medians, bulb-outs, street trees, bike lanes and other accoutrements and amenities that make life easier for folks walking, and biking, and particularly through our downtown commercial business district areas and other areas that will be redevelopment -- be redeveloped. So what we're looking at is a clear direction to DPW management to redesign and potentially change how they're doing business. That's exciting.

We also know that during Hurricane Sandy, a lot of folks couldn't drive, right? They were walking, they were biking in ways they hadn't in the past. And some of the roadways, quite frankly, on Long Island -- and we've got some of the most dangerous roadways on Long Island; are incredibly dangerous for bikers, and walkers and other folks.

So there are ways to redesign these roads. This policy is a great step to move us in that direction. We're very -- Vision Long Island is very excited that this body is considering this legislation, and we're glad to see it move forward. So thank you all.

*(*Applause*)*

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D.P.O. HORSLEY:

Thank you very much, Mr. Alexander, thanks for being here. All right. I have one more card from Greg Fischer, LIPA reform.

MR. FISCHER:

Hi. Greg Fischer, Calverton. This is a project I've been working on for about two years. And, as you know, what I did is I filed a bunch of election petitions in Nassau, Suffolk and the State of New York to force the election of the LIPA Trustees. There was a hole in the election law that still provided for it; a Public Authorities Law goes against that. This is what happened:

Under the original LIPA law, it had Home Rule approval, completely 100% legal, had elected Trustees. When they did the repealer in 1995, completely illegal, completely illegal, had no home rule approval; will not stand, should not stand. I'm in the courts with it, two different courts now. We're going to keep bringing it back to the court, and back to the court, and back to the court until we get it handled.

So here's what has to happen. Now, I realize we've shot ourselves in the foot by killing Memorializing Resolutions, and we can't get the message to the State. However, what we can do is implore our County Executive to consent, to consent to the relief requested, which is election of the LIPA Trustees, that the law was unconstitutional. We could have instant LIPA reform overnight. So either our County Executive can consent, the Nassau County Executive could consent, or the Governor can consent. All of the discussion that they want LIPA reform is a complete and utter lie. They are lying to our faces, they are lying to the taxpayers, they're lying to the citizens. It's not true at all. It's not true at all. Okay? So we're going to get this word out.

I have a sample resolution that I have been going around with to the towns to, in a sense, put them back in 1995 and say, "Here's your Home Rule resolution, that you do not consent to the repealer, that you want elected LIPA Trustees." I'll give this to Mr. Laube now. I will get you all individual copies.

I realize there's very little you can do in the legal system right -- the legal framework you operate in, but you can do it through the political framework; that we are going to hold people's feet to the fire, that the County Executives will be exposed as liars, that they -- because if we had had LIPA Executives that -- Trustees that were elected, certainly, we would not have burning of radioactive oil in Northport, we would not have runaway malfeasance, we would not have their workers catching cancer they can only catch from radioactive materials, we would not have one of the biggest cancer clusters in the country, or all the other malfeasance that's gone on here. A Controller's report -- Comptroller's report that did not audit the fuel usage, it audited salaries, 30 million dollars out of the four billion. Nice job.

So we have a completely runaway agency. And it got worse in 2009 because they took away all accountability of the Trustees to the people and to the appointing authority. The Reform Act of 2009 made it worse. So our only real hope is to get in there with a lot of whistle-blowers and clean the place up, it's out of the control.

So I would ask you that through our political efforts that we get the Executives of Nassau and Suffolk and the Governor to agree to this relief sought, that we will have elected Trustees. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Fischer. That is the last card that I have. Oh, I've got one more. Your

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name for the record, sir?

MR. WILLIAMS:

My name is Kevin Williams, I'm the AME Third Vice President. It's a pleasure to meet all you guys, I haven't seen you before. But I'm speaking in favor of Resolution 1935, because what it does is basically -- is that resolution 1935, correct, Browning's? Does it say Browning?

MR. NOLAN:

Yes.

MR. WILLIAMS:

The reason why I'm in favor of that is because it buys me 90 days, all right? This gives me 90 days to organize. Ninety days is a lifetime for an organizer because we organize 24/7. That's what I do, I do it every day. I do it in a sleep, I sleep-organize and I'm organizing right now. All right? So that's what I'm offering. That's -- the word is respect, you know, that is the word. You know, if you give us a little respect, you can get it. And I'm telling you, I respect everyone in this body. You're -- Mr. Gregory, I respect you, I respect your Aides, I respect everyone in this body. We just want a little respect. We don't feel like we're getting the respect that we need. That's what it's about, all right?

And, Legislator Hahn, you're right, these are women. I was here the other day. These are women that are being assaulted in this County. So it's very frustrating to me when having them call me up and crying on the phone and not knowing how they're going to take care of their families, you know what I mean, in this time period and on holiday season why they're getting laid off.

For somebody who's passionate and believes in people and human beings, it's very hard for me, but I'm not going to quit. There's no quit in this dog. And a year is a lifetime to organize for us. So to me, next year's election will be critical, and you're right. And I don't mean it being in a disrespectful way in any way, but I will be organizing 365 days in next year's election.

D.P.O. HORSLEY:

Thank you very much. And be sure that you fill out a card.

MR. WILLIAMS:

I will.

*(*Applause*)*

D.P.O. HORSLEY:

Okay, good. All righty. That was the last card. Would anyone else like to be heard? Would anyone else like to be heard? Come on up.

MS. OGNO:

Hi. My name is Linda Ogno. I work at John J. Foley. And I would just like to read this letter I have for Mr. Bellone, since he'll probably not share it with the rest of you.

"Thank you, thank you, thank you for the John J. Foley Skilled Nursing Facility. Last year my mother and father, who lived in Amityville, were evacuated there during Hurricane Irene. My mother died in April, but my 90-year-old father remembered being there and being safe, so we tried to go back to the mandatory evacuation during the storm. With cell phone towers being down, I wasn't able to find out until Thursday, November 1st, that we would be able to go back to John J. Foley, which we did on the morning of November 2nd. We stayed there eight days and nights before the power and heat were back at my father's house.

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The staff at John J. Foley worked magnificent, from Mr. Carey, who was at the main doors when we arrived, and who met us at the intake area and the adult daycare, to the incomparable {Mattie Lizzo}, who remembered us from our last visit; to Linda Chester, always on duty; to Ray, who delivered our meals with a smile; to Don, who kept the Fifth Floor dining room where we spent all of our time.

We had the opportunity to meet 27 nurses and nursing students who were part of the medical reserve corps, who came out all the way from as far away as Buffalo to volunteer for the first four days of mass evacuation to John J. Foley; to a person -- those professional nurses were favorably impressed with the facility, from the cleanliness to the friendliness of the staff, to the high standards and competency of the nursing staff. Of course, I agree with them, having already had the experience from the last big storm. But it's nice to have my good impressions confirmed by practicing nurses, some of whom were nursing professors.

We were very sad to learn that John J. Foley is being considered for sale to a private operator, because the care that is provided there is second to none. My mother has been quite ill from shortly after last year's hurricane to when she died this year, and she has been in and out of many different nursing homes and hospitals, so we knew what to look for. And J.J. Foley ranks very high on our list.

What will happen when the next catastrophe or natural disaster happens, when there's no place like John J. Foley to take in people who cannot survive in high school gymnasium settings? We hope this is not too late to reconsider and keep John J. Foley part of the services that Suffolk County provides to its residents."

It's a letter from one of the evacuees. And I just wanted to say, I came up to maybe end this year in a positive note and wish you all happy holiday and merry Christmas, and a happy and health new year to all your family. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you. All right. Would anyone else like to be heard? Would anyone else like to be heard? Okay. Then we'll close --

MR. NOLAN:

Take a motion.

D.P.O. HORSLEY:

-- the public portion. I'll take a motion by Legislator Cilmi; I'll second the motion. All those in favor? Opposed? So moved. The public hearing is now closed.

MR. LAUBE:

Sixteen. (Not Present: Leg. Muratore) (Vacant Seat: District #1)

LEG. CALARCO:

Mr. Presiding Officer, I'd like to make a motion to take a resolution out of order.

P.O. LINDSAY:

Let me just get the Consent Calendar done first --

LEG. CALARCO:

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Sure, sure.

P.O. LINDSAY:

-- and then I'll be happy to do that. On page 3, the Consent Calendar, do I have a motion?

LEG. BARRAGA:

Motion.

LEG. CILMI:

Second.

P.O. LINDSAY:

Motion by Legislator Barraga, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Leg. Muratore) (Vacant Seat: District #1)

P.O. LINDSAY:

Okay, it carries. Okay. Legislator Calarco, what would you like?

LEG. CALARCO:

Yeah. I'd like to make a motion to take I.R. 2025 out of order. I've got a number of individuals here from AARP who are here on this particular issue. I'd like to just get this out of the way, if we could.

LEG. MONTANO:

What page?

LEG. CALARCO:

It's on Page 5. It's in the tabled resolutions.

P.O. LINDSAY:

Okay. We have a motion to take 2025 out of order. Do I have a second?

LEG. HAHN:

Second.

P.O. LINDSAY:

Second by Legislator Hahn. All in --

LEG. CALARCO:

Motion to approve.

MR. NOLAN:

You have to call the vote first.

P.O. LINDSAY:

Yeah.

LEG. CALARCO:

Sorry. Jumping the gun.

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P.O. LINDSAY:

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

MR. LAUBE:

Sixteen. (Not Present: Leg. Muratore) (Vacant Seat: District #1)

P.O. LINDSAY:

Okay.

LEG. CALARCO:

A motion to approve.

LEG. HAHN:

Second.

P.O. LINDSAY:

A motion to approve by Legislator Calarco, seconded by Legislator Hahn.

LEG. KENNEDY:

On the motion.

P.O. LINDSAY:

Any discussion? Yes, Legislator Kennedy.

LEG. KENNEDY:

Just a brief explanation, if we can, maybe from the sponsor.

LEG. CALARCO:

Sure. What this does is it's going to require that while -- when the County is looking to do any of road redesigns, that we take Complete Streets policy into consideration. This means taking a look at pedestrian needs, bicyclist needs, mass transportation needs, to ensure that we're making our roads usable by all users, and not just a car culture anymore. It's not that it's mandatory, so there's going to be the ability for DPW to take a look at the price, the cost associated with it, so that we're making sure this is a cost-effective program. We don't want to just go putting sidewalks up Nicolls Road. We want to make sure that while we do this, it's in a fashion that is appropriate and cost-effective as well for the County.

LEG. KENNEDY:

Do we have -- under the Fiscal Impact Statement, is there any kind of a cost aspect associated with this or is it just project by project? Through the Chair to BRO.

MS. VIZZINI:

This is going to stay within current appropriations, whether these road projects be Federally-Aided, State-aided or in our Capital Program. So there is no -- the resolution itself doesn't provide additional monies, but sets the policy for Public Works to work within this -- these parameters, within available appropriations.

LEG. KENNEDY:

Okay. Thank you. Thank you.

P.O. LINDSAY:

Okay. Any other questions? No? We have a motion and a second. All in favor? Opposed?

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Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Leg. Muratore) (Vacant Seat: District #1)

P.O. LINDSAY:

Okay. It passed. Congratulations.

LEG. CALARCO:

Thank you.

D.P.O. HORSLEY:

Okay. Mr. Presiding Officer, I'd like to make a motion.

P.O. LINDSAY:

To do what?

D.P.O. HORSLEY:

I'd like to take out of order 2166, setting the date for a special election.

LEG. GREGORY:

Second.

*(*The following testimony was taken & transcribed by
Alison Mahoney - Court Reporter*)*

LEG. GREGORY:

I'll second.

P.O. LINDSAY:

What page is it on?

D.P.O. HORSLEY:

That is on page 11 in the IR section.

P.O. LINDSAY:

One minute, let me just find it. 2166, the last motion, page eleven. Okay, we have a motion to take 2166 out of order. Do I have a second? Second by Legislator Gregory.

LEG. BROWNING:

Why are we taking that out of order? This is urgent?

D.P.O. HORSLEY:

The reason why is there was a great concern that we want to make sure that we have our full voting -- voters up-to-date and that we want to make sure that we defend the north fork, that we have an election in time and there was a request for it and I wanted to acknowledge that request.

LEG. BROWNING:

We have one Legislator not here right now.

LEG. KENNEDY:

On the motion?

P.O. LINDSAY:

The motion is proper. Anybody can make a motion to take something out of order.

LEG. KENNEDY:

On the motion, Mr. Chair, if I can. Quite frankly, no decision during the course of our meeting today is going to make the election move that much faster or not. I'll oppose the motion to take it out of order. I think in deference to our colleague, Legislator Muratore, I do believe that he is on his way and is going to be here to be with us. We absolutely ought to have him have the opportunity to go ahead and vote on this.

And secondly, you know that I'm going to speak at length on this because I've offered an alternative, and I question -- you know, seriously question this notion that we somehow have to fall all over ourselves to set a January 15th date. But I'm opposed to taking it out of order as well, especially to let Legislator Muratore to weigh in and vote.

D.P.O. HORSLEY:

All right, I'll make a motion withdraw it till Legislator Muratore comes back. I certainly would want him included in on this vote.

LEG. HAHN:

John, if you were going to speak at length, he might be here by the time you're done.

*(*Laughter*)*

LEG. KENNEDY:

We're only getting warmed up, Kara, trust me.

P.O. LINDSAY:

Is there anybody else? Anything else?

LEG. MONTANO:

Let's get to the agenda.

P.O. LINDSAY:

I'll take care of the agenda, okay?

LEG. MONTANO:

Please do.

P.O. LINDSAY:

Everybody has a right to make a motion to take something out of order.

LEG. MONTANO:

I understand that.

P.O. LINDSAY:

Your right is never denied to do that and no one else's rights will be denied either.

LEG. MONTANO:

I understand that.

P.O. LINDSAY:

Let's go to page five, *Resolutions Tabled to December 4th:*

1210-12 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Omni Ventures Inc. Property - Saw Mill Creek addition - Town of Riverhead (SCTM No. 0600-131.00-01.00-003.000) (County Executive).

LEG. SCHNEIDERMAN:

Motion to table.

LEG. CILMI:

Second.

P.O. LINDSAY:

Motion to table by Legislator Schneiderman.

LEG. CILMI:

Second.

P.O. LINDSAY:

Second by Legislator Cilmi. All in favor?

LEG. HAHN:

I just want to --

P.O. LINDSAY:

On the question.

LEG. HAHN:

Sorry, on the question? I just want to let the body know that I believe we had been tabling this because there was some question about the parking lot and whether or not it would be removed. It has come to our attention that the parking lot will be removed at the seller's expense. And so I just want to bring that forward.

LEG. SCHNEIDERMAN:

You want to move it forward.

LEG. KENNEDY:

That being the case, then, I'll make a motion to approve on this, if that was the only item or the only impediment that was standing in the way.

P.O. LINDSAY:

We have a motion to approve and a second.

LEG. SCHNEIDERMAN:

I'll withdraw my motion to table. I'll withdraw the motion to table if we have that information.

P.O. LINDSAY:

Okay. Okay, I'm sorry, Legislator Kennedy.

LEG. SCHNEIDERMAN:

This is Legislator -- former Legislator Romaine's district, so.

P.O. LINDSAY:

Okay.

LEG. HAHN:

I just want to let --

P.O. LINDSAY:

So what was holding it up was the parking lot issue.

LEG. HAHN:

Yeah, I believe so. The Director had contacted me and had, you know, let me know that we cleared that piece up. If that -- I mean, obviously if there were other holdups in people's minds, you know, we can either address them now or not, but I wanted just to bring forward that that piece has been clarified.

P.O. LINDSAY:

Okay. Okay. So we have a motion to approve. Do I have a second?

LEG. SCHNEIDERMAN:

You know, can we pass over until Sarah is here? I just want some clarification on one issue here.

LEG. SPENCER:

Sarah's here.

D.P.O. HORSLEY:

She's here.

LEG. SCHNEIDERMAN:

Oh, she is here. Okay.

LEG. HAHN:

Did I express that properly, Director Lansdale?

LEG. SCHNEIDERMAN:

I thought there were other issues on this acquisition.

P.O. LINDSAY:

Ms. Lansdale? Go ahead, Legislator Schneiderman, you have a question?

LEG. SCHNEIDERMAN:

Sarah, was this the only issue, the parking lot? I thought there were other outstanding issues on this.

MS. LANSDALE:

That's the only issue that I have in my notes.

LEG. SCHNEIDERMAN:

And you're supporting this moving forward?

MS. LANSDALE:

Yes.

LEG. SCHNEIDERMAN:

Okay. All right, I will withdraw my motion to table.

P.O. LINDSAY:

I know, but we have a motion to approve. I don't have a second yet.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second be Legislator Schneiderman.

LEG. MONTANO:

Bill?

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

What's the cost factor on this again, Sarah?

LEG. HAHN:

Four hundred and seventy-two thousand; is that correct? Yes, BRO is nodding their head yes.

MS. LANSDALE:

Yes, 472.

LEG. MONTANO:

And how much property is this?

MS. LANSDALE:

This is 1.6 acres.

LEG. HAHN:

And there's also -- there's wetlands located on the property; am I correct about that?

MS. LANSDALE:

Yes. And the County currently owns 96.17 acres in the Saw Mill Creek County wetlands, so this would be part of a larger assemblage of property that the County currently owns.

P.O. LINDSAY:

Legislator Cilmi.

LEG. CILMI:

Sarah, if there are wetlands on this property, what's the potential for it to be developed if we don't purchase it?

MS. LANSDALE:

I would say that there isn't significant development pressure on this property.

LEG. CILMI:

Did you say there is not significant development pressure?

MS. LANSDALE:

That's right. That's right. But there are, in fact, New York State DEC regulated fresh water wetlands

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on the site. However, it's a key -- it provides key access to access the County's other holdings in the area.

LEG. CILMI:

Okay. Do we have any -- do we have any plans to use that access?
And if so, how?

MS. LANSDALE:

I would have to check with the Department of Parks on future plans for this particular property.

LEG. CILMI:

And the fact that there are DEC designated wetlands on this property -- how much of the property is part of that? Part of the wetlands, percentage wise.

MS. LANSDALE:

I don't have that information.

LEG. CILMI:

Is it a significant percentage of it, is it an insignificant percentage of it, do you know?

MS. LANSDALE:

I don't have where the flagged wetlands are on the property.

LEG. KENNEDY:

Can we pass over it?

LEG. CILMI:

Okay. That's all the questions I have.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Yeah, hi. Just a couple of questions. How much are the taxes? Right now this is owned by Omni Ventures, Inc.; is that correct?

MS. LANSDALE:

Yes, that's what the resolution indicates.

LEG. MONTANO:

All right. And what are the taxes that are paid on this property, currently?

MS. LANSDALE:

I would have to look into that for you.

LEG. MONTANO:

All right. Are the taxes up-to-date? Could you look into that, too?

MS. LANSDALE:

Will do.

LEG. MONTANO:

Now, let me ask you this. Legislator Cilmi said that -- let me just piggy-back on his point. This

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property contains wetlands, is that what you said, or it's adjacent to wetlands?

MS. LANSDALE:

There are New York State DEC regulated fresh water wetlands on the site.

LEG. MONTANO:

So what is the potential for development if we didn't buy this property? I think that was Legislator Cilmi's point; am I correct, Tom?

LEG. CILMI:

Yes.

MS. LANSDALE:

I would -- let me analyze it and get back to you. I would characterize this as because there are New York State fresh water wetlands on the property, as I said to Legislator Cilmi, the development pressure is not -- is not very strong on this property.

LEG. MONTANO:

Okay. What is the current zoning on this property? And if you don't know now, when you get back to us on the other points, those are the kinds of questions I'm looking for answers for.

MS. LANSDALE:

I will get back to you on that.

LEG. MONTANO:

Thank you.

LEG. KENNEDY:

Mr. Chair?

P.O. LINDSAY:

Legislator Barraga.

LEG. BARRAGA:

Sarah, good morning.

MS. LANSDALE:

Good morning.

LEG. BARRAGA:

I believe I recall a discussion on this particular piece of property at the horseshoe once or twice before. You're indicating that Omni currently owns the property, but if I recall correctly, Omni negotiated a contract with someone in the private sector, I believe it was a dentist, to sell the property for \$295,000. And that dentist or physician had X amount of months to come up with the capital, all right, to close the deal. So the question became who has the actual right to sell the property, because Omni is in contract with someone in the private sector. Now, the private sector person, he also, because of what he was going to pay for the property, there was a question whether or not he tried to turn around and sell it to the County for \$472,000. So I guess my question is, does a contract currently exist between Omni and someone else in the private sector, which would preclude us, at least in the short term, from purchasing this property from Omni?

MS. LANSDALE:

I will check with Real Estate on that.

LEG. BARRAGA:

Yeah, check it. I think you're going to find that that addition exists. Now, it could be that the contract period for the potential buyer to raise the capital to purchase the property has expired, but the last time I was made aware of this, the contract was still in effect.

MS. LANSDALE:

Okay. I will look into that and get back to you on that answer.

LEG. BARRAGA:

Thank you.

LEG. SCHNEIDERMAN:

We have more questions than we have answers. I'm going to go back to my motion to table this one.

LEG. CALARCO:

Second.

P.O. LINDSAY:

Okay. Legislator Kennedy.

LEG. KENNEDY:

What I was going to ask, Mr. Chair, is if we could just pass over it at this point. Let me see if I can go ahead and get some of the information that folks are asking about, A, as to what the zoning is and whether or not there's a building permit that exists on it. As all of us know, you can have a 1.6 acre parcel with a half-acre of wetland, but nevertheless, you can still have a builder envelope on it. That doesn't preclude something from being able to be a buildable parcel.

But also, Legislator Barraga's question is even a more significant one as to whether or not seller or owner has the ability to convey or are they tied up. Somebody in the Division of Real Estate's got to know these answers --

MS. LANSDALE:

I'm going to call them right away.

LEG. KENNEDY:

-- none of which we have in front of us. So could we just pass over it for now?

P.O. LINDSAY:

I would much rather just table it until -- there are so many questions on this resolution.

LEG. KENNEDY:

All right. All right. Then you know what? I'll withdraw the -- we have another meeting. I'll withdraw the motion to approve, I'll go with a table.

LEG. HAHN:

And I'll second to table.

LEG. CILMI:

Second.

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P.O. LINDSAY:

Motion to table. Did you --

LEG. CILMI:

No, I'm done.

P.O. LINDSAY:

Okay. Okay, we have a motion and a second to table.

MR. LAUBE:

Who was the second to table?

LEG. CILMI:

I seconded it.

P.O. LINDSAY:

Legislator Cilmi.

MR. LAUBE:

Thank you.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

1361-12 - To amend requirements and composition of Women's Advisory Commission (Stern).

LEG. STERN:

Motion to table.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion to table by Legislator Stern. I'll second it. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

1446-12 - Adopting Local Law No. -2012, A Charter Law to protect the County Legislature's deliberative law making process (Montano).

LEG. MONTANO:

Renee, would you withdraw that for me? I'll knock it off the calendar.

MS. ORTIZ:

Yes, sir.

P.O. LINDSAY:

Okay.

1635-12 - Further strengthening procedures for procuring consultant services (Kennedy).

LEG. KENNEDY:

Motion to table.

P.O. LINDSAY:

Motion to table.

LEG. CILMI:

Second.

P.O. LINDSAY:

Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

1799-12 - Barring payment to DeGere Physical Therapy Services (Kennedy).

LEG. CILMI:

John, it's your bill.

LEG. KENNEDY:

I'm sorry, say again?

MR. NOLAN:

DeGere.

P.O. LINDSAY:

DeGere.

LEG. KENNEDY:

Motion to table.

LEG. CILMI:

Second.

P.O. LINDSAY:

Motion to table.

LEG. D'AMARO:

Just on the motion? Mr. Presiding Officer, over here.

P.O. LINDSAY:

Okay.

LEG. D'AMARO:

Just to the sponsor; would you consider tabling subject to call?
Is it a moot issue at this point?

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LEG. KENNEDY:

It's going to end, it's going to die a natural death at the end of the year and --

P.O. LINDSAY:

No it don't.

MR. NOLAN:

No, it keeps going.

P.O. LINDSAY:

It keeps going, it don't die. It's only in a year --

LEG. KENNEDY:

I'll consider it so that we don't have to continue to do it. I mean, there's a broader issue, as we all know, in play at this point, none of which I'll speak about right now. But yeah, I can take a look at that.

P.O. LINDSAY:

Okay. But for now it's just a tabling motion.

LEG. KENNEDY:

Yes.

P.O. LINDSAY:

Okay. We have a motion to table and I'll second it. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

1904-12 - Appropriating funds in connection with the acquisition and implementation of a County Attorney Case Management System (CP 1811) (County Executive).

LEG. ANKER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Anker. Who's the second?

LEG. CALARCO:

Second.

P.O. LINDSAY:

Second by Legislator Calarco.

LEG. ANKER:

On the motion?

P.O. LINDSAY:

On the motion.

LEG. ANKER:

I just wanted to you let you know, I spoke to Don Rogers, he still has some details he'd like to

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express to the Legislature, so we'll table this motion for now, this legislation.

P.O. LINDSAY:

Do you want to talk, no?

MR. VAUGHN:

No, sir.

P.O. LINDSAY:

Okay. 1904 is moot because of the attached resolution. 1930 --

MR. NOLAN:

Did you call the vote?

MS. ORTIZ:

No.

P.O. LINDSAY:

Oh, we didn't call it, right. We have a motion to table and a second. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

It stands tabled.

1904 we can't act on, A.

1935-12 - Adopting Local Law No. -2012, A Local Law to safeguard employees displaced by privatization (Browning).

LEG. BROWNING:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Browning. Do I have a second on the tabling? On the approval?

LEG. KENNEDY:

Yeah, I'll second it for purposes of discussion.

P.O. LINDSAY:

Okay.

LEG. D'AMARO:

Mr. Presiding Officer, I'd like to offer a motion to table as well.

P.O. LINDSAY:

Motion to table by Legislator D'Amaro.

LEG. GREGORY:

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I will second that motion.

P.O. LINDSAY:

Second by Legislator Gregory. Okay. Dennis, did you want to weigh in on this?

MR. BROWN:

Sure. We felt that there are at least two legal objections with respect to the resolution. The first is that under the Taylor Law, under the Civil Service Law, it is the public employer of the County that negotiates with the representatives, with the collective bargaining representatives of the employees. And this 90-day provision is essentially an employment protection or a no-layoff clause. It's not being reached through the negotiation process, but instead being enacted via Legislative action. So we feel that that is a violation of the Civil Service Law.

The second aspect is with respect to an employer that might -- a prospective employer that might be taking on workers from the County. There is an affirmative obligation under Federal Labor Law for the prospective employer to negotiate in good faith with the prospective workers. And what this does is this imposes a term and condition, essentially, on that prospective employer, contrary to the Federal Labor Law as well.

LEG. MONTANO:

Put me on the list.

P.O. LINDSAY:

Okay. Legislator Cilmi.

LEG. CILMI:

Yes. Thank you, Mr. Chair. If I'm -- if I recall correctly, this is the bill that requires 90 days of time for a new entity, a private entity, to keep on staff the employees that get transferred, theoretically, along with the transfer of the asset or service; is that correct, George?

MR. NOLAN:

That's correct.

LEG. CILMI:

Okay. So I had offered -- and I'm opposed to this bill in its present form, not for the intention, but rather for form alone. And I had offered a suggestion during committee that I think alleviates the legal issues and accomplishes the same goal, and that is to require that any privatization effort allow for a 90-day period, after the approval of the privatization by this body, whereby the transfer wouldn't take place for 90 days. So it gives the employees the same 90 days that the sponsor seeks to give them, but it does not create the legal problems that the County Attorney is speaking about.

So if we were to make that change, I would be in favor of this. I think giving our employees some notice is a good thing and -- but not in this way. Thank you.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Just a couple of quick questions. Dennis, you issued, I guess, a legal memorandum with your opinion?

MR. BROWN:

Yes.

LEG. MONTANO:

In the first paragraph you say that this violates the Taylor Law, but you only cite Article 14. You don't expect me to read the whole thing, do you?

MR. BROWN:

Well, actually, there's a cite to Section 204 that talks about the collective bargaining process between the union, between the collective bargaining unit and between the public employer. And so essentially --

LEG. MONTANO:

All right. So in the first -- in the short answer, you're citing Section 205; is that what you're saying?

MR. BROWN:

Section 204, yes.

LEG. MONTANO:

204; which says?

MR. BROWN:

Which states, generally, that when there is a bargaining unit representing the employers -- employees, the negotiation process is to take place between the unit -- between the unit, between the union and between the public employer. And really, this is a term and condition of employment in that it's a guarantee of employment to employees and that should be something that is -- that evolves through the collective bargaining process as opposed to being imposed as a term and condition of employment via law.

LEG. MONTANO:

So you're saying that we don't have the power to implement this provision?

MR. BROWN:

That's correct.

LEG. MONTANO:

Okay. I don't know if I agree with you there.

To the sponsor. When you say -- if I may. Kate, when you say that we shall retain -- and I don't have the bill in front of me, but I believe it speaks about retaining the employees.

LEG. BROWNING:

Retain the employees.

LEG. MONTANO:

Does that mean retaining under the same terms and conditions that is salary and benefits, or does that mean something different? I just want to be clear on this.

LEG. BROWNING:

No, it is not, and maybe George can answer some of it. When they talk about negotiating, as far as this is terms and conditions of employment, I disagree. I don't believe it's a violation of the Taylor Law. And I'd be curious to know how much negotiation went on when you put the clause in the contract with Sherman to retain the employees. Was there any negotiations with AME on that one?

LEG. MONTANO:

Well, wait a minute. You're --

LEG. BROWNING:

You know.

LEG. MONTANO:

(*Laughter*). I wanted to get my -- we're going to get to that.

LEG. BROWNING:

Yeah, okay. I'll get back to you.

LEG. MONTANO:

All right. I'll yield and you can deal with him and then I'll come back; is that all right, Mr. Lindsay?

LEG. BROWNING:

No, no, I'll answer your question. It does not force the new employer to retain them at their salary and benefits of the County. It basically is just securing the employees' employment for at least 90 days. As you know, this basically comes from a bill that was written in the city for janitors who were constantly, the buildings they worked in, the building was being sold and transfer of ownership; it guaranteed the employees an opportunity to have 90 days to work out an agreement with the employer. And I don't think it's the worst thing that we could do for the workers we privatize.

LEG. MONTANO:

No. Yeah, I agree. Dennis, I'm looking at the clause from the sale of the nursing home and Section 6-3 -- you had a specific clause in there, I know you don't have it in front of you, but it says, "*Section 6-3 - Employee Retention: Shall not require buyer to employ such employees on the same terms or conditions as they are employed by the seller prior to closing.*" Isn't this bill the flip side of that? I mean, you negotiated that with the purchaser in the other deal. I see Dennis coming up, I guess -- yeah, go ahead.

MR. BROWN:

Only that we are in litigation, as you know. So if you wanted to discuss it in detail, we would have to go into Executive Session.

LEG. MONTANO:

No, I don't want to do that. If -- maybe I can address this to Counsel. These are just questions I have. If the bill doesn't require that the purchaser -- is that the right term, George -- the purchaser retain the employees, if it doesn't require them to retain them on the same terms and conditions, how do they work out the retention under this bill?

MR. NOLAN:

Well, I guess it would be the same as under the Sherman scenario where they -- in the agreement, they're going to be retained. What the terms and conditions are going to be are going to have to be worked out between the employees and the new employer or the organization representing the employees and the employer.

LEG. MONTANO:

Well, what if they can't reach a financial agreement; how is it set? In other words, employee X is paid, you know, Y amount of money, it's sold, the purchaser has to retain the employee but they can't agree on what the compensation is. How do you work that out under the bill?

MR. BROWN:

You raise a good point.

LEG. MONTANO:

Well, what's the answer, though?

MR. NOLAN:

Well, it would be the same -- it's going to be the same under either scenario, the Sherman scenario or these ones going forward. We didn't think that was something we really could address in this bill, because, again, you get into the terms and conditions, and Legislator Browning did not want to go there and say, "You have to do this," or "We're going impose this," on the person purchasing the facility.

To me, this is more a -- this is setting a County policy, that going forward, if we're looking to privatize a service that's going to displace workers, anybody who is going to acquire or pick up a service or function, they're going to have to agree to offer this to the employees, and perhaps that will be something that will have to be worked out later. But to me, it's setting a policy. I don't think it violates the Taylor Law, you know, for the same reason, this is a very similar provision as what's in the Sherman agreement. So I don't see the violation of the Taylor Law. I think the County really faces a policy choice here.

LEG. MONTANO:

Okay. That was going to be my last question, in that do you agree with the memorandum that was put forward by the County Attorney's Office? And I assume, based on what you said, the answer is no, you do not agree.

MR. NOLAN:

Yeah. I mean, I just really got this I think late yesterday or this morning in my e-mail. But off the top, without doing a lot of digging and research, off the top I don't I agree with them. I don't think we're into terms and conditions.

LEG. MONTANO:

And Dennis, I just might add, on close, the memo -- I appreciate the fact that you issued the memo, but the memo really isn't clear enough from a legal perspective to make that analysis or for me to get where -- reach the conclusion that you've gotten, because it doesn't really specify anything, there's no case law here. So it's more general than I think -- it's more general than probably it should be on such a technical issue.

MR. BROWN:

I appreciate your comment, but I --

LEG. MONTANO:

Yeah, I don't mean that in a negative. I'm just saying that --

MR. BROWN:

No, I understand. I understand. And we're lawyers, we can disagree.

LEG. MONTANO:

Exactly. And I like to know exactly what your legal analysis is other than the general statement that you think it violates the Taylor Law.

MR. BROWN:

Well, it's really the face of the Statute, so, the plain language. The plain language of the Statute.

LEG. MONTANO:

Section 204.

MR. BROWN:

Yes.

LEG. MONTANO:

Okay. I'll take a look at it. Thank you.

P.O. LINDSAY:

Legislator Browning, did you want to go or you --

LEG. BROWNING:

Well, I guess I kind of already did jump the gun, but I think you heard it from George, this is basically a policy decision that we want to make. You know, do you support the privatization of the County employees? Maybe you do, maybe you don't. Do you want to protect those workers? Maybe you do, maybe you don't. I think this is one way to protect the workers. It's already been done in the contract with Sherman, and I think that this is just kind of strengthening our policy with any County worker who could potentially be privatized. I think it's possible to privatize pretty much any department within the County, and I think we need to protect them.

This bill, actually, this law exists, like I said, for janitor workers in the city; it was challenged and it's been upheld and it continues to exist. All I'm saying is give the workers an opportunity. They're our union workers. We want to give them an opportunity if it becomes -- if they become privatized, to have some time to organize, the workers or the union, not the County and not the private owner, but the workers. And all I'm asking is that we give them 90 days to work together to organize and to work on a contract with their new employer. I don't think it's that much to ask. I think it's the only -- it's the right thing to do if you're going to support privatization.

So I don't think there's anything more to be said. I can tell you that September I put this bill in, and a month ago I was approached, there was absolutely no correspondence, no communication from the Administration with any concerns or questions or oppositions to this bill. I tabled it last -- two weeks ago because of the questions that they had and concerns that they had. I made the amendments that you asked for, that's done. So I can't see why you want to not support it anymore, other than you have some ulterior motive. That's all I can see. Again, George very clearly said, it is not a violation of the Taylor Law, and I know that AME is here today saying they support it and see no issue with it.

P.O. LINDSAY:

Legislator Spencer.

LEG. SPENCER:

One of my questions was answered, which was to Counsel. I had asked for that in committee whether or not our Legislative Counsel agreed that it was a violation.

You know, I agree that we want to try to protect our County employees. I guess my question to the Administration, if we have a law like this in place, is it your position that it would inhibit your ability to enter into partnerships, private partnerships? Does it tie your hands or put you at a disadvantage in terms of negotiating with outside entities?

MR. SCHNEIDER:

Thank you, Legislator Spencer. And the issue of ulterior motives was raised. A couple of things. I mean, obviously, as everyone's aware, over, you know, the last month-and-a-half, you know, I sort

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of have two piles of paperwork I know on my desk, I'm sure many of you do, sort of things that were around pre-Sandy and things you've been able to get to. So we've been looking, you know, at this resolution and have been, you know, working to share our thoughts on it.

In terms of as it exists as a County policy, one of the thoughts I shared with some folks is the power to negotiate exists with this body, exists with the Executive. So going forward, what I would ask is any specific -- any specific -- you know, any specific thought, deal, et cetera, should be reviewed on its merits and should be the product of a negotiation between -- with the Executive and the Legislature and that body on its merits. One of the powers that you all have, as members of this Legislature, is you don't have to support anything now and into the future that privatizes something, regardless of what is or is not in there. To put this -- to put something in on top that, you know, really should be the product of the collective bargaining process is -- you know, it goes against that. And it's also, you know, I would just argue, unnecessary.

What we can do going forward is if a Legislator has a thought, whether it be with a private/public partnership, whether it be with something that they would be looking to privatize now or into the future, to make your thoughts, make your concerns known and those are negotiations we should have. I mean, what my thought would be is that we should have -- I mean, frankly, you'd want as clean a process as you possibly could, give as much flexibility as possible to negotiate the best deal for Suffolk County taxpayers, knowing that no such deal could be entered into without the approval of the Suffolk County Legislature. So essentially, you have this -- you have the power, now and into the future, to negotiate. That's not something we should take away from ourselves. And there is no ulterior motive, there's no thing in the offing, it's just simply a statement of fact.

P.O. LINDSAY:

I have a long list. Legislator D'Amaro.

LEG. D'AMARO:

Yeah, thank you. I'm not an expert on the Taylor Law. However, if I'm a County employee and I know that when the County hires me, that I am now guaranteed that if there's a privatization or sale of the unit that I work for, that I am now guaranteed County employment for those 90 days. That sounds like a term and condition of employment to me, which probably does lie in the collective bargaining process. So, again, I'm not an expert on that, but I would take at face value the argument that it probably does violate the Taylor Law. But I had a question for Dennis Brown, also, if you don't mind, Dennis.

Did you say in your comments that the County -- not the County, the buyer in any privatization would have an obligation, there's an obligation to negotiate with the affected employees?

MR. BROWN:

Yes. It has to be a bona fide offer, a good faith offer between the bargaining unit and between the prospective employer.

LEG. D'AMARO:

When would that take place, do you know?

MR. BROWN:

That would take place some time between the time that the new employer takes over the transaction and the closing of the original transaction. It's actually something that we would have to address going forward as well.

LEG. D'AMARO:

So that's -

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MR. BROWN:

You know, in the context of the Foley thing, about the timing, at least the timing of it.

LEG. D'AMARO:

Okay. That's under Federal Law.

MR. BROWN:

Yeah. The Supreme Court cases that are cited in the memo do discuss that point.

LEG. D'AMARO:

So let me see if I understand that. So if there is a privatization or sale proposed, the County employees get protected under Federal Law in that the buyer must make an offer or at least negotiate in good faith --

MR. BROWN:

Negotiate in good faith.

LEG. D'AMARO:

-- to continue that employment?

MR. BROWN:

Correct. Negotiate good faith terms and conditions of continued employment, that's correct.

LEG. D'AMARO:

So there are protections at least --

MR. BROWN:

Yes.

LEG. D'AMARO:

-- on the Federal level there.

MR. BROWN:

Yes.

LEG. D'AMARO:

All right. Well --

LEG. STERN:

Does that extend out?

LEG. D'AMARO:

And, of course, as Legislator Stern just mentioned, that could go beyond 90 days.

MR. BROWN:

I would think so.

LEG. D'AMARO:

Right. Well, so those are some legal arguments, the Taylor Law, the right or the obligation of a buyer to negotiate in good faith with the affected employees. But I think a stronger argument can be made on the policy level here. And it's bad policy for the County and, frankly, I think it's bad

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policy for the affected employees, because what it's doing is it's kind of throwing out there this 90-day provision. So in my mind, if we're the County and we're negotiating to sell something like the Foley Nursing Home, and you put into law in black and white that you have a 90-day provision; well, what if I want to go beyond the 90 days? It kind of takes the whole issue off the table, in my mind, which I don't think is a position you want to put the County in. Similar to what Mr. Schneider was talking about, that why tie our hands or the County's hands at the negotiating table?

You don't have to be a proponent of privatization to oppose this bill. But if we are going to further privatize, we have the authority to make that decision, whether we agree down the road, whether it's 90 days. We may want six months for County employees. So the point is it really doesn't make any sense to just kind of arbitrarily take a 90-day period for a deal that we don't even know exists or is ever going to happen. I think you need to give the County a chance to go to the negotiating table, negotiate the best deal they possibly can to protect employees. And when it comes to this Legislature, if you're against privatization you'll vote against it anyway, but if you think it's a good deal for the County, then you're going to look at the provisions of how the affected County employees are treated. And at that point you may decide, you know, 90 days is not enough, and you could still vote against the contract. But why tie our hands going into negotiations? It doesn't seem to make sense. And that's why I made the motion to table.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Yeah, I don't think there's anything in here that ties our hands to say that through collective bargaining you couldn't get beyond the 90 days. It's really a minimum, it must be 90 days. I see this as a policy bill to protect County employees. It's a prospective, not a retrospective bill. It doesn't affect Foley, but if we want to use Foley as an example, when we approved Foley, we basically went on good faith that Mr. Sherman and his company would hire these County employees. He never said how long he'd keep them on, he could fire them the next day, they don't have any protection. This basically is saying -- it goes beyond good faith and says, "No. For a minimum of 90 days, you will keep that person employed," and I think that's a sound provision. I think that kind of codifies that good faith measure to say, you know, these people are going to be -- you know, have an opportunity to serve the new company and hopefully be part of its success and stay as a part of the workforce. So it seems to make sense to me.

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And let me see if I can choose my words carefully here. When we elected to sell the -- or privatize the home health nursing process, there was no provisions that were put in there regarding any of our Health Department personnel that actually were employees there, and the whole license was transferred to a purchaser, Neighborhood Network. There was no continuum, there was no good faith, there was no anything. There was \$14 million put in the 2011 budget by the former Executive. So we had no arm's length ability, quite frankly, to evaluate anything. The only thing that we had to contemplate was a budget hole if we did not approve a sale.

Similarly, and I'll keep it just to this because this was something that was on the record, Israel and Sam Sherman in Riverhead sat at that table, the one in Riverhead, and described to us the firing process for each and every John J. Foley Nursing Home employee when they effectuated close of title. There was no continuum whatsoever, and that was stated on record. So I would seriously question this notion that somehow County employees are, by virtue of any provisions of Local Law or State Law or Federal Law, kept on, because if that is the case, then there's yet another element to

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add to the debacle associated with Foley.

The last thing that I guess I would ask is, and I think I have to do this for Mr. Schneider, either that or Dennis Cohen, or maybe Dennis Brown; Dennis, yeah. Come on, you're getting up. My question goes to the collective bargaining agreement. The collective bargaining agreement, my recollection is that there is specific language associated in it regarding privatization. And a suggestion that's put forward by the Executive's Office who is the sole agent under State Statute authorized to negotiate with the membership. I cannot. I can't negotiate with membership. I can't talk about a single term or condition that's binding. I have ideas, I have thoughts. As a matter of fact, the County Attorney and I just had a conversation about the cancer screening benefits, but there's nothing that I can do that's binding at all. So let's go back to that privatization language. Remind me again how that goes. What's the clause?

MR. BROWN:

Well, I think that what you might be referring to is one of the appendixes in the AME agreement, it might be Appendix F or J, and that's the agreement -- that's the appendix that references if the County wants to subcontract out some work, that the union has to be notified of that; is that what you're referring to?

LEG. KENNEDY:

Yeah. There's some -- so long before we ever get down to a dollar and cent or structure of any particular outsourcing of any County employee function, there's this initial process that's supposed to occur; is that correct?

MR. BROWN:

There is a process in the contract with respect to subcontracting out work, yes. But I don't really think that that's analogous either to Foley or what's being contemplated by this bill, and I'll give you an example. It's an example I used with Legislator Calarco when we had -- when we discussed this in committee. So, for example, the County both employs dredge operators and utilizes, gets subcontractors to do dredge work. So that's the type of thing where the Director of Labor Relations might say to the union that we want to subcontract out this unit work, and then AME has an obligation to respond to that notification, and there could be a negotiation process, there may not be a negotiation process. Maybe the union won't respond and then the work would be subcontracted out.

LEG. KENNEDY:

Well, my recollection is actually that what happens is AME has the opportunity to be able to go ahead and propose back to management --

MR. BROWN:

That is correct. That is correct.

LEG. KENNEDY:

-- that, in fact, they can go ahead and provide whatever that particular service.

MR. BROWN:

That is correct.

LEG. KENNEDY:

Now, in this case, the County of Suffolk doesn't own a dredge the size of Illinois. We have something that's a much smaller dredge that's got capacity in creeks. But I appreciate the analogy.

My sense here is, is that what Legislator Browning has proposed is something that actually very much does give some belt and suspenders, if you will, to that provision that's in the AME CBA. And

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we can talk at great length about how the whole privatization concept is manifesting itself, but I'd offer to you that there's a much greater threshold process before we even see that anywhere. And so I think this bill actually does harmonize.

The last thing I'd ask is I looked at my e-mail, Dennis, I don't see that memorandum. Obviously, I would be interested to see what your interpretation on the Statute is, as my colleagues are. But I don't have that in front of me.

MR. BROWN:

Yeah, sure. I drafted it. I didn't send it out, but I'll make sure that you got a copy.

LEG. KENNEDY:

I would appreciate that. Thank you.

MR. BROWN:

Okay.

P.O. LINDSAY:

Okay. Legislator Montano.

LEG. MONTANO:

Thank you. I wanted -- Jon? I just want -- I don't want to be argumentative, but -- and Legislator Kennedy picked up on this. In your remarks, I thought you said that we have -- we -- you said you, meaning the Legislature, have the power to negotiate. I don't think that's accurate. We don't have -- as far as I know, I don't have any power to negotiate anything. What I have the power to do is to vote yes or no on something that you and the Executive Department have already negotiated. That is a -- do you want to expound here?

MR. SCHNEIDER:

Yeah, yeah. No, absolutely.

LEG. MONTANO:

Like I said, I'm not being argumentative.

MR. SCHNEIDER:

No, no, no, I appreciate that.

LEG. MONTANO:

I'm just trying to figure out what you're saying.

MR. SCHNEIDER:

The point I was trying to make is -- the specific point I was trying to make is that for this -- you have the power -- essentially, any -- no privatization can take place without the assent of the Legislature.

LEG. MONTANO:

Right. But that's -- but when we assent or we decide not to go along, we have not been involved in any -- at least this Legislator has not been involved in any negotiations on anything that has been, you know, handled in the Executive Office.

MR. SCHNEIDER:

Right.

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LEG. MONTANO:

We get the power to vote yes or no on a complete package that is already negotiated.

MR. SCHNEIDER:

Well, where I would --

LEG. MONTANO:

Am I correct on that?

MR. SCHNEIDER:

Well, where I would say you have that power is, look, we would not put any -- there's no purpose in putting forward a resolution if you can't get ten votes for it. So, for instance -- so where you have that ability is to make it clear to the Executive, working together in partnership as coequal branches, that essentially if a resolution going forward does not contain X, Y or Z, you will not vote for it, or conversely, some members of this body have made it quite plain that privatization is just off the table for them entirely. But one of the things I was informed about -- and I apologize, this predates my tenure with the County -- is with, I guess, a prior Foley deal, the Legislature actually passed an accompanying resolution.

LEG. MONTANO:

Which one? I don't remember that.

P.O. LINDSAY:

To do what?

LEG. MONTANO:

To do what?

MR. VAUGHN:

Legislator Montano, that accompanying resolution did impose benefits to the employees on the -- upon their removal of service. So, for example, there was money or a monetary value attached to that, so employees who were no longer going to be part of Foley --

LEG. MONTANO:

Was that your bill? It was Mr. Lindsay's bill, right?

P.O. LINDSAY:

No, not mine.

LEG. BARRAGA:

No, it was mine.

P.O. LINDSAY:

It was Tom Barraga's.

LEG. MONTANO:

Oh, it was Tom. Okay, I apologize.

MR. VAUGHN:

Absolutely.

P.O. LINDSAY:

It was part of that eleventh hour -- yeah.

LEG. BARRAGA:

Twenty-five percent differential for one-year.

MR. VAUGHN:

Yes, sir. It was absolutely Legislator Barraga's contributions to that process.

LEG. MONTANO:

Okay. Well, let me get back to --

MR. VAUGHN:

Yes, sir.

P.O. LINDSAY:

Can I just correct something?

LEG. MONTANO:

Sure. Go ahead, Mr. Lindsay.

P.O. LINDSAY:

Yeah, just to get something straight. In that case, we approved a monetary deal that was negotiated by the Administration. The idea might have come from Legislator Barraga, but we don't have the ability or the authority to negotiate directly with the union. Our role in this whole thing is to approve an agreement or not approve an agreement.

MR. SCHNEIDER:

Correct.

P.O. LINDSAY:

And we can't negotiate because it would be unethical.

MR. SCHNEIDER:

Right. Right. But you can certainly make your will known --

P.O. LINDSAY:

Yes.

MR. SCHNEIDER:

-- on any given -- you know, given the circumstances of any -- of any agreement on a case-by-case basis, that if you don't believe any deal does X, Y and Z for the workers, does X, Y and Z for Suffolk County taxpayers, you will or will not approve it.

P.O. LINDSAY:

Yes.

LEG. MONTANO:

Okay. Let's --

MR. SCHNEIDER:

So that -- so I think we're having a summing of a semantics.

LEG. MONTANO:

Right. All right, like I said, I didn't want to be argumentative. That just very clearly is not the power to negotiate. That is the power to send an idea or a statement over to your office, but we don't have the power to negotiate. Yeah, I just wanted to be clear on that, that I understood you.

MR. SCHNEIDER:

Yes. Right, correct.

LEG. MONTANO:

The other thing that -- you know, I agree with the intent of the bill. Where I'm conflicted is how do you implement this particular provision if it doesn't specify what terms and conditions are going to be applicable? That's where I'm sort of, you know, struggling. Any comment on that, Jon, since you're up there.

MR. VAUGHN:

Legislator Montano, that is actually one of the problems that we have with the bill as well, is that it does not -- you know, I understand the intent, but the practical application of how do you -- for example, if you have an employee who is making -- you know, as you stated quite clearly earlier, if you have an employee who's making salary Y and they are offered a salary at a significantly reduced rate, where are we at?

LEG. MONTANO:

All right. Then let --

MR. VAUGHN:

That's certainly a problem that we have with the bill as well, sir.

LEG. MONTANO:

Right, and I understand that. Let me turn to the sponsor.

LEG. BROWNING:

I'm right here.

LEG. MONTANO:

No, Kate -- I'm sorry, Legislator Browning. I was just going to ask you. To me, the legislation is unclear, it doesn't go where I think we'd like it to go. What is your intent in -- with respect to the terms and conditions? Can you just put that on the record for me so I can decide what I want to do?

LEG. BROWNING:

(Laughter). Okay.

LEG. MONTANO:

Or do you know?

LEG. BROWNING:

I think what's really simple is that upon privatization, when an agreement is signed with a private entity to take over the function of a Suffolk government, Suffolk County government department, basically this is just requiring that the employer will retain the employees for 90 days. It's not saying that they have to keep them at the salary and the benefits that they were receiving as County employees. It's just trying to secure that they keep their jobs. As you know --

LEG. MONTANO:

So -- if I may interrupt. So what I heard earlier, I think from Mr. Brown, was that it's based on a good faith offer by the purchaser?

LEG. BROWNING:

Right now --

LEG. MONTANO:

Is that your intent?

LEG. BROWNING:

Right now, it would be good faith on the part of the purchaser. But this is basically just strengthening, you know, say for example the recent contract that was approved where it says the County employees will be retained by the employer.

LEG. MONTANO:

Right.

LEG. BROWNING:

This is just, I think, our policy, it's strengthening that policy to say that we will retain those employees and they will not be replaced. It gives them an opportunity, as union workers, to work on a collective bargaining agreement with the current employer, with the new employer.

LEG. MONTANO:

But, again, this agreement that you're referring to talks about retaining the employees. It specifically excludes -- and I'm going from the contract.

LEG. BROWNING:

Right.

LEG. MONTANO:

The same terms and conditions, okay. But it talks about rates of pay that shall be consistent with, in this case, the nursing homes. So are you basing this legislation on retaining those employees at a standard that's consistent with terms and conditions standard to the industry?

LEG. BROWNING:

I would assume that that's something that they would do. However, I really don't want to go into the discussion of the nursing home because --

LEG. MONTANO:

No, we're not. I don't want -- No, I'm just using the same standard. I'm using the nursing home --

LEG. BROWNING:

I would like to think that they would retain the employees and pay them the standard of what the going rate is for whatever.

LEG. MONTANO:

Right. But is the intent of your resolution to reach that goal?

LEG. BROWNING:

Yeah.

LEG. MONTANO:

Okay.

LEG. BROWNING:

And I'd like to give you an example.

LEG. MONTANO:

Go ahead.

LEG. BROWNING:

Because while everybody has this impression that, you know, the new employer will retain everyone -- I'll give you an example. In the school district in my district, the employees were union workers; the school district changed the contract and hired another company which wound up being non-union. Of all of those workers, to the best of my knowledge, maybe about ten employees from that bargaining unit were retained by the private employer. So if anyone thinks it doesn't happen, it happens. I used to work for a public school district; they became private. Not all of the employees stayed there. Not all of the employees kept their jobs. So I can tell you, based on experience and past history, I know it happens.

So you have a school district that had basically every employee was a resident, taxpayer of that school district, had children in that school district, who were now no longer -- when the private company came in, a private non-union company came in, and Rob might remember Jack Eddington and I being at the rallies to support the workers, the union workers. The majority of those workers did not get to keep their jobs. So there is no guarantees. And I'm just saying that what I'm putting here is a policy to try and help. I don't support the privatization; I'm not going to say I do, it's very clear I don't. But for those of you who may or may not, I think this is just to try and protect the workers. This is a very pro-labor bill.

LEG. MONTANO:

Okay. Thank you, Legislator. I'm done.

P.O. LINDSAY:

Legislator Browning, you're on the list.

LEG. BROWNING:

I'm done.

P.O. LINDSAY:

You're done, okay. All right.

LEG. CILMI:

Bill?

P.O. LINDSAY:

Okay, go ahead, Tom.

LEG. CILMI:

Just a quick question for Jon Schneider. Jon, would the County Executive's Office approve of, acquiesce to a policy whereby we would create a 90-day window between authorization of a privatization effort by this body, so approval of a bill, and consummation of such a deal by your office. So that we have a -- so that the employees have a 90-day window during which they could either communicate with the prospective new employer or look for another job. During that 90-day window, they would be guaranteed their County salary, their County benefits in the jobs that they're presently in. So all it would say is it would be a policy where we would say in a resolution that this deal will not be consummated until 90 days after authorized by the Legislature. That keeps the onus

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on us and, at the same time, provides the employees with a 90-day window that the sponsor here is looking for.

MR. SCHNEIDER:

Right.

LEG. CILMI:

I'm not saying that the sponsor would approve of this theory, but.

MR. SCHNEIDER:

Right. Well, I guess a couple of things. I mean, one, you know, obviously -- you know, any new ideas I'd certainly have to -- you know, as you know, the door is always open to good ideas.

*(*Laughter*)*

So, you know, I'd have to go back and speak with the County Executive. And, you know, obviously one of my -- you know, again, any idea could be thought through. I guess my off-the-bat thought would be would this be sort of inclusive or exclusive of the current AME contract which has a 60 day notification window, you know, in the case of -- you know, in the case of any layoff. So, you know, I guess -- so again, just things to think through. Is it 90 plus 60 or is it 90 including 60, and then the 90 is more of a -- you know, so.

But Legislator, I think one of the things, again, where I think your thought process may be going around to -- and again, one of the kind of fundamental public policy arguments I'd make is, you know, again, there's no deal on the table. There's no offer on the table. There's nothing -- there's no current project on the table for privatization. The notion that we would, again, work, you know, together to negotiate the best possible deal that protects Suffolk County, not only taxpayers but protects workers. So again, that's why I think it is -- look, I understand the intentions of the sponsor, I understand where it's coming from and her support of labor. I don't think that voting against this resolution makes one somehow, you know, speak to their support of either labor or privatization. I think what it speaks to is their support for giving the County maximum flexibility to work out a good deal for taxpayers and workers, and that's something, you know, we're certainly committed to. So in terms of your specific question, you know, I would have to speak to the County Executive.

LEG. CILMI:

If you would do that, just after we're done here.

P.O. LINDSAY:

I've got a list.

LEG. CILMI:

Because I can certainly appreciate the sponsor's intent. I can also appreciate, as Legislator Montano articulated, that while we have the ability to approve yes or no, that is not the same as having the ability to negotiate. And as you know, we don't always have a cooperative County Executive. You know, Steve Bellone will not be the County Executive forever, and certainly he's not the first County Executive. We have had circumstances where there's been a less than cooperative relationship between members of this body and the Executive Branch.

MR. SCHNEIDER:

Right.

LEG. CILMI:

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So to say that we would always have a hand in a negotiation process is just -- you know, is --

MR. SCHNEIDER:

Well, I guess where I think you do always have a hand is because a majority of this body, now and into the future, is needed. So again, if the Executive could unilaterally privatize a function, then I would say -- then I would completely understand the point and say yes, into the future, there may come a day where you would not have a County Executive that would work cooperatively with the Legislature. But now and into the future, were this body, a majority of this body, this Constitution or in the future, is needed to privatize a function.

So, again, what I would say is do not tie the hands of this and future bodies when we can work together, again, now and into the future, to work out the best deal for both workers as well as Suffolk County taxpayers.

LEG. CILMI:

Your optimism is noted. And if you would just take my idea back to the County Executive.

MR. SCHNEIDER:

Absolutely.

LEG. CILMI:

-- and get back to me at some point in the near future, I would appreciate it.

MR. SCHNEIDER:

Yes, sir.

LEG. CILMI:

Thank you.

P.O. LINDSAY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Mr. Presiding Officer. Just very briefly. The comment has been made that this is a pro-labor bill, and I really have to take issue with that. Because it's one thing to say it, it's another thing to read the bill and come to that conclusion.

The fact is, based on the debate with Legislator Montano and some others, the fact is that should there be a sale of a County facility, the buyer -- there are no terms and conditions set in this bill as to what these County employees would get on day one when they've been privatized. So what you're really doing, in effect, is giving the buyer the opportunity to cherry-pick the employees that this buyer thinks they want to keep on. You're not giving County employees any hope. If anything, at best, you're giving them false hope that they may have a job; if the employer believes that they want to keep them on, they'll offer them good terms and conditions of employment like benefits and a decent salary. But if I conclude as a buyer that, no, I don't want this particular County employee on my day one, then I'll offer you basically nothing. You'll have no choice, you'll have no opportunity of employment.

So to couch this in terms as a pro-labor bill I take issue with. I think if you really want to protect labor, there are other ways to do it, such as exercising your vote when a privatization is proposed. You can decide whether or not you feel County workers are adequately protected, and if they are not you can vote no. But to call this pro-labor when there are absolutely no protections for any County employee upon a privatization, I just -- I can't -- I would couch this more like feel-good legislation.

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I don't see how we're protecting workers. If I'm the buyer, I'm just going to offer you employment that I know you're going to reject. So I just -- I have to take issue with this pro-labor thing. You can be pro-labor and vote against this bill easily because it doesn't give labor any rights at all, none.

P.O. LINDSAY:

Okay. Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Chair. There are many good points that have been brought out during this dialogue. I think the intention of this bill is, you know, it's a well-intended bill, but in my opinion it disrupts the theory of equal branches of government. It empowers the Legislature beyond our purview in that things that should be an administrative function, like negotiating contracts, this sets into policy the terms and conditions of what a contract that the County Executive or his people are going to negotiate, and that's not in our purview. It's been said that if this body is against any contract that comes before us, we have the power and the will to -- and ability to vote against it. But now we want to set conditions through this policy on the front side that we will set conditions before the contracts even come to us.

I think, you know, we've fought against and butted heads with what some would call an overzealous County Executive, and he called us the overzealous Legislature. I think this bill exemplifies us over reaching our bounds or reaching into what should be strictly a collective bargaining -- part of the collective bargaining process.

We don't get involved in the collective bargaining process. This bill sends the message that for any collective bargaining unit that doesn't get what they want through fair, good faith negotiations, can come to the Legislature and just get a bill and they'll implement it. That's the wrong message. That is absolutely the wrong message. This is a part of -- this is an administrative function, it should remain an administrative function. And you don't have to be for privatization in order to think that way. I agree with Legislator D'Amaro, and I think others have said it, that I think as well intended as this bill is, I think it actually hurts the employees that it intends to help. There are no conditions, no parameters that are set on the buyer for the employees. An employee can get a job, offered a job for half the pay and be forced to quit, and that person wouldn't be eligible for unemployment benefits. I don't think any employee in that situation would appreciate that.

You know, so I think there's some critical flaws to this. I think the intention is good, but I can't support it. As a pro-labor, non-privatization person, this bill has many flaws and I urge my colleagues to vote to not support it. Thank you.

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And I'm going to reaffirm, I think, the importance of the bill, and that's why I was happy to go ahead and second it. My conversation with Dennis before; Dennis, I did get a chance to get a copy of the AME contract. And actually, if you look at appendix F --

MR. BROWN:

It was F, okay.

LEG. KENNEDY:

Look at that.

MR. BROWN:

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I said F or J, yeah.

LEG. KENNEDY:

There you go. I mean, you'll see amongst a whole bundle of protections --

MR. BROWN:

Right.

LEG. KENNEDY:

-- we have in Item 2; *"The County agrees it will not layoff AME employees as a direct result of assignment of unit work."*

MR. BROWN:

Right.

LEG. KENNEDY:

So I see this as a natural outgrowth of those normal protections that are in place already with the CBA. And quite frankly, you know, if we didn't need to clarify, then we would not have had before us contracts in which a purchaser was not contemplating, but stated verbatim outright termination. And quite frankly, we've had 60 day layoff notices go to every one of the John J. Foley folks.

So, you know, I was born at night but not last night. It's nice to be able to have, you know, this collaborative environment of civil discourse, you know, with the Administration. But, you know, I'm also confronted with the facts that we have before us as well, and that's what we're looking at as far as our own County employees running up to the end of the year.

I think that the bill would codify what many of us feel around the horseshoe, a pro-labor, pro-privatization. I think all of us are pro-county employees. We know the good work that they do for us. We're mindful of the fiscal difficulties that we're in and we try to look for efficiencies, but we're all mindful of the good work our County employees do and we're always going to continue to support them where they're critical for the delivery of service.

I think this has value and merit to go forward. And I would say that it is something that would be able to be embedded in where we're at.

Finally, you know, the whole premise of this process is good faith. That's what the Taylor Law is predicated on. You and I probably can remember the TWA strike in New York City that actually was the impetus for the Taylor Law. And so it was predicated on good faith. Civil Service employees, municipal employees forfeited their right to strike predicated on good faith on the part of the management, and I think that's what we're trying to get at here. All right? Thank you.

P.O. LINDSAY:

If everybody is done, I'm going to take the last word.

Applause

Legislator Kennedy, you threw me for a loop there with the TWA strike. It was the TWU strike. It was Michael {Cole}, you know? Come on, how can you forget the man?

LEG. KENNEDY:

There you go.

*(*Laughter*)*

LEG. MONTANO:

What?

P.O. LINDSAY:
It was the TWU.

MR. NOLAN:
Transit Workers Union.

P.O. LINDSAY:
Transit Works Union. It's a public sector unit. TWA is a private sector union.

LEG. KENNEDY:
Close.

P.O. LINDSAY:
I don't have the education that a lot of my colleagues have here in terms of a law degree, but I've certainly been around labor contracts for most of my life. Sometimes, and I've seen it happen over and over again, under the guise of trying to help working people, well-meaning people sometimes put obstacles in the way of trying to resolve a labor dispute, and I think that's really what we have here. There's a couple of crystal clear things with this discussion we're having. Number one, we don't have the ability to sit at the bargaining table and work out an agreement with the employees.

LEG. KENNEDY:
Agreed.

P.O. LINDSAY:
Our role in this whole thing is to approve a contract up or down.
And even if we wanted to negotiate a contract or had insight or the greatest idea in the world, we would actually -- it would be an ethical violation, because we're the same people that vote on whether the contract should be approved or not approved.

The ability of the employees, their right to bargain is protected under both Federal Law and State Law. The initial Labor Relations Act goes back to 1935 that was for private sector, primarily, but in the early 60s it was codified in public sector through your PERB legislation. And it's very clear that an incumbent union has the right to bargain with the new employer that's buying the company over terms and conditions of employment for those people. And we truthfully -- what this bill does is it circumvents that ability, it takes away that ability from the union, and we're assuming that power and we don't belong in that realm.

I don't -- you know, I'm probably the most anti-privatization person here. I don't believe the private sector should be in the realm of public sector unions. I think that our employees do a great job and I think their bargaining rights should be protected and I think they should be codified in the sense that we should back them up all the time as far as their ability to negotiate a successful agreement with, whether it be this union or whether it be 1199, who is the predominant union in this field. For one thing, if we pass this, the first question that I would ask, would this prohibit 1199 from coming in and trying to represent these people, or would they have to go through an election process, which is divisive and takes a long time and is very destructive in terms of forming a union.

So I have some serious questions about the bill the way it is now, all right? I think under existing statutes, the people, our employees have these rights now, and I think by us getting in the middle of it, we're just going to muck it up. So that's all I've got to say.

Okay. What motions do we have?

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MR. LAUBE:

You have a motion and a second to table and you have a motion and a second to approve.

P.O. LINDSAY:

Okay. The tabling comes first. Roll call.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. D'AMARO:

Yes.

LEG. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. STERN:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

No.

LEG. CALARCO:

No.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No to table.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eleven.

P.O. LINDSAY:

Okay, tabling passed.

Okay. ***1952-12 - Approving the reappointment of David K. Parkinson as a member of the Suffolk County Board of Health (Presiding Officer Lindsay)***, and I'm going to make a motion to table. Dr. Parkinson is quite ill at the moment, and at his request, he'd like a little more time to see how his health situation is going to work out.

LEG. CILMI:

I'll second.

P.O. LINDSAY:

Seconded by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen -- sixteen -- fifteen. Oh, she is here. Sixteen (Not Present: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

Okay. Page six, **Budget & Finance:**

2023-12 - Adopting Local Law No. -2012, A Local Law to authorize a real property tax exemption for improvements to Real Property Meeting Certification Standards for Green Buildings (Schneiderman).

LEG. SCHNEIDERMAN:

Motion to approve.

LEG. ANKER:

Second.

P.O. LINDSAY:

Motion to approve by Legislator Schneiderman. Seconded by Legislator Anker. Any discussion?

LEG. CILMI:

Yeah, on the motion.

P.O. LINDSAY:

On the motion, Legislator Cilmi.

LEG. CILMI:

I just have a question with respect to the -- to how this bill applies. I guess it's a question for either

the sponsor or for Counsel.

My understanding of this is that it applies to -- if I want to put solar panels on my house or do some sort of green improvement to my property, that this bill will effectively eliminate the additional taxation that's derived from that for a certain period of time.

So my question is, is that -- is that correct? Are we only -- are we only abating the taxation or reducing the taxation for that portion of the property that we improve? And does this apply to commercial as well as residential properties, or just residential or just commercial or what?

LEG. SCHNEIDERMAN:

It has to be accredited as LEADS, and there are different levels of LEADS, and it has to be at least a \$10,000 improvement. And if a structure is, let's say, putting in solar panels or higher insulation or whatever that -- you know, they're doing to reduce that carbon footprint and get that LEAD certification, it would be that increased value, the taxation on that increased value would be phased-in for an improvement to a building, which is different than a brand new building, but you brought up the example of an improved building. And it would be phased in, depending on how -- what threshold, what level of LEAD certification is. Either it gets phased-in over -- it's always phased-in over a ten-year period, but the rate by which it's phased-in changes. The higher the certification, the platinum is -- it would be exempt -- that new portion would be exempt from County property tax, which is a small portion of the bill, for I think six years and then it starts to kick in after that. And by ten years, the County is receiving the full portion. So it incentivizes the green construction.

LEG. CILMI:

Okay. So just to reiterate, then. If I own a piece of property that's assessed at \$100,000 and we're making a \$20,000 improvement which is LEAD certified at some level, the additional taxation as a result of that improvement will be -- and that improvement alone would be phased-in over a certain length of time; is that correct?

LEG. SCHNEIDERMAN:

Right. Your town tax assessor would make that determination in terms of the increased value and would phase that in over time. And this is all -- this schedule was determined by New York State, so this was a bill in New York State that enabled the County to give this relief.

LEG. CILMI:

Counsel, do you concur with that?

MR. NOLAN:

Yes, I do.

LEG. CILMI:

Okay. Thank you.

P.O. LINDSAY:

Okay. Legislator Nowick.

LEG. NOWICK:

Yeah, we talked about this at length in the committee process. And look, I am all in favor of green, and I'm really all in favor of all of that. But in the words of Legislator Lindsay, we have no money.

*(*Laughter*)*

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So if we have a tax warrant, which we should have at the end of this day, there's a specific amount in the tax warrant. Somebody has to pay for the tax warrant. So if the -- if we give tax exemptions over and over and over to every single -- I mean, I always believe in veterans, but if we continue to give tax exemptions, somebody still has to pay for the full amount of the tax warrant. So in the best of economies, I'd say let's go for it, it's the right thing to do. But we cannot continue to afford to give tax exemptions. And although I know it's the right thing, economically it's the wrong thing.

P.O. LINDSAY:

Legislator Stern.

LEG. STERN:

Thank you. Maybe through the Chair, to the sponsor, maybe for Counsel. The assessment is done by who to determine the increase or purported increase in evaluation?

LEG. SCHNEIDERMAN:

The town tax assessor.

LEG. STERN:

So this is the assessed value. Does the owner of the property, the developer of the property have opportunity to offer independent evaluation that he or she has done that could be used to determine what the increase in value would be, or is that solely on the town assessor?

LEG. SCHNEIDERMAN:

There's always a grievance process, as you know. Maybe George can answer that, I don't know. Typically the town assessor determines what the value is.

MR. NOLAN:

Yeah, certainly the State enabling legislation doesn't address that issue. I believe -- you know, I don't know how the town tax assessor, whether or not they would ever take into account independent information provided by a builder or something like that; I doubt it.

LEG. STERN:

And if the owner of the property disagrees with the determination on the increase in evaluation, does he or she have the same appeal rights that he or she would ordinarily have when there's an increase in taxes?

LEG. SCHNEIDERMAN:

It would change that. This wouldn't change that. And assessors use different formulas for commercial properties. Some are going to do it on an income basis, some are going to do it on how much money was spent on the improvement. So it's going to be on an individual town basis. And it wouldn't change your legal rights to challenge.

LEG. STERN:

Thank you.

LEG. SCHNEIDERMAN:

And if I can just address --

LEG. STERN:

Maybe just before -- George, you agree with that?

MR. NOLAN:

Yeah. Again, this law doesn't change anything in terms of the process in the towns.

LEG. SCHNEIDERMAN:

And if I could just address Legislator Nowick. This isn't money we currently have. This would be properties coming on to the tax rolls. So it's not taking money out, it incentivizes buildings, so hopefully people will construct where right now it's a vacant lot or adding an addition on to a piece of property. So I understand it's not -- as Kermit said, it's not easy being green. Sometimes there are costs associated.

You know, the idea here is to tip the scales so that a builder, a property owner will say, "Okay, yes, I might not -- it might cost me more to build green and it may take years to recoup that investment, but if I add in this tax abatement, this small" -- you know, that they're going to phase-in the new taxes, not old taxes, the new taxes, maybe the numbers will work a little bit better and we can help promote green construction.

LEG. NOWICK:

Bill?

P.O. LINDSAY:

Legislator Nowick.

LEG. NOWICK:

Just to answer that. I do not believe that any industry that comes into town to build -- and by the way, towns are begging industries to come in. But I don't believe that an industry is going to stop building a building if they don't get this tax break. They will -- they will invest in a green building mostly because in the long run they will save money in their building. They will save money on their energy, so smartly they will invest. I don't think that's going to stop them. But the towns and the school districts need whatever they can get from industry, it's very, very important to our citizens. We can hardly pay our tax bill. If we can -- I just don't believe giving more breaks is a good idea at this time.

LEG. SCHNEIDERMAN:

This, of course, does not exempt them from the town or the school portion, just the County portion of the property tax bill.

LEG. NOWICK:

Well, we'll take anything we can get.

P.O. LINDSAY:

Okay. Anybody else? Yes, Legislator D'Amaro.

LEG. D'AMARO:

Yeah. Thank you, Mr. Presiding Officer. Just, Legislator Nowick, I agree with you, but you have to realize that when that tax warrant goes out today or tomorrow, this bill would not increase any further burden on existing taxpayers under that warrant because these tax dollars don't exist. So I don't see it as imposing an obligation or a burden on existing taxpayers. In fact, what we're doing is the opposite, we're encouraging more development and having it LEAD certified to put more properties on the tax rolls to give future tax warrants spreading out more and tax relief. But it doesn't affect the present warrant going out. But through the Chair, just a couple of questions, and I think Legislator Cilmi had asked this. Does this cover residential property as well, or is this just commercial?

LEG. NOWICK:
It's commercial.

MR. NOLAN:
It covers both.

LEG. D'AMARO:
It does.

LEG. CILMI:
Ten thousand dollar threshold.

LEG. D'AMARO:
Okay.

P.O. LINDSAY:
You have to spend 10,000.

LEG. D'AMARO:
So are we encouraging -- we're encouraging residential as well as commercial development, but green-certified, LEAD certified.

The second question I had, and this might have been asked and answered, but on new construction, not an expansion of an existing building or residence, would it be the tax abatement, the County portion, a hundred percent? Jay, that issue came up in committee, you may have answered it.

LEG. SCHNEIDERMAN:
I reached out to one of the Assembly sponsors and he said yes, it would.

LEG. D'AMARO:
Okay. So my inclination is to not want to support this bill because, as Legislator Nowick says, we need the money, we need to keep the revenue coming in, but you really have to revenue that this revenue doesn't exist yet. So what we're doing is encouraging further development to increase the tax base, the real property tax base.
But granted, we are abating that income for a period of time, but in exchange we're getting, you know, a LEAD certified building, which I think is good policy. So I don't think it affects the existing taxpayers.

One more question to the sponsor. I notice that on the platinum level, the tax abatement of the County portion of real estate taxes would be 100% for six years. Is that something that this Legislature can vary? Can we vary the schedule in any way?

LEG. SCHNEIDERMAN:
No, it's part of the State bill. I didn't come up with the schedule, this is what the State passed.

LEG. D'AMARO:
Right. So in the case of new construction, if a large building is put up but it is LEAD certified on a platinum level, that owner for that building will not pay County portion of property taxes for six years. In my estimation, I think that's a bit lengthy for a tax abatement, it's an exclusion for six years 100%. But nevertheless, because it's promoting green energy and because it's not affecting the existing tax base but, in fact, trying to enhance it through further development, I'm going to support this bill today.

P.O. LINDSAY:

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Legislator Horsley.

D.P.O. HORSLEY:

Yeah, I just wanted to weigh in on this. And I think it's -- this is the roll of government to advocate for certain future development and pushing the envelope for green technology. We're going to see a lot of houses now being rehabilitated, we're going to see new industries come in, too, because of Sandy and otherwise. We're going to be seeing our industries coming in, and if we can foster the movement, foster the marketplace, foster the concept of green technology and what that means for our energy purposes on Long Island, it's a good thing. And I realize that these are tough times, but on the other hand, this is -- we are generating a new industry on Long Island and pushing forward with new concepts and I think that is our role, to be the bully pulpit. And this concept is based on other economic development criteria that I've seen in other industries, it's not unusual. And it's not -- for instance, there is a law on the books, State law, that if you do construction, you do improvements to your house, that you can have -- you can make deferrals over a certain amount of years; it was so that improvements just weren't necessarily taxed immediately. This is along the same vein. And I think as an economic development advocate, I think this is the right way to go. I think it's governing by incentives.

P.O. LINDSAY:

Okay. Legislator Montano.

LEG. MONTANO:

Yeah, I just have a quick question to BRO. Gail, I'm sorry. Are you ready?

MS. VIZZINI:

Uh-huh.

LEG. MONTANO:

Yeah, I was just looking at the fiscal impact statement. It says that there's no fiscal impact to the County, but the last sentence says, "*There will be a redistribution of the tax burden to real property taxpayers.*" You want to just explain that to me again so I fully understand what we're dealing with? And you have no money attached to this because you have no way of estimating what that redistribution is; am I correct?

MR. LIPP:

Correct. Basically what we're doing, what happens is we have our warrant, for instance, we raised 49 million change in General Fund, and then we distribute it among the towns. The towns will -- at least in theory, if there's no such thing as delinquency -- collect all \$49 million. It would just be a lower tax base because these exempt properties would not be taxed. So in other words, the people that were not exempt would have to pay a bit more because these properties weren't assessed at that higher value. So we wouldn't lose a dime fiscally.

LEG. MONTANO:

We wouldn't lose a dime, but my taxes or someone else's taxes would go up to pay for that exemption is what you're saying.

MR. LIPP:

Correct. Correct.

LEG. SCHNEIDERMAN:

I think it's the opposite, they wouldn't go down had those properties been on the tax rolls. You're

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still collecting the same amount of money, but the slices of the pie change. So if those properties were on the tax rolls, yours might go down a little bit in terms of your proportional value, rather than going up.

LEG. MONTANO:

I'm not sure I get the arithmetic there.

LEG. SCHNEIDERMAN:

By not taxing them doesn't make your property -- your property taxes go up. But if we did tax them, they could go down a little bit.

MR. LIPP:

The bottom line is --

LEG. MONTANO:

You want to --

MR. LIPP:

-- we'll raise the same amount of money.

LEG. MONTANO:

I'm getting a brain freeze here. Go ahead.

LEG. SCHNEIDERMAN:

Nothing has changed.

MR. LIPP:

We'll raise --

LEG. MONTANO:

What was that?

LEG. SCHNEIDERMAN:

It's as if those properties didn't exist.

LEG. MONTANO:

I can't hear -- I'm sorry, I can't hear the two of you. Who wants to go?

LEG. SCHNEIDERMAN:

It's as if that addition or that new development didn't exist, nothing changes. Your property taxes don't go up, nothing, it's the same.

LEG. MONTANO:

But you're talking about new can construction, right?

LEG. SCHNEIDERMAN:

Yes.

LEG. MONTANO:

Well, what about --

LEG. SCHNEIDERMAN:

For an addition.

LEG. MONTANO:

What about renovation work?

LEG. SCHNEIDERMAN:

It's as if it didn't happen, from a tax perspective.

MR. LIPP:

We'll raise the same money -- very simply, we'll raise the same amount of money government, okay. It will just be the distribution of those monies that will be charged to each property owner will be changed because of the exemption.

LEG. MONTANO:

I'm hearing from Counsel, "*You will pay more.*" Is that accurate? An individual will pay more? He's saying no. Am I right, Jay, you're saying no, someone will not pay more?

LEG. SCHNEIDERMAN:

You won't pay more. It's the same.

LEG. MONTANO:

All right.

MR. LIPP:

I understand what he's saying.

LEG. SCHNEIDERMAN:

But you might pay less if these properties were on the tax rolls.

MR. LIPP:

Okay, I understand --

LEG. MONTANO:

Go ahead.

MR. LIPP:

I understand what he's saying. What he's saying is right now, if the exemption goes through, then you, the property owner that didn't get the exemption, you won't have a reduction in your taxes because of this greater tax base that would have happened without the exemption.

LEG. D'AMARO:

Right. That's right.

MR. LIPP:

So in other words, if I'm given the exemption --

LEG. MONTANO:

But -- let me rephrase the question, then. At some point in the process, am I paying for the exemption, me being the general tax base, you know, the general population? I mean, someone's got to pay for that, don't they?

MR. LIPP:

Correct, the distribution of -- the distribution of taxes --

LEG. MONTANO:

That's what you mean in your statement, that the redistribution of the tax burden will extend to all the other taxpayers; am I correct?

MR. LIPP:

Correct.

LEG. MONTANO:

Well, that's not what Jay is saying.

MR. LIPP:

He's looking at the -- at the complement argument.

LEG. MONTANO:

What's the complement argument? I don't get it.

MR. LIPP:

The complement argument, he's looking at it as that with the -- without the bill, your taxes won't go down; with the bill, your taxes will stay the same.

LEG. MONTANO:

But that's not what you --

LEG. SCHNEIDERMAN:

So you're paying for it by not getting the reduction.

LEG. MONTANO:

Jay, Jay.

LEG. SCHNEIDERMAN:

Sorry.

LEG. MONTANO:

I apologize. But that's not what your statement says. Your statement says there will be a redistribution of the tax burden to the real property payers. That to me means that there will be an increase, or the real property taxpayers will have to absorb that amount; is that a fair reading of it?

MR. LIPP:

Yes, it is. And that's correct.

LEG. MONTANO:

All right. So you disagree with his statement or you don't disagree with it?

MR. LIPP:

He is looking at it from a different perspective.

LEG. MONTANO:

Do you agree with his statement or you don't disagree with it?

MR. LIPP:

I agree with his --

LEG. MONTANO:

From the way you look at it.

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MR. LIPP:

The way the fiscal impact looks at it is that isn't quite right because --

LEG. MONTANO:

Okay. Thank you.

MR. LIPP:

-- of the change that would be made.

P.O. LINDSAY:

Okay. Everybody good? Okay. What motions do we have, Mr. Clerk?

MR. LAUBE:

You have a motion and a second to approve.

P.O. LINDSAY:

Okay. Any other questions? Seeing none, all in favor? Opposed? Abstentions?

LEG. NOWICK:

Opposed.

MR. LAUBE:

One.

P.O. LINDSAY:

No opposition?

MR. LAUBE:

One. Fifteen (Opposed: Legislator Nowick - Not Present: Legislator Kennedy - Vacant Seat: District #1).

P.O. LINDSAY:

Okay. We are about ten minutes late for lunch.

LEG. MONTANO:

Did we vote on this?

P.O. LINDSAY:

Yes. It passed.

LEG. MONTANO:

Oh, wait. Never mind.

*(*Laughter*)*

P.O. LINDSAY:

Okay. We stand adjourned for lunch, recessed for lunch, and be back at 2:30 for public hearings. Ms. Vizzini, I need you.

MS. VIZZINI:

Yes, sir.

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*(*The meeting was recessed at 12:41 PM and resumed at 2:37 PM*)*

(
*(THE FOLLOWING WAS TAKEN AND TRANSCRIBED BY
LUCIA BRAATEN - COURT REPORTER)*

D.P.O. HORSLEY:

All right. Mr. Clerk, would you like to call the roll?

(Roll Called by Mr. Laube, Clerk of the Legislature)

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. MURATORE:

Here.

LEG. HAHN:

Present.

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. MONTANO:

Here.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not Present)

LEG. NOWICK:

(Not Present)

LEG. GREGORY:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

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LEG. SPENCER:

Here.

D.P.O. HORSLEY:

Here.

P.O. LINDSAY:

(Not Present)

MR. LAUBE:

Fourteen. (Not Present: Legs. Kennedy, Nowick and P.O. Lindsay) (Vacant Seat: District #1)

LEG. MONTANO:

I'm here.

MR. LAUBE:

I got you.

D.P.O. HORSLEY:

All right. Thank you very much, Mr. Clerk. We are going to be proceeding with the Public Hearings, which started at 2:30. And the first Public Hearing that I have -- this is Page 2, everybody, of the agenda -- is ***I.R. 1974 - Considering the proposed establishment of Suffolk County Sewer District No. 16 - Yaphank (Municipal), CP 8158 (Co. Exec.)***. No cards. Would anyone like to be heard on this? Would anyone like to be heard on this matter? That being the case, I'll make a motion to close.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Second by Legislator Cilmi. All those in favor? Opposed? So moved. ***I.R. 1975 --***

MS. ORTIZ:

Fifteen. (Not Present: Leg. Montano and P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. Considering the I.R. -- ***considering the proposed establishment of Suffolk County Sewer District No. 24 - Gabreski Municipal (CP 8177) (Co. Exec.)***. I'll make a motion to close. Oh, does anyone -- no cards on the matter. Would anyone like to be heard on this issue? Would anyone like to be heard on this issue? That being the case, I'll make the motion to close.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Second by Legislator Cilmi. All those in favor? Opposed? So moved.

MS. ORTIZ:

Fifteen. (Not Present: Leg. Montano and P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. ***I.R. 2012 - A Local Law to create the Suffolk County Landbank Corporation (Co.***

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Exec.). I do not have any cards on this public hearing. Would anyone like to be heard on this matter? Would anyone like to be heard on this matter?

LEG. CILMI:

Motion to close.

D.P.O. HORSLEY:

That matter being the case, Legislator Cilmi makes a motion to close.

LEG. GREGORY:

Second.

D.P.O. HORSLEY:

Second by Legislator Gregory. All those in favor? Opposed? So moved.

I.R. 2026 --

MS. ORTIZ:

Fifteen. (Not Present: Leg. Montano and P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *I.R. 2026 - A Charter Law to establish a Traffic and Parking Violations Agency (Calarco)*. I do have one card on this, Nanci Dallaire.

MS. DALLAIRE:

Thank you. I've been hearing about that Traffic Violation Bureau for months now, spending millions of dollars, but now it's only being established? And both authorizations of I.R. 2026 and I.R. 2061, both resolutions are necessary?

I'm all for consolidating functions and creating efficiency in the departments, but who's making the decisions, and how are the sacrifices being determined? Some support certain services, while others believe that we can live without them. And I'm all for terminating boards that we no longer need, or if the State has duplicative services, we should consolidate, but I do not want to see rights violated or protections jeopardized in the process.

And I missed I.R. 2045, authorizing the purchase of up to 29 paratransit vans, and I.R. 2052, authorizing the purchase of 30 new hybrid electric transit buses. Will that include the maintenance of these vehicles? I hear that replacement parts can be costly. And are you budgeting for them? And why 30 buses and why 29 vans? Why not start with 10 and see how that goes?

I've heard talk of privatizing that transit also. And why make these investments if that is the future plan? And these are the decisions that I struggle with and I can't understand.

D.P.O. HORSLEY:

Thank you very much, Ms. Dallaire. Would anyone else like to be heard on this matter, 2026? Would anyone else like to be heard on this matter? That being the case, Legislator Calarco?

LEG. CALARCO:

Motion to close.

D.P.O. HORSLEY:

Motion to close; seconded by Legislator Browning. All those in favor? Opposed? So moved, it's been closed.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *I.R. 2061 - A Local Law to establish the Suffolk County Traffic and Parking Violations Agency (Co. Exec.)*. I do not have any cards on this matter. Would anyone like to be heard on 2061? Would anyone like -- yes, Mr. Vaughn, you would like to be heard?

MR. VAUGHN:

I would just politely ask the Legislature to consider recessing this public hearing, please.

LEG. CALARCO:

Motion to recess.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Okay. There is a consideration for a motion to recess, and you'd like to make that motion, Mr. Calarco?

LEG. CALARCO:

Yup.

D.P.O. HORSLEY:

Second by Mr. Cilmi. All those in favor? Opposed? So moved, it's been recessed.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1).

D.P.O. HORSLEY:

I.R. 2064 - A Local Law to ensure adequate gasoline distribution to the public after disasters (Stern). Would anyone like to be heard on this? I do not have any cards. Would anyone like to be heard on this? That being the case, Legislator Stern?

LEG. STERN:

Motion to recess.

D.P.O. HORSLEY:

Motion to recess. Is there a second on the motion? Legislator D'Amaro makes the second. All those in favor? Opposed? So moved, it has been recessed.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

I.R. 2067 - A Charter Law to clarify Legislature's role in collective bargaining (Calarco). I do not have any cards on this. Would anyone like to be heard? Would anyone like to be heard on this issue? That being the case, Legislator Calarco, how say yee?

LEG. CALARCO:

Motion to recess.

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D.P.O. HORSLEY:

Motion to recess. May I have a second on the motion?

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Second by Legislator Cilmi. All those in favor? Opposed? So moved, it has been recessed.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

I.R. 2088 - A Local Law to set minimum safety standards for recreational boats in Suffolk County (Spencer). I do not have any cards on this. Would anyone like to be heard? Would anyone like to be heard on 2088? Legislator Spencer?

LEG. SPENCER:

Motion to recess.

D.P.O. HORSLEY:

Motion is to recess.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Second by Legislator Cilmi. All those in favor? Opposed? So moved, it has been recessed.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

All right. Okay. I'm going to be -- I'll make a motion to set the following public hearings for December 18th, 2012, at 2:30 p.m., in the Rose Caracappa Auditorium, Hauppauge, New York; second by Legislator Cilmi. All those in favor? Opposed?

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

The ***I.R. 2027, it is a Charter Law to strengthen monitoring of sewer plants operating in Suffolk County.*** That is the only one that we're setting the date for on the 18th. Okay?

INTRODUCTORY RESOLUTIONS

BUDGET AND FINANCE

All righty. We are moving to the agenda. 2154, right? Yeah, we're going to Page 6 of the agenda. Is it 2084? We didn't do 2084?

MR. NOLAN:

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We did it. Oh, I'm sorry, we did not do that. I apologize.

D.P.O. HORSLEY:

We did not do that. Oh, okay. That's all right. Okay. *2084 - Authorizing the County Comptroller and the County Treasurer to transfer funds for Terminal Vacation Pay (Co. Exec.)*. Is there a motion on the --

LEG. CILMI:

I'll make the motion.

D.P.O. HORSLEY:

Motion by Legislator Cilmi and to approve.

LEG. BARRAGA:

Second.

D.P.O. HORSLEY:

Second by Legislator Barraga. Any other motions. 2084. 2084, we're good? Are you asleep? All those in favor? Opposed? So moved, it's been approved.

MS. ORTIZ:

Seventeen.

D.P.O. HORSLEY:

2154, amending the 20 --

MS. ORTIZ:

Sixteen. I'm sorry. (Not Present: Leg. Montano) (Vacant Seat: District #1)

D.P.O. HORSLEY:

-- *the 2012 Operating Budget and appropriating funds in connection with the bonding for settlement for a bus liability and an employment liability case against the County (Co. Exec.)*. Do I have a motion?

LEG. GREGORY:

Motion.

D.P.O. HORSLEY:

Legislator Gregory makes a motion to approve. Seconded by?

LEG. ANKER:

I'll second it.

D.P.O. HORSLEY:

Legislator Anker. Everyone good? All those in favor? Opposed? So moved, it has been approved.

MS. ORTIZ:

Sixteen. (Not Present: P.O. Lindsay) (Vacant Seat: District #1)

D.P.O. HORSLEY:

Okay. Apparently, there are two bonds for 2154. We will take the first bond first, 2154A. Madam Clerk, would you like to call the roll?

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MR. NOLAN:

Same motion, same second.

D.P.O. HORSLEY:

Oh, yes. Let me get the motion on it. I'm sorry. Same motion, same second.

LEG. SPENCER:

On the motion.

D.P.O. HORSLEY:

On the motion, Legislator Spencer.

LEG. SPENCER:

Just if someone could explain to me why there are two bonds.

MR. NOLAN:

It's because there are two separate settlements set forth in the underlying resolution, so one bond for each.

LEG. SPENCER:

Thank you.

MS. VIZZINI:

It was a request by Audit and Control to have it separate so that they could track the paying off of the bonds.

D.P.O. HORSLEY:

Okay.

LEG. ANKER:

Can I ask a question?

D.P.O. HORSLEY:

You certainly can.

LEG. ANKER:

How much are those bonds? It's not on our agenda.

MS. VIZZINI:

Ninety-five thousand dollars for the bus liability, and 250,000 for the employee liability.

D.P.O. HORSLEY:

Any further questions? Everybody good on this? Okay. Roll call on A.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. GREGORY:

Yes.

LEG. ANKER:

Yes.

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LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yup.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

All right. On 2154B, same motion, same second. Roll call.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. GREGORY:

Yes.

LEG. ANKER:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

EDUCATION AND INFORMATION TECHNOLOGY

D.P.O. HORSLEY:

Okay. Education and Information Technology: *2089 - Authorizing transfer of surplus County flat screen monitors to the Smithtown Parkinson's Therapy Center (Kennedy)*. Mr. Kennedy, do you want to make a motion?

LEG. KENNEDY:

Motion to approve, please.

D.P.O. HORSLEY:

Motion to approve.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Seconded by Legislator Cilmi. All those in favor? Opposed? So moved.

MS. ORTIZ:

Sixteen. (Not Present: Leg. Montano) (Vacant Seat: District #1)

D.P.O. HORSLEY:

2090 - authorizing transfer of surplus County flat screen monitors to Response of Suffolk County (Hahn). Legislator Hahn?

LEG. HAHN:

Motion.

D.P.O. HORSLEY:

Makes the motion.

LEG. ANKER:

Second.

D.P.O. HORSLEY:

Seconded by Legislator Anker. All those in favor? Opposed? So moved.

MS. ORTIZ:

Sixteen. (Not Present: Leg. Montano) (Vacant Seat: District #1).

D.P.O. HORSLEY:

2091 - Authorizing transfer of surplus County flat screen monitors to RSVP (Kennedy). Legislator Kennedy?

LEG. KENNEDY:

Motion to approve.

LEG. BARRAGA:

Second.

D.P.O. HORSLEY:

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Seconded by -- I'm sorry. The other one was -- second on? Legislator Barraga. All those in favor? Opposed? So moved.

MS. ORTIZ:

Sixteen. (Not Present: Leg. Montano) (Vacant Seat: District #1).

D.P.O. HORSLEY:

It's good for you. Get in the game, Tom.

ENVIRONMENT, PLANNING & AGRICULTURE

Environment, Planning and Agriculture: *2108 - Studying the preservation of sensitive properties damaged by Hurricane Sandy (Browning)*. Legislator Browning?

LEG. BROWNING:

Motion to table.

D.P.O. HORSLEY:

Motion to table; seconded by Legislator Calarco. All those in favor? Opposed? So moved, it has been tabled.

MS. ORTIZ:

Sixteen. (Not Present: Leg. Montano) (Vacant Seat: District #1).

D.P.O. HORSLEY:

2162 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007 - Open Space component - for the New Hope Revival Church, Inc. Property - Town of Brookhaven (SCTM No. 0200-876.00-03.00-001.000) (Browning). Legislator Browning?

LEG. BROWNING:

Motion to approve.

LEG. HAHN:

Second.

D.P.O. HORSLEY:

Makes a motion to approve; second by Legislator Hahn. Anyone on the motion? Everyone good? Okay. All those in favor? Opposed? So moved. It's been approved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

D.P.O. HORSLEY:

Government Operations, Personnel and Housing and Consumer Protection:

1938 - a Local Law to clarify (escrow) requirements for licensed home furnishings sellers (Barraga). Legislator Barraga?

LEG. BARRAGA:

Motion.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Makes a motion; second by Legislator Cilmi. All those in favor?

LEG. MONTANO:

Whoa.

D.P.O. HORSLEY:

On the motion?

LEG. MONTANO:

Just a quick explanation from Counsel or from the sponsor.

D.P.O. HORSLEY:

Who's best to answer? Tom?

LEG. BARRAGA:

As you recall, Mr. Montano, this particular law was passed in 2008, and this was the one that came about with reference to Levitz Furniture and the people's deposits down, only to find out that after they went bankrupt, the depositors were told they'd have to go to Bankruptcy Court. So we passed a law so that these monies would have to be put in a separate escrow account.

My sense is that in the three-and-a-half years hence, there was really very little enforcement or implementation of this particular consumer law. Not until, I guess, the spring of 2012 was there some sort of enforcement. At that time, I received input from Legislators Hahn and D'Amaro concerning some response they had received from the people in the home furnishings business. And each one of those two Legislators asked if I'd be amenable to amending the bill, which I was, and their amendments or their suggestions have been incorporated in this amended version. And if you want me to detail what they are, I'd be happy to.

LEG. MONTANO:

Yeah, just briefly.

LEG. BARRAGA:

Yeah.

LEG. MONTANO:

I do remember the bill.

LEG. BARRAGA:

Yeah. If the seller delivers the furnishings within ten days of the purchase by the consumer, the seller is not required to set up an escrow account for the deposit. So, for example, you've seen ads on television with Bob's Stores. Ninety-five percent of what he ships is less than ten days, so you wouldn't have to set up an escrow account. If the consumer uses a credit card to purchase home furnishings, the seller is not required to set up an escrow account. It doesn't become the fight of the consumer, it becomes the fight of the credit card, the Visa or the Master Card.

LEG. MONTANO:

Okay. Thank you.

LEG. BARRAGA:

Okay.

D.P.O. HORSLEY:

Okay. That was a great explanation, had me mesmerized.

LEG. HAHN:

Legislator Horsley.

D.P.O. HORSLEY:

Okay. We have a motion -- yes, Legislator Hahn.

LEG. HAHN:

I just would like to thank my colleague, Legislator Barraga, you know, for, you know, being amenable to making the changes, and thank you very much.

D.P.O. HORSLEY:

Okay. We have a motion and a second to approve. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

2004 - A Charter Law to improve the County's operating efficiencies by transferring the Division of Risk Management to the Suffolk County Department of Law (Co. Exec.).

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Calarco, second by --

LEG. SPENCER:

Second.

D.P.O. HORSLEY:

Legislator Spencer. Everybody good? All those in favor? Opposed?

LEG. KENNEDY:

Opposed.

LEG. NOWICK:

Opposed.

LEG. MURATORE:

Opposed.

D.P.O. HORSLEY:

Okay. You got to raise your hands. You got them? Okay. And the number is?

MS. ORTIZ:

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Fourteen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

The motion has been approved. Okay. *2085 - To appoint a member of the Suffolk County Pet Store Rating Board --*

LEG. SPENCER:

Motion.

D.P.O. HORSLEY:

-- *Sara Davidson. (Spencer)*. Legislator Spencer makes the motion, seconded by Legislator Schneiderman. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

1769 - Approving the appointment of Diane Gaines to the Suffolk County Disabilities Advisory Board, Group D (Co. Exec.).

LEG. SPENCER:

Motion.

D.P.O. HORSLEY:

Legislator Spencer makes the motion, second by Legislator Schneiderman. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Okay. *2062 - A Local Law to reduce exposure to Bisphenol A in Suffolk County, the Safer Sales Slip Act (Stern)*. Legislator Stern?

LEG. STERN:

Motion to approve.

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

Motion to approve, seconded by Legislator D'Amaro. Everybody good on this?

LEG. CILMI:

No.

D.P.O. HORSLEY:

Okay. Would you like to ask a question or just --

LEG. CILMI:

I just want to make a statement.

D.P.O. HORSLEY:

Statement away.

LEG. CILMI:

All right. You know, having done some research on this, it's -- the World Health Organization in 2010 recommended that there be no new regulations limiting or banning BPA. And in 2012, the FDA moved to ban baby bottles with BPA, not because they found a health concern, but because they wanted to boost consumer confidence, because there was some consumer outcry. So it's in that context that I wanted to just share some thoughts.

There's no doubt to me that the politically correct vote on this bill would be yes. We've heard all the testimony, and, obviously, we're all concerned about health costs, but I have to ask myself what is the right vote. It would be easy to vote yes here, but what is the right vote? To answer that question, I think we have to ask ourselves what else are we prepared to ban? Are we prepared to ban automobiles, which we know in accidents kill tens of thousands of people annually? Are we prepared to ban alcoholic beverages? Are we prepared to ban skateboarding, or maybe all contact sports? Or are we prepared to ban red meat or potato chips or soda?

LEG. D'AMARO:

I am.

LEG. CILMI:

You are? All right. Good.

LEG. D'AMARO:

It would be a lot healthier.

LEG. CILMI:

There are literally hundreds, hundreds of consumables and other products and activities which we know, beyond a shadow of a doubt, are dangerous to our health and welfare, some with irrefutable, empirical evidence to prove it. Should we ban them all? There are potentially thousands more that might be dangerous. Shall we start banning them one by one, class by class? And where do we end up if we continue down this road?

I woke up this morning and I put some shaving cream on my face, and showered, and shampooed my hair, and put some deodorant on, and sprayed some cologne on my face. Are we so naive to think that the chemicals from those products are not seeping into our skin or impacting our health?

Some of us enjoyed breakfast this morning, right in the back; eggs filled with cholesterol, bacon and potatoes cooked in oil, fruits that were no doubt sprayed with pesticides. Clearly, there are healthy impacts associated with those things.

What would come of our way of life if we sought to ban everything that was harmful, or, as in this case, potentially harmful? And if we continue to ban things that are potentially harmful, what does that say to folks who have been impacted by the things that are known to be harmful, but that, for whatever reason, we spared the heavy hand of regulation?

We must acknowledge that there are risks inherent in our way of life; some we choose to accept, others we don't, but in the end, they are our choices. If you don't want a receipt, don't take that receipt. If you don't want to shop at places that use receipt paper without BPA, be our guest, if you only want to shop at those places. If you want your employer to be aware of the potential dangers in your work environment, tell them. And if it's that important to you and they refuse to change, you have to find another job. But let's not continue down this very, very slippery slope of banning everything that we think may have or has shown to have some level of risk to our health or welfare.

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So I'd urge my colleagues to really think hard about voting yes to this legislation. I understand the sponsor's intentions, and we all want to reduce our risk as much as possible. I think education is always a good thing. But when we start banning things, I think we really start down a road, and we're already on the road, but we're continuing down a road that is very, very, very dangerous. Thanks.

D.P.O. HORSLEY:
Legislator D'Amaro.

LEG. D'AMARO:
Just one second. I'm thinking really hard about this. Okay. Well, now that I've thought about it, Legislator Cilmi, very --

LEG. CILMI:
Thanks for thinking about it, I appreciate that.

*(*Laughter*)*

LEG. D'AMARO:
Very convincing arguments, but, you know, a thousand wrongs don't make a right. You know, all those things you talked about, you're right, we all know they're bad for you. But, you know, in the face of that, we also banned trans fats. I sponsored that legislation a few years ago. It was the right thing to do. And let's err on the side of caution. You know, there is some controversy, perhaps, with the science, although I'm pretty convinced that this stuff is bad and it's not good for you. And until you convince me otherwise, I'd rather not come into contact with it than come into contact with it and take the risk, especially as in the case of trans fats. There are alternatives available that can be implemented, so, to me, there's -- it's not even a question of debate.

If the science is showing that this is bad for you or carcinogenic, or whatever the case may be, until you show me otherwise, I think we should do what's right to protect people in the County from exposure to this chemical. It's a chemical, you know. So all of those things you named, some of them are not chemicals, some are even natural and they're not good for you. But because there are other things in this world that can hurt you doesn't mean if we have an opportunity to limit one of them, that we shouldn't do it. So that's -- I think this bill is the right way to go.

D.P.O. HORSLEY:
Thank you very much, Legislator. Legislator Anker.

LEG. ANKER:
And I also will agree that we have the responsibility to make our County safer. And some things, as you know, personally, you can -- you have a choice. We don't have a choice when we take hold of a receipt with the chemical and -- or if our kids grab it, or whatever. But think this is -- it's a step in the right direction.

I admire Karen Miller and Laura Weinberg and Elsa Ford. They look for research until there's really nothing left. And I really believe that the scientific research shows that there is a carcinogenic effect, and that alone, it's a step in the right direction. And I think, as County Legislators, especially here in Suffolk County, we have proven that we can move in a direction of positive change, and I think this is just a step in going in the right direction.

So I admire Legislator Stern for putting this forward. I look forward to reducing the chemicals that

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we're exposed to, especially carcinogenic chemicals, and that's what we need to focus on.

But I appreciate your response, Legislator Cilmi. And, again, there is a balance between legislation to protect our constituents' health and the reality of implementing that legislation fiscally, and to me, in my mind, it's been proven that it is a doable piece of legislation. So thanks.

D.P.O. HORSLEY:

Okay. Thank you very much, Legislator. Legislator Spencer.

LEG. SPENCER:

Thank you. One of the things I'm confronted with all the time is when I have parents and I make a recommendation that they allow their child to have surgery with me. And one of the things they'll say is that, "Well, surgery is dangerous," "Anesthesia is dangerous." There's a lot of issues, and it really comes down to an issue of relative risk. And I agree, I try not to make a decision to operate in a situation where surgery is not necessary.

And I think Legislator Anker made a very good point when she said that there's a specific choice. So I have a choice whether or not I have sausage or bacon, or if I use a particular shaving cream. And I think that where I saw the disconnect was that I have a choice whether or not I would like a receipt, but I have to do without that information, and that information is very important to me. So I'm not able to -- I would have to give up something, where if I decide to give up any of those other items that you mentioned before, I can make an informed decision and that's where I don't think a ban is appropriate.

In this particular case, this is something that there is enough evidence. And I have to be very careful because I also put my reputation on the line as a scientist, as a physician, as someone who's taken an oath when I look at any sort of bans of items that people look at my professional reputation. And this is a chemical where there is a substantial body of evidence that indicates that there is a potential risk there. But the difference is, is that there is an affordable, readily-available alternative. And I actually would take it a step further. I mean, my concern is that the lack of information on the alternative, the Bisphenol S. And I can support this legislation, saying that I need to really protect those that may not be aware of this. I wasn't aware, really, until this debate started. So I can take that step and support this legislation, but I would encourage that there needs to be more information on the alternatives to make sure that what the alternative is isn't dangerous.

So I did want to state that for the record, that I do have concerns about the alternative, but I think that -- I congratulate my colleague, Legislator Stern, for bringing this matter to our attention, and it is something that we can do to make our residents a little safer without sacrificing their rights. So that's why I support this legislation.

D.P.O. HORSLEY:

Thank you very much, Legislator Spencer. Legislator Montano.

LEG. MONTANO:

Thank you. Yeah, I just had a quick question. I'm not very familiar with this issue. In the Financial Impact Statement, it says that there are no alternatives -- oh. Other alternatives to BPA-coated thermal paper do exist, although BPA-free thermal paper appears to cause 20 -- 10% to 25% more. Do we have any idea what that amounts to in a year? I mean, how extensive is this used? Do you understand what I'm saying? Legislator Stern, may I address that to you?

CHAIRMAN STERN:

I would -- through the Chair, I would just ask what you're citing, what impact statement, to who?

LEG. MONTANO:

Maybe I have the wrong one. Hold on.

MS. VIZZINI:

No. It's the Budget Review Office Fiscal --

LEG. MONTANO:

It's BRO's budget --

MS. VIZZINI:

-- Impact Statement for the resolution.

LEG. MONTANO:

-- Financial Impact statement.

MS. VIZZINI:

It was based on a literature review.

LEG. MONTANO:

Apparently, this paper, the alternative to this -- the use of this paper is going to cost 10 to 25% more, and that's -- you don't agree with that?

LEG. STERN:

No, no.

LEG. MONTANO:

Okay.

LEG. STERN:

Let me first --

LEG. MONTANO:

Let me finish my question.

LEG. STERN:

Go ahead.

LEG. MONTANO:

Whatever it costs, I guess it's going to be borne by the consumer, because it's going to lead to an increase in the cost of the company. So I'm just trying to get an idea of how much this paper is used and what the fiscal impact is. And I saw that you didn't agree with the 10 to 25% more. You might be wrong and I don't know. I didn't write this.

LEG. STERN:

Well, it's certainly wide-ranging, but -- and it's in the information that I had previously distributed to all of my colleagues, particularly addressing alternatives, and availability, and cost as well.

You should have before you information regarding some of our best-known companies that have made this switch. Target, Starbucks, Kroger Supermarkets, Whole Foods Stores, Pizza Hut, Taco Bell, KFC, all of these companies have already made the switch. And when big names like these are already switching, you know it's a real concern that has been identified.

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We had with us earlier today, and not just today, but she also came down to the Health Committee meeting, Shelby Poole, who is the owner of Jackson's Restaurant. She identified herself as a woman, small business owner, that has voluntarily made the switch and feels very good about having made the switch, feeling absolutely no fiscal impact. But you can see before you we cited a couple of examples, and we picked out a couple of specific examples, the same product, the same quantity, the same size, and you can see that it works out to about two cents a roll.

LEG. MONTANO:

All right. So how many rolls are these? I'm just trying to get an idea of the fiscal impact. How many rolls do --

LEG. STERN:

Well, obviously, it's going to depend on the particular business.

LEG. MONTANO:

Well, because what I'm getting is the big -- the big stores have switched over, so it's the mom-and-pop business that hasn't switched over; is that correct?

LEG. STERN:

I don't know that. But, again, we wanted to give representatives of some of the larger, better-known companies, as well as a perfect example from someone who runs a small business in our community who says firsthand, no difference in price, and feels pretty good about it.

LEG. MONTANO:

All right. So, Gail, I guess it falls back to you, then, because you're citing a 10 to 25% difference. Steve --

MS. VIZZINI:

It's based on a literature review of the trade-off between the transition, which in this resolution provides a one-year transition, a transition to the alternative products.

LEG. MONTANO:

But we don't have any idea of what the dollar amount is for the businesses, right? I mean, I'm not sure you would even know that.

MR. FREAS:

No. Our gross level, that, we really couldn't determine that. I mean, you might use three rolls of receipt paper and Mr. Lindsay or Mr. Cilmi's business might use a thousand. So the cost is -- just that when we did a review, we found that the places that were advertising BPA paper as available charged anywhere between 10 to 25% more per unit for the BPA-free paper.

LEG. MONTANO:

And I gather that you order this online from outside the County.

MR. FREAS:

That's a way you could do it. I don't know if there are any BPA-free manufacturers. I don't know if we have any --

LEG. MONTANO:

Manufacturers here, then.

MR. FREAS:

-- paper manufacturer. You can usually smell a paper manufacturer in the area.

LEG. MONTANO:

Right.

MR. FREAS:

I don't think we have any in Suffolk County.

LEG. MONTANO:

I don't think we have any here, right?

MR. FREAS:

No.

LEG. MONTANO:

Okay. All right. Thank you.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Hahn.

LEG. HAHN:

A couple of things. To keep on the -- I was going to get to this last, but to keep on the paper and the mom-and-pop store thing, maybe this will also increase the use of the email receipts. I know at Macy's there's an option just to get it via email, so you don't even need to use paper at all. It doesn't cost the business owner anything. Little mom-and-pop shop in Port Jefferson Village, Salon DeLamour, offers receipts via email, and that will be a total savings of the paper to them. And if we can encourage the movement towards that, that would be a good thing, no paper being used, either.

And, also, to Legislators -- Legislator Cilmi, you know, this is endocrine disrupter we're talking about here. We're not -- I mean, we heard testimony about that and just how bad that is. I mean, we're not -- we're not talking about just anything here. And didn't you propose the beer pong ban? Yeah. So, anyway, this is really bad stuff. I don't think there's -- I don't think there's a whole lot of doubt there, and endocrine disrupters are very, very, very bad.

So I'm supportive. And thank you, Legislator Stern, for bringing this up. And, you know, I think we need to ferret out where else BPA is used and get it away from anyone and everyone.

D.P.O. HORSLEY:

Okay. Thank you very much, Legislator Hahn. Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Vice Chair. I am supportive of this bill. I think, you know, I do hesitate myself in banning things, but I think where appropriate, it is appropriate. And I think, certainly, in this case it is appropriate. Receipts are just a regular part of our -- you know, part of our process of commerce, and, I mean, I have a wallet full of receipts now, and I think -- you know, I think this -- just bringing this bill forward has brought some attention to me about the effects, the possible and potential effects that it could cause. I think it's good. I think if there's a reasonable alternative that's available, we should make the decision to ban this substance, particularly when there's dire potential effects.

So I certainly support this bill, and appreciate -- I was going to say Senator Stern -- Legislator Stern for bringing it forward.

D.P.O. HORSLEY:

It works. Okay. Legislator Cilmi has, apparently, some questions.

LEG. CILMI:

Yeah. I just wanted to readdress. I was happy to express my sort of philosophical points, and I'm glad I did because it generated some conversation. When you're banning something, you know, conversation is good. So I'm happy from that point of view. But I did have some practical questions for the sponsor.

Before I got there, though, Legislator Hahn, you mentioned that paper, maybe we could eliminate paper and go to email receipts. I just did a quick look and there are 700,000 people that work in this country in the paper industry. So we always have to be cognizant of when we're advocating for the banning of something, or, you know, that there are impacts that go beyond where we may initially think.

LEG. HAHN:

Did we determine they aren't here? But, anyway, so the paper, you know, again, we're not talking about banning paper.

LEG. CILMI:

Right, I understand that. But somewhere in the country --

LEG. HAHN:

Encouraging using less of it.

LEG. CILMI:

Somewhere in the country there's some -- there's a manufacturer, or two or three or four, that employs 100 or 200 or 300 people that manufactures receipt paper that uses BPA. And while they may not --

LEG. HAHN:

And they're in danger, too.

LEG. CILMI:

While they may not --

LEG. HAHN:

They're in danger, too.

LEG. CILMI:

Well, while they may not be here in Suffolk County, they may not be in Commack or in Islip, or wherever, they're somewhere. And so we have to be -- we have to remember that when we're voting.

To the sponsor, the -- in looking at this, it -- I learned that this product has been in use for many decades and it's used primarily in the epoxy business, but it's also used in canned goods, Legislator Stern. I'm wondering -- and it's used extensively in those canned goods. Is that something that -- can we not ban the sale of those canned goods in Suffolk County? Would we consider doing that? Because I would think there's much more of a potential of that -- of the chemical getting into, you know, the liquid that's in a can of string beans or corn, or whatever, and then that getting digested into our systems than there is from paper receipts. So have you thought about that at all?

LEG. STERN:

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Well, it's a two-parter. One, am I aware that that is an issue? I certainly am, and the research would show that that is a significant issue. In fact, many jurisdictions across the country are considering that very issue as we speak. As far as --

LEG. CILMI:

Not that I'm advocating, by the way.

LEG. STERN:

As far as what might be considered more harmful, you would think that the BPA contained in the epoxy, which ends up in your food and into your digestive system, might be the more harmful. But the actual scientific evidence will show that actually getting it on your skin in the form that we're talking about today actually could be more concentrated and cause more harm. It's loose, which means any time you touch the receipt, you're going to be exposed to it.

In the cans, it would rely on a leaching effect. Maybe it leaches, maybe it doesn't. But, certainly, every time you pick up the receipt, you're being exposed to the loose form of it and it's going right through your skin.

LEG. CILMI:

I'm sure there are studies that show that it leaches into the liquid as well. And, you know, if there are, then we should obviously consider those. But I think we all realize that, you know, you could pretty much find a study that would say anything you really want it to say about anything.

The other question I had is about enforcement. So if I'm a -- if I'm a Bank of America that has an ATM that spits out these thermal receipts, or if I'm a gas station, or if I'm a retailer and I'm using thermal paper for my receipts, how would I expect this law to be enforced once it's passed?

LEG. STERN:

Well, first of all, you mentioned Bank of America. Bank of America is BPA-free, because they have --

LEG. CILMI:

All right.

LEG. STERN:

-- already gotten the message. And I think that's one of the important elements of this initiative is sending that very important message and raising awareness. We did it with the bottles a few years ago, and now what you'll see on our store shelves are those products that are now BPA-free and they say as such. So we've been very successful in driving this as an important health and safety issue, and we've moved our companies to respond in kind.

This is to be enforced by the Department of Health. I doubt that the Department of Health is going to be going -- you know, visiting our gas stations and our ATMs, but, certainly, if there is something that's brought forth and identified, they would be subject to the laws we've written.

LEG. CILMI:

So, you know, if I'm a retailer, I'm ordering this paper, probably if I'm a small retailer, I'm probably ordering it over the internet, maybe, maybe not, I'm looking to see whether or not it's got -- made from -- with BPA or BPS, or whatever other chemical there may be. So I would just order that, use it, and if somebody called our Health Department and said, "You know, I think they're using BPA in their receipt paper," we would have to go and investigate and ask for receipts of where the product was purchased, and have the retailer prove that the product that they're using doesn't have BPA in it; is that the way you envision this working?

LEG. STERN:

Yes.

LEG. CILMI:

Okay. Thank you.

D.P.O. HORSLEY:

Okay.

LEG. STERN:

Thank you.

D.P.O. HORSLEY:

Okay. Thank you very much, Legislator Cilmi. Legislator Nowick.

LEG. NOWICK:

Legislator Stern, I commend you on doing all you did to research this. I just want to say, the Suffolk County Legislature has been number one in banning the use of hand-held cell phones, stopping teenage drinking under a certain age, smoking in restaurants, sale of Ephedra, dexamethorphan to teens, Salvia divinorum, and even Tootsie Roll Pops with marijuana, I think. I'm trying to think of --

D.P.O. HORSLEY:

Drop-side cribs.

LEG. NOWICK:

Drop-side cribs. We have testimony that there's a danger here. I think we'd be very foolish to continue to have it sold to our citizens.

And I'm going to support this legislation, and I'd like to cosponsor this legislation, because I think you're in the right direction.

And I'm only going to say one other thing. Many, many years ago, wouldn't it have been great if they didn't wait to ban asbestos in certain areas? So we're on top of our game here. And believe me, the other counties will follow.

D.P.O. HORSLEY:

Very good. Thank you very much, Legislator. I don't have anyone else that would like to be heard, excepting Legislator Stern.

LEG. STERN:

Yeah. Thank you. Just a quick comment on Legislator Cilmi's comments, which I certainly appreciate. But under the same -- the same thinking, the same line of logic, lead paint would not have been addressed, Ephedra, as Legislator Nowick brings it up, would not have been addressed, clearly affecting industries and people that work hard in those industries. But, nevertheless, we don't sit by and choose not to act in the face of clear and convincing evidence regarding the safety of a product.

With this legislation, we will once again lead the nation in reducing our exposure to a dangerous toxic chemical and protect our public health and safety.

Legislator Cilmi brings up the decision by the FDA that came out recently. This Legislature was literally first in the nation a few years ago when it came to addressing this issue. And you saw then

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several states respond in kind. It went overseas to the European Union and other countries that enacted legislation based on what we did here first in Suffolk County. Ultimately, then it came back and the FDA had no choice but to implement its new policy based on what started right here around this horseshoe, and this is an opportunity for us to do that again.

P.O. LINDSAY:

Just one question.

D.P.O. HORSLEY:

Legislator Lindsay.

P.O. LINDSAY:

Yeah, really for Legislator Spencer. Did the Board of Health take any stance on this product?

LEG. SPENCER:

I did have a chance to speak with the Commissioner and he indicated that he was favorable of the legislation.

P.O. LINDSAY:

Okay. Thank you.

D.P.O. HORSLEY:

We're good? Okay. We have a motion to approve and a second, right?

MS. ORTIZ:

Yes.

D.P.O. HORSLEY:

Okay. Are we ready? All those in favor? Opposed?

LEG. CILMI:

Opposed.

D.P.O. HORSLEY:

So moved.

MS. ORTIZ:

Sixteen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

It's been approved.

LEG. SCHNEIDERMAN:

Cosponsor.

LEG. CALARCO:

Renee.

D.P.O. HORSLEY:

Congratulations, Legislator Stern.

LEG. SPENCER:

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Cosponsor, please.

D.P.O. HORSLEY:

All right. I would like to make a motion to take out of order *2166 - Setting date for a Special Election to fill vacancy in the 1st Legislative District (Horsley)*. Okay. The -- and I could answer the question in a second. Do I have a second on the motion?

P.O. LINDSAY:

Second.

D.P.O. HORSLEY:

Second by Legislator Lindsay. Okay. We're taking out of -- taking out 2166. On the motion. Everyone's good? All those in favor? Opposed? So moved.

LEG. KENNEDY:

Opposed.

LEG. NOWICK:

Opposed.

LEG. MONTANO:

Wait, wait, wait.

D.P.O. HORSLEY:

Just taking out of order, Rick.

LEG. MONTANO:

Is there a reason?

D.P.O. HORSLEY:

Yes.

MS. ORTIZ:

Fifteen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Okay? Fifteen? Okay. It is now taken out of order.

LEG. MONTANO:

What was the reason?

D.P.O. HORSLEY:

Well, I'm going to --

MR. NOLAN:

Just get a motion.

D.P.O. HORSLEY:

Just get a motion. I'll make a motion to -- now that it's been taken out of motion -- out of order, I'll make a motion to approve.

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

Second by Legislator D'Amaro.

LEG. KENNEDY:

I'll make a motion to table.

LEG. NOWICK:

Second.

D.P.O. HORSLEY:

There is a motion to table by Legislator Kennedy, seconded by Legislator Nowick. Okay. We now have both, tabling and approval. Okay. On the motion, Rick, you want me to answer that question?

LEG. MONTANO:

Actually, I guess it's academic. I was just wondering why you took it out of order in the first instance. Since the vote was already called, that's academic. But just out of curiosity, why is it before us now?

D.P.O. HORSLEY:

Fair enough. One is, if you recall before, we wanted to make sure that Legislator Muratore was here, because we didn't want to disenfranchise anybody. So we waited for you to come here so we could pull it out of order and vote on this.

Secondly, there's been a request by the Board of Elections to -- that they want to get the paperwork moving on it. And the County Executive is anxious to sign it so that they can process this, because they're worried about the timeliness of it.

LEG. KENNEDY:

On the motion.

D.P.O. HORSLEY:

On the motion, Mr. Kennedy.

LEG. KENNEDY:

That may be one of the Board of Elections Commissioners.

*(*Laughter*)*

The Republican Board of Elections Commissioner, whom I was with last night --

D.P.O. HORSLEY:

He didn't weigh in.

LEG. KENNEDY:

He made no request whatsoever; didn't talk about any need or urgency to go ahead and transact there. As a matter of fact, the only thing he told me is they still can't do the lines through our new Districts because they're waiting for some additional information from us. When I said to him, "When do you think we're going to get some maps to work with, Wayne" -- so that being said, there's --

D.P.O. HORSLEY:

It's Wayne Rogers, not Wayne Horsley.

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LEG. KENNEDY:

Wayne Rogers, yes. Yes, Mr. Deputy Presiding Officer, let's not confuse our Waynes.

I spoke at length in committee about why I thought that the alternative that I had put forward was more prudent, more beneficial. We had the differences associated with the cost aspects. I can tell you today the Town of Brookhaven is convening the Town Board with a bill on to go ahead and amend their Special Election process and it has four sponsors. The bill's going to pass. And what it would do is, is it would lead to a direct cost savings for our ability to go ahead and align the two elections with Highway Superintendent and First Legislative District. And, quite frankly, I think that the voters of the First Legislative District are owed the opportunity to get to know each one of these candidates in the normal campaign process.

I think we are looking to rush this through during a holiday season, which I think is a disservice to the electorate. So I'm opposed.

LEG. MONTANO:

Could I ask a question?

D.P.O. HORSLEY:

Legislator Montano, would you like to ask -- you're going to ask Mr. Kennedy a question?

LEG. MONTANO:

Yes.

D.P.O. HORSLEY:

Yeah, sure, go ahead.

LEG. MONTANO:

Thank you, through the Chair. You said that they're meeting today.

LEG. KENNEDY:

Absolutely, yes.

LEG. MONTANO:

What time? Is it an evening meeting or is it --

LEG. CILMI:

Five o'clock meeting.

LEG. KENNEDY:

Well, as a matter of fact, I believe it's -- what time, Kevin?

MR. LAVALLE:

It's a night meeting.

LEG. KENNEDY:

It is a night meeting? Okay.

LEG. CILMI:

I read it in the paper.

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LEG. KENNEDY:

Five o'clock. But the bill is printed. As a matter of fact, I'm attempting to get a copy of it right now.

D.P.O. HORSLEY:

Legislator Gregory.

MS. VIZZINI:

Thank you, Mr. Vice Chair. I think that it is prudent for us to move without haste. I am -- you know, the actions of Brookhaven Town are immaterial to me. I think that, you know, that has to go through and should go through a referendum process, as the former Legislator would have advocated for himself, because I have advocated for bills and he told me that my bills should go through a referendum process that were initiated through referendum. So I think it's a little hypocritical or -- but, nevertheless, I think that, you know, the people of the North Fork need their representative.

You know, I disagree with Legislator Kennedy's insinuation or statement that somehow we're circumventing or shortening the normal process. This is the process we're in within the parameters of the window, so we're not shortening the process. I think it's right to move forward. And as Legislator, former Legislator, Town Supervisor Romaine sought to fulfill the vacancy of the Town Board of Brookhaven as soon as -- as quickly as possible, I think we should go with the same expediency to fill the seat of the vacancy that he left here at the Legislature.

LEG. ANKER:

Wayne.

D.P.O. HORSLEY:

Legislator D'Amaro.

LEG. D'AMARO:

Just one point. I think it was all very well said by Legislator Gregory, but just one point I want to make in response to Legislator Kennedy. I don't know about you, but most people complain about the length of campaigns. And, in fact, I would just want to venture to say off the top of my head that most people, even in a Presidential election, don't focus on the campaign until the last 15 or 20 days anyway.

So I don't see this as doing a disservice to anyone or the constituents who would be represented within the First -- it's the First Legislative District. I think you're just -- I'm sure the candidates are going to have the ability to get their message out so people can make an informed decision. I wouldn't underestimate the voters in that Legislative District to get that information and to process it. And, frankly, I don't think they want a two-month campaign. I think -- just in my own opinion, I think people would welcome a shorter campaign, and I think we should strive for that at every level of government.

So I don't see how -- this is being painted as, you know, we need more time because people need to know more and they need to make decisions. They're going to get that information and they're not going to get inundated for months at a time. They're going to get that information timely and make a decision and go to the polls and cast their vote. How are we wronging the system?

LEG. KENNEDY:

May I, Mr. Chair?

D.P.O. HORSLEY:

Well, yeah. I'll give you the liberty of this, but we have another speaker as well, another --

LEG. KENNEDY:

Okay. Well, let me address just those items that Legislator D'Amaro posed, and then I'll yield and then come back.

D.P.O. HORSLEY:

Yeah, please, I'd prefer that.

LEG. KENNEDY:

There's a number of things. First of all, let me mention what Legislator Gregory touched on with the referendum.

D.P.O. HORSLEY:

Sure.

LEG. KENNEDY:

The language was specifically researched, and, as a matter of fact, that's why Brookhaven Town Board has the bill to amend before it today. It is general referendum language with no specifics embedded in the referendum as to timeframe, span of vote. It merely talked about changing the vacancy process from majority appointment by the remaining sitting Town Councilmen to where it would be appointed. Secondly -- I'm sorry, for the Highway Superintendent, for the sitting Highway Superintendent.

Secondly, it is a true statement, and I believe even Legislator Schneiderman will agree that the First Legislative District, as it is composed right now and in which these two candidates must run, is geographically the largest of the 18 Legislative districts and makes up four towns. It includes --

LEG. SCHNEIDERMAN:

Second largest.

D.P.O. HORSLEY:

Well, there you go.

LEG. SCHNEIDERMAN:

The Second Legislative District is actually geographically the largest.

D.P.O. HORSLEY:

Defend your turf. Legislator Kennedy, I don't want to push you on this, but, you know, I don't want to just have a debate. I'd like to --

LEG. KENNEDY:

No, but therein lies one of the many rationales for allowing for --

LEG. SCHNEIDERMAN:

Fishers Island is difficult to campaign on, I'll give you that.

LEG. KENNEDY:

-- sufficient amount of time, as is Shelter Island and --

D.P.O. HORSLEY:

Guys, I'm losing this, please.

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LEG. KENNEDY:

So I think there is more than ample time and justification to look for a longer period of time. I'll yield.

D.P.O. HORSLEY:

Thank you very much, Legislator Kennedy. Legislator Anker.

LEG. ANKER:

I just wanted to mention, I am getting letters from Ed Romaine's old district, because they don't have someone, I guess, right now to represent them. They're struggling with the aftereffects of Hurricane Sandy, and I think it's imperative to get someone in that spot as soon as possible.

D.P.O. HORSLEY:

Thank you very much. Legislator Nowick.

LEG. NOWICK:

Just my concern is not with the length of time of the campaign, because I don't care if it's two weeks or four weeks or six weeks. I personally believe that in a special election, most of the people that vote actually know what's going on. They go out to vote in the middle of January or the middle of February.

My only concern is I know that the Board of Elections is actually still counting votes from the general election, and they're working from eight in the morning until eight at night. So then what happens is, in January, we do this election, which, again, I don't care what day it is, so they work that and they do those votes, and they work from eight to eight, and they work, and that's overtime, overtime, overtime. Then we have the other election in Brookhaven, and that's another weeks of overtime.

So my only concern was more of the -- what it costs, and I don't think we really have an accurate -- in Committee, one Legislator said it's 25,000 extra, and another Legislator said 100,000. So my only concern really was what does it cost us at the Board of Elections for all these people to work overtime day and night?

D.P.O. HORSLEY:

Okay. I understand what you're saying. The request came from the Board of Elections, because, apparently, they have to set up the ballots and stuff. That's the reason why they're -- that's why they're concerned about this. Legislator Montano.

LEG. MONTANO:

Yeah. I just had a question. Actually, I think Sarah went back there to call the Board of Elections. What generally happens, as I understand it, in the special election is that each party gets to nominate their candidates by convention, as opposed to petitions. But if somebody wanted to file or run independently or get an independent line, I was curious as to what the political calendar is for that process, and how many signatures would be needed to qualify as an independent candidate. And is there enough time in this bill for someone, if they chose to, to go through that process?

So I think that our Counsel went to call the Board of Elections to find out. So I'll wait for their answer, unless someone else knows.

D.P.O. HORSLEY:

Very good.

LEG. MONTANO:

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Does anyone know the answer?

D.P.O. HORSLEY:
Legislator Gregory.

LEG. GREGORY:

Just as a follow-up, I believe, in answer to Legislator Montano's question, is 15 days. I don't know the number, because when I was in a special election, that's what I recall.

Just to respond to Legislator Kennedy, you know -- and I understand and appreciate your argument. I think it's just -- you're kind of arguing on both sides of the argument there when you have -- when you're saying on the one side we can't call for an earlier date to fill the vacancy in the First Legislator District, but, yet, logically you're saying that it makes sense to shorten the time period that the voters in Brookhaven would have to vet out the candidate for the replacement of the Highway Superintendent. You can't argue both sides and be right in this instance.

Brookhaven is the largest Town in Suffolk County, I mean, it's larger than Nassau County. You're saying that, oh, it's okay to lessen the opportunity for those people to vote for the Superintendent so that they can vote at the same time as the replacement to fill the vacancy for Legislator Romaine's old seat. You just can't have it both ways.

D.P.O. HORSLEY:
Okay. Legislator -- are you done, Legislator Gregory?

LEG. GREGORY:
Yeah.

D.P.O. HORSLEY:
Thank you. Legislator Kennedy, with the last word on this.

LEG. KENNEDY:

Legislator Gregory, let me just take a page from what's just been articulated to me. I'm not a Brookhaven Town Councilman. The Brookhaven Town Council can go ahead and can act as it sees fit as best for its constituency. I'm not arguing both sides. What I'm arguing is, is that we have an opportunity in front of us to pragmatically implement something that every one of us carps on on a constant basis about cost savings and fiscal efficiency.

And I'll also say last year, when Legislator Losquadro left us, we had about 90 days that was spun out in which that time period was allowed for for that special election. So here we are eight, nine, ten months later, and we're falling all over ourselves to heave this election across the bow 15 days into January. That's where the consistency's got to lie. You know, it worked then. Why doesn't it work now?

I just -- look, I've articulated the points. I don't want to beat it. Folks know where my position is. And I think it is critically clear that we would achieve savings on this if we were to harmonize with the Highway Superintendent.

D.P.O. HORSLEY:
Okay. Legislator Anker?

LEG. ANKER:

I just want to clarify, too, that the reason why I was -- I had been receiving correspondence from Ed Romaine's District is because I'm the neighboring district, Wading River area specifically.

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I just wanted to mention, too, though, you know, being in a special election, when I came into office, there was hardly any paper in that office. I had to start my files from scratch. I didn't have anything on the computer available for me. There were a lot of issues I think because there was such a long time span. There were people -- there were constituents waiting to speak with me. So, again, I think the sooner, the better.

D.P.O. HORSLEY:

All right. Thank you. I think that exhausts the arguments. Mr. Kennedy, I just wanted to make a quick statement before, and then I'm going to call for a vote. Just that the -- I don't think, at least my understanding -- has the Highway Superintendent over in Brookhaven, have they even left? Has he left as yet? So you can't even start the count as yet.

P.O. LINDSAY:

He can't resign until January.

D.P.O. HORSLEY:

He can't resign until January 1st.

LEG. KENNEDY:

Well, he could resign whenever --

D.P.O. HORSLEY:

You don't want to disenfranchise the people on the North Fork all the way -- whenever that 90 days, from there.

LEG. KENNEDY:

Well, no, no. What I put forward and what I articulated was February 19th. And, by the way, let's point out all of the staff that Legislator Romaine left behind still are in his office, still actually are going about their Legislative Aide functions, and still do man the phones. That's --

D.P.O. HORSLEY:

I would expect nothing less of Legislator Romaine.

LEG. KENNEDY:

And that's very amicable of Legislator Anker to go ahead and to assist. But every one of us around this horseshoe gets constituents that call from adjoining districts. We either move them, you know, properly, or nine times out of ten we resolve the issue, and then share the thanks with our adjoining Legislators, so -- but there are people to go ahead and continue to respond in the First Legislative District.

D.P.O. HORSLEY:

Okay. Thank you very much Legislator Kennedy. Apparently, I'm going to call the vote. But, Counsel, do you want to answer? We apparently have an answer on the question of the independent --

LEG. MONTANO:

I'll answer it, since I got the answer from Counsel. Apparently, according to the Board of Elections, it's going to require 1469 signatures, and the timeframe in which to get those signatures to run as an independent or run an independent line would be 12 days, which I think it would be very difficult to achieve.

D.P.O. HORSLEY:

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Okay. Thank you very much for that information. I'd like to roll call. Roll call, call the vote.

MS. ORTIZ:

Tabling?

D.P.O. HORSLEY:

The table goes first, yes. I'm sorry.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. KENNEDY:

Yes to table.

LEG. NOWICK:

Yes.

LEG. SPENCER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. GREGORY:

No.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Abstain.

LEG. CALARCO:

No.

LEG. ANKER:

No.

LEG. HAHN:

No.

LEG. MURATORE:

Yes to table.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

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No to table.

D.P.O. HORSLEY:

No.

P.O. LINDSAY:

No.

MS. ORTIZ:

Five. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Motion to approve.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

D.P.O. HORSLEY:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. CILMI:

No.

LEG. MONTANO:

To approve, yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

I'm sorry. Twelve.

D.P.O. HORSLEY:

Thank you very much. It's been approved.

MS. ORTIZ:

I'm sorry 13. (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thirteen. Thirteen, yes. All right. I'm on 1874, right, George?

MR. NOLAN:

Yup.

HUMAN SERVICES

D.P.O. HORSLEY:

Okay. Human Services: *1874 - To appoint member to the Teen Pregnancy Advisory Board, Jeannette Morales (Spencer)*. Legislator Spencer?

LEG. SPENCER:

Motion.

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

Second by Legislator D'Amaro. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

2087 - Appropriating funds in connection with the rewiring of Historic Buildings at Suffolk County Vanderbilt Museum (CP 7445) (Spencer).

Legislator Spencer?

LEG. SPENCER:

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Motion.

LEG. D'AMARO:
Second.

D.P.O. HORSLEY:
Second by Legislator D'Amaro. Same motion, same second. Are we good? All those in favor?

LEG. CILMI:
What was that? I'm sorry.

D.P.O. HORSLEY:
I'm sorry, 2087. Is this on the motion?

LEG. CILMI:
No. No to 2087.

D.P.O. HORSLEY:
Okay. I don't think we got the yeses yet, but --

LEG. CILMI:
I'm sorry.

D.P.O. HORSLEY:
Okay. All those favor? Opposed?

LEG. CILMI:
Opposed.

MS. ORTIZ:
Sixteen. (Vacant Seat: District #1)

D.P.O. HORSLEY:
So moved. Okay. 2087A is the corresponding bond resolution. On the -- I'll make the motion to call the bond.

P.O. LINDSAY:
Same motion, same second.

D.P.O. HORSLEY:
Same motion, same second.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. SPENCER:
Yes.

LEG. D'AMARO:
Yes.

LEG. STERN:
Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

No.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen. (Vacant Seat: District #1)

LEG. SPENCER:

Tom, would you cosponsor with me?

(*Laughter*)

D.P.O. HORSLEY:

Okay. Motion has been approved. *2094 - Reappoint member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, Alexander Glenn McKay. (Spencer).*

Legislator Spencer.

LEG. SPENCER:

Motion.

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

Motion to approve; seconded by Legislator D'Amaro. All those in favor? Opposed? So moved, it's been approved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1).

D.P.O. HORSLEY:

2143 - Amending the 2012 Capital Budget and Program and appropriating funds in connection with the Restoration of Smith Point County Park (CP 7162) (Co. Exec.). Do I have a motion?

LEG. BROWNING:

Motion.

LEG. NOWICK:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Browning, second by Legislator Nowick.

LEG. KENNEDY:

On the motion. Can we -- a little bit of an explanation? What are we doing with this? Is it boardwalks or sand restoration or what?

LEG. NOWICK:

County park.

D.P.O. HORSLEY:

Legislator Nowick, can you answer that?

LEG. KENNEDY:

This was post or -- pre-Sandy or post-Sandy?

D.P.O. HORSLEY:

Part of the Capital Program, yeah.

LEG. KENNEDY:

Okay. And it's nothing storm-related, this is just general routine upgrades and repairs?

LEG. NOWICK:

Storm is going to be FEMA.

LEG. KENNEDY:

Okay.

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D.P.O. HORSLEY:

Okay?

LEG. KENNEDY:

Yup.

D.P.O. HORSLEY:

All right. I have a motion to approve. All those favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Okay. On the corresponding bond resolution, roll call.

MR. NOLAN:

Same motion.

D.P.O. HORSLEY:

Same motion, same second.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. BROWNING:

Yes.

LEG. NOWICK:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

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LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you very much. *2144 - appropriating funds in connection with the Beach Replenishment at Meschutt County Park (CP 7163) (Co. Exec.).*

P.O. LINDSAY:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Lindsay. Seconded by Legislator Nowick?

LEG. NOWICK:

Yes.

D.P.O. HORSLEY:

All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Same motion, same second. Roll call on the corresponding bond issue.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

P.O. LINDSAY:

Yes.

LEG. NOWICK:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *2145 - Amending the 2012 Capital Budget and Program and appropriating funds in connection with the improvements to County golf courses - West Sayville, Indian*

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Island and Timber Point (CP 7166) (Co. Exec.). Legislator Nowick? I'm sorry. The golf courses, I just -- I thought of you.

LEG. NOWICK:

Anything for the golf courses.

D.P.O. HORSLEY:

There you go. Motion to approve.

P.O. LINDSAY:

Second.

D.P.O. HORSLEY:

Second by Legislator Lindsay. All those in favor? Opposed? So moved. Same motion, same second.

MS. ORTIZ:

Sixteen.

D.P.O. HORSLEY:

Roll call vote on the pending bond resolution.

MS. ORTIZ:

I'm sorry, Seventeen. (Vacant Seat: District #1)

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. NOWICK:

Yes.

P.O. LINDSAY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yeah.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *2146 - Appropriating funds in connection with Computerized Reservation System, POS, in County Parks (CP 7169)*. May I have a motion?

LEG. NOWICK:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Nowick.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Second by Legislator Cilmi. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Same motion, same second.

LEG. CILMI:

Cosponsor on that.

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D.P.O. HORSLEY:

Roll call vote on the pending bond resolution.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. NOWICK:

Yes.

LEG. CILMI:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

Yeah.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

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P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

All right. *2147 - Appropriating funds in connection with Equipment for Revenue Collection at Park Facilities (CP 7186) (Co. Exec.)*. Motion by Legislator Nowick.

LEG. NOWICK:

Yes.

D.P.O. HORSLEY:

Are you good? Seconded by?

LEG. KENNEDY:

Second.

D.P.O. HORSLEY:

Legislator Kennedy. All those in favor? Opposed? So moved. Same motion, same second.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Roll call vote on the pending bond resolution.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yeah.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *2148 - Appropriating funds in connection with energy savings and parks compliance Plan (CP 7188).*

LEG. NOWICK:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Nowick. Second by?

LEG. SCHNEIDERMAN:

Second.

D.P.O. HORSLEY:

Legislator Schneiderman. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Same motion, same second on the corresponding bond resolution. Roll call.

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*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. NOWICK:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yeah.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

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MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you. *2149 - Appropriating funds in connection with the removal of Toxic and Hazardous Materials in County Parks (CP 7185) (Co. Exec.)*. Legislator Nowick, you good?

LEG. NOWICK:

Sure. Motion.

D.P.O. HORSLEY:

Motion by Legislator Nowick, seconded by Legislator Hahn. All those in favor? Opposed? So moved.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second, the pending bond resolution. Roll call vote.

*(*Roll Called by Chief Deputy Clerk, Renee Ortiz*)*

LEG. NOWICK:

Yes.

LEG. HAHN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yeah.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen. (Vacant Seat: District #1)

P.O. LINDSAY:

That ought to be a record for the number of resolutions in Parks.

D.P.O. HORSLEY:

Exhausted me.

LEG. NOWICK:

Yeah, you know, all bonds.

D.P.O. HORSLEY:

Yeah, really.

PUBLIC SAFETY

2086 - Extending the Narcan Pilot Program. This is Public Safety, on Page 8, rather. **2086 - *Extending the Narcan Pilot Program to the entire police district (Spencer)***. I have it as Legislator Spencer.

LEG. SPENCER:

Motion.

D.P.O. HORSLEY:

Motion. Seconded by?

LEG. HAHN:

Second.

D.P.O. HORSLEY:

Legislator Hahn. All those --

LEG. CILMI:

I just had a question on this.

D.P.O. HORSLEY:

Oh, on the motion.

LEG. CILMI:

I fully support this program, but I do have a question about the fiscal impact of this. I saw something, I think it was the Budget Review's Fiscal Impact Statement that said that we were hoping to get reimbursement from the State, I believe, on this, but we weren't sure if that was coming. Could somebody just elaborate for me?

MS. VIZZINI:

Basically, this is a pilot demonstration project, and we will be issuing our report to New York State. I think that the issue is whether or not the State will be reimbursing something of this nature.

LEG. CILMI:

Yes, that's the issue. Do we know if -- so we literally don't know whether or not the State will be reimbursing?

MS. VIZZINI:

I don't think we know it yet.

LEG. CILMI:

So shouldn't there -- I mean, wouldn't there have to be an offset if they didn't reimburse us? How could we --

LEG. HAHN:

Is that Bob? Is that Bob Delagi in the back? Bob Delagi's in the back. Maybe he can comment about that.

LEG. KENNEDY:

Bob Delagi is here.

LEG. CILMI:

Okay, sure, if Bob has input.

LEG. HAHN:

Through the Chair.

D.P.O. HORSLEY:

Legislator Hahn.

LEG. CILMI:

No. Excuse me. What?

LEG. HAHN:

No. I'm saying we should invite him forward through the Chair.

D.P.O. HORSLEY:

Hello. How are you, Bob?

MR. DELAGI:

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Good afternoon. Thank you very much. Bob Delagi, the Acting Director of the Division of EMS for Suffolk County Department of Health Services. I'm the lead Coordinator for the program here in the County.

And as near as I can tell, as we sit today, as long as the program is still considered a pilot demonstration project, we will be reimbursed the Narcan and the atomizers for use until the pilot program is deemed concluded. So it is our hope that if this resolution passes today, we will continue to be able to fund at the State's expense the Narcan for this program until the report is issued at the end of January, at which time the Health Commissioner of the State of New York will have to make a determination as to its future.

LEG. CILMI:

So the pilot program doesn't have any parameters as far as the breadth of its use?

MR. DELAGI:

No, the pilot program does not. We are able to get as many people into the pilot program as is necessary to come to the conclusions we believe we will come to. We are the largest county that's in the program right now, and we were encouraged by the fact that when I saw the Introductory Resolution, I immediately requested an additional 250 doses of Narcan, and I am to believe that that is coming.

LEG. CILMI:

Okay. And why -- just why didn't we do this right from the start? Why didn't we go through the whole County Police District from the start? Is it just that we wanted to kind of see how it could be implemented and --

MR. DELAGI:

When the program first started, we had a finite amount of Narcan that we could distribute, and we were also not only dealing with the Police Department, but we were dealing with the entire volunteer EMS system, which is made up of 100 separate services. And in order to keep control over this with regard to the fact that it is a still a pilot demonstration and a study, we had to keep it, you know, tightly controlled.

LEG. CILMI:

And now we're sure that we can control it throughout?

MR. DELAGI:

We don't see any barriers to opening up to the rest of the Police Precincts, with the understanding, as everybody knows, you need to be a State certified EMT to deliver this medication. So we're still waiting for information from the Police Department to find out how many officers, how many sector cars and how many doses they're going to need.

LEG. CILMI:

Okay. So you're still waiting for that information?

MR. DELAGI:

Yes.

LEG. CILMI:

You said in the initial roll-out, we did the Police Precincts, as well as the volunteer services. Are we going to -- are we going to utilize the volunteer services throughout the Police District as well if this resolution passes or no?

MR. DELAGI:

At this juncture, I think we're kind of limited in the amount of medication that we could get. And I think everybody knows the police get to the scene sooner than the ambulances, in most cases. And in most of these communities, they're supported by an ambulance company that has advanced life support, where those providers can already give intramuscular or intravenous Narcan. So we're looking at the areas in need right now, and we want to distribute the medication to make it most effective.

LEG. CILMI:

Okay. So back to Budget Review, then. What happens if we do this and then don't get reimbursed, what would the cost be?

MS. VIZZINI:

We've already adopted the 2013 budget. The cost to front the money or pay for this, whether we do or don't get reimbursed, will come from prioritizing this over some other appropriations that are available.

LEG. CILMI:

Okay. I mean, in --

MS. VIZZINI:

I don't know what the cost to operate the program is. Maybe Bob has some projections. He's waiting for information from the Police Department.

MR. DELAGI:

I can tell you that the Narcan and the atomizer combined is about \$22 per dose. What I don't know is the cost associated with the Police Department's labor to train the workforce, and what I don't know are the amount of officers/sector cars that they would look to put this into. But based on the \$22 per dose, that is our cost, as I know it.

LEG. CILMI:

Well, how many doses would we expect to utilize, then?

MR. DELAGI:

Well, we started the program. We have -- currently have 335 doses spread throughout the County. And, again, looking at the resolution and trying to factor in the amount of police cars we have that are manned by EMTs, we're looking at another perhaps 250 doses that we're going to receive from the State Health Department. Also, something for your consideration is that this program, as a --

LEG. CILMI:

So what's that? It's only -- that's only a few thousand dollars, right?

MR. DELAGI:

Yeah. And again, and I don't know the police numbers, I just -- I can tell you the cost per unit.

LEG. CILMI:

Okay.

MR. DELAGI:

But it's also important to understand that as we look to expand this program, because it is sensible public policy, we do have to understand that right now, this is still a pilot demonstration project that's slated to end in January. And then there will be an administrative process that will take any number of days to months to weeks for the Health Commissioner to render a decision to change this

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to the scope of practice of a BLS provider, and then allow us to begin to -- or in our case to reinstate the program.

What is -- I'm sorry. What is also not unclear, and I think it's important to understand, is that when the program ends at the end of January, will they allow us to continue the program until the administrative process takes hold? That's an unknown to us.

LEG. CILMI:

And so, I mean, we've seen -- we've seen that this program is effective --

MR. DELAGI:

Absolutely.

LEG. CILMI:

-- in saving lives.

MR. DELAGI:

Absolutely.

LEG. CILMI:

So -- but the pilot ends in January. And then, at that point, it becomes our responsibility to pay for the program in continuance.

MR. DELAGI:

It would. It's my understanding that the New York State Department of Health, through the AIDS Institute, is funding the program because it is a pilot demonstration project. We have no assurances that will continue once it becomes accessible to all EMTs and all ambulances across the state.

LEG. CILMI:

So then -- so what happens, then, again, from a budgetary point of view? Would there have to be a resolution that comes to us with an offset to appropriate money to use for that purpose if we want to continue the program, Gail? I mean, it doesn't seem like it's a heck of a lot of money, so --

MS. VIZZINI:

It sounds like we're basically just paying for the medication.

LEG. CILMI:

Right.

MS. VIZZINI:

We have a lot of the fixed costs already. We've got our responders and we have our uniformed Police Officers. As I said earlier, it would be -- it will come from one place to cover the priority expense.

LEG. CILMI:

Bob, just one last question.

MR. DELAGI:

Yes, sir.

LEG. CILMI:

Do we have any data as to once we've saved -- how many lives have we saved so far? I think I read in the paper --

MR. DELAGI:

We're actually up to about 42, and it changes almost every day. So I think a safe number to use today is 42.

LEG. CILMI:

Okay. Do we go back, then, and look at those individuals and see what road they're on in terms of have they stopped using heroin or not?

MR. DELAGI:

That's an excellent point, and, right now, our ability to track these folks ends in the emergency department, where we find out if they've been admitted to the hospital or treated and released and discharged back home. We do not have a mechanism that will track them through the entire rehabilitation process.

LEG. CILMI:

Legislator Spencer, given your experience in the medical field, is there something that we can do there? I mean, if we're -- it seems to me, if we're saving somebody's life --

LEG. HAHN:

I have legislation that's in the Public Safety Committee to address that.

LEG. CILMI:

You do? To do?

LEG. HAHN:

To do like the next step, getting these people into therapy, hopefully. So we'll be addressing -- the Legislature will be addressing that in the next month.

LEG. CILMI:

Okay, okay. I'll look for that. Thank you. Thanks, Bob.

MR. DELAGI:

Thank you.

LEG. HAHN:

It's tabled in the Public Safety Committee.

D.P.O. HORSLEY:

Okay.

MR. DELAGI:

Thank you, ladies and gentlemen.

D.P.O. HORSLEY:

Well, thank you very much, Legislator Cilmi. I don't know if we -- Bob, if we have anymore questions yet. But Legislator Hahn, then Spencer.

LEG. HAHN:

I guess I was going to say as the prime sponsor, and I worked with Legislator Kennedy, and Legislator Nowick I know has worked on this over the years, and Greg Moran, and it's just this saves lives. And it was just said here, the 42, it's very inexpensive. It was an absolute no-brainer getting it going, and I think it's an absolute no-brainer to expand it. Every dose that's out there has the

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potential to save a life any single day of the year.

We have such an epidemic going on. We need to stop the deaths, and then the next step we're working on, but we need to get these people help. And then beyond that, we need to prevent people from even using these drugs. But this is a crisis in our communities. And we have to get the tools into the hands of our first responders, and we're doing that, and this just gets it into the community where it's not. Right now, it's only three Precincts, Four, Six, Seven, and I want it in One, Two, Three and Five. Did I say that right? Yes. So we want it everywhere. We want -- it's got to be there and it's saving lives, and it's -- it's a no-brainer.

So I thank you, Legislator Spencer, for, you know, working with me to get this expanded, and thank you very much. And that's all I wanted to say.

D.P.O. HORSLEY:

And thank you, Legislator Hahn, and good job. Legislator Spencer.

LEG. SPENCER:

Thank you. No, I want to thank you, Legislator Hahn. I mean, you really had had the vision and you brought this forward. And the reason -- and I appreciate her letting me cosponsor this with her. She had the vision to put this forth.

And I a lot of times will do something called clinical trials, and I mentioned this in committee, and in a clinical trial, you try to see if something is effective. And occasionally, when you see something that is so effective either one way or the other, you see that either the trial is hurting someone, or you see the trial is helping, that you literally have to stop the trial and provide that immediately.

And there's a couple of thoughts. At first, the cost that I see, I do -- and I plan to do this, to reach out to the pharmaceutical company, whereas a lot times there are samples that are available, especially for situations like this, where that could also help to defray the cost. But when you look at the fact that every time one of these is used, a life is saved. We're saving lives for \$22 a life. I mean, wow, it's unbelievable.

So this is why I ran to become a Legislator, for opportunities such as this. I'm excited about it. And, you know, I think Kara Hahn may have just been on one of the most significant pieces of legislation this year. So thank you. And I encourage my colleagues to pass this right away and let's save more lives.

D.P.O. HORSLEY:

And nice job to you, Dr. Spencer. Legislator Kennedy. Let's get a move on.

LEG. KENNEDY:

Yeah. This resolution is an excellent resolution. I appreciate you bringing it forward, and I guess having the foresight, being a physician, to have some of the dialogue to secure and procure the additional amount of medical supply. I think it also points out something that many of us have known and we've continued to promote, that having our Police Officers as trained current EMTs is a critical aspect of this whole intervention process, because, as Mr. Delagi had pointed out, invariably, a Police Officer, a Suffolk County police officer is always the first one on the scene, and to able to integrate this Narcan training with the balance of their EMT training, and to keep it current, is a direct life-save. I just need to know how I can get Nesconset Fire Department in, that's all.

*(*Laughter*)*

D.P.O. HORSLEY:

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Thank you very much, Legislator Kennedy. Okay. I have a motion to approve and second, right? We're good? All those in favor? Opposed? So moved.

LEG. NOWICK:

Renee, cosponsor.

MR. LAUBE:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Okay, very good. *2150 - Accepting and appropriating a grant providing 75% support, in the amount of \$400,219, from the United States Department of Homeland Security, and amending the 2012 Capital Budget and Program in connection with the purchase of marine and helicopter equipment (CP 3513) (Co. Exec.).*

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Calarco. I'll make the second on the motion. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Same motion, same second on the corresponding bond resolution. Roll call.

(Roll Called by Mr. Laube, Clerk of the Legislature)

LEG. CALARCO:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen. (Vacant Seat: District #1)

D.P.O. HORSLEY:

Thank you very much.

PUBLIC WORKS AND TRANSPORTATION

Public Works and Transportation. *2017 - Directing the Department of Public Works to study establishing concessionaires at certain County facilities (Cilmi).* Legislator Cilmi?

LEG. CILMI:

Motion to approve.

D.P.O. HORSLEY:

Is there a second on the motion?

LEG. MURATORE:

Second.

D.P.O. HORSLEY:

Seconded by Legislator Muratore. On the motion? Everyone good? Oh, Legislator Lindsay.

P.O. LINDSAY:

Yeah. What does this actually do? Maybe to the sponsor.

LEG. CILMI:

Sure. It just asks our Department of Public Works to look at all of our buildings and determine whether or not any of them are appropriate for an RFP to have a concessionaire in that building.

*(*The following testimony was taken & transcribed by
Alison Mahoney - Court Reporter*)*

LEG. CILMI:

Commissioner Anderson had said at committee that they had done this a couple of -- a few years ago and there really wasn't too much interest, but now that we have the Traffic Violations Bureau coming in to the Dennison Building, that there might be some additional interest there. So if they determine that that's a possibility, they'll issue an RFP and, you know, somebody might pay us to set up a concession, a food concession in the building.

P.O. LINDSAY:

You don't have to come up.

COMMISSIONER ANDERSON:

Yes.

P.O. LINDSAY:

Okay. So maybe he can set up a bar.

D.P.O. HORSLEY:

Yes (*laughter*).

LEG. CILMI:

As long as there are no drinking games. No beer pong.

D.P.O. HORSLEY:

No beer pong, right. Okay. We have a motion to approve. All those in favor? Opposed? So moved, it's been approved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Okay, *2029-12 - Appropriating funds in connection with Public Works Buildings Operation and Maintenance Equipment (CP 1806) (County Executive)*.

LEG. MURATORE:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Muratore. Seconded by?

LEG. SCHNEIDERMAN:

Second.

D.P.O. HORSLEY:

By Legislator Schneiderman. Everyone good? All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution *(2029A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$130,000 bonds to finance the cost of acquisition of buildings operation and maintenance equipment for the Department of Public Works (CP 1806.514))*. Roll call.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. MURATORE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2068-12 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with Deer Park LLC (BA-1633)(County Executive). Legislator D'Amaro, are you interested in this one? I'll make the motion, then. Second by Legislator D'Amaro. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

2069-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 5 - Strathmore Huntington (sewer system) (CP 8115)(County Executive). Who's is this one? Anyone in particular? You guys good? I'll make the motion. Legislator Spencer, you want to make the second on the motion?

LEG. SPENCER:

Absolutely.

D.P.O. HORSLEY:

There you go. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution **(2069A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,750,000 bonds to finance the cost of improvements to Suffolk County Sewer District No. 5 - Strathmore Huntington (Sewer System)(CP 8115.314).** Roll call.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2070-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the

improvements to Suffolk County Sewer District No. 11 – Selden (CP 8117) (County Executive).

LEG. MURATORE:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Muratore. Seconded by Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Okay. All those in favor? Opposed? So moved. Same motion, same second --

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you. Same motion, same second on the corresponding Bond Resolution *(2070A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 bonds to finance the cost of improvements to Suffolk County Sewer District No. 11 - Selden (CP 8117.313))*. Roll call.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. MURATORE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2071-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 7 – Medford (Woodside) (CP 8119)(County Executive).

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Calarco. I'll make the second on the motion.
All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(2071A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$2,000,000 bonds to finance the cost of improvements to Suffolk County Sewer District No. 7 - Medford (Woodside) Plant Upgrade (CP 8119.316).*** Roll call.

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*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. CALARCO:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Okay. Thank you very much.

2072-12 - Amending the 2012 Capital Budget and Program and appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 21 - SUNY (Phase 2A)(CP 8121) (County Executive).

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

Legislator Calarco makes the motion. Yes, on the motion.

COMMISSIONER ANDERSON:

If I may.

D.P.O. HORSLEY:

Well, let me get a second on the motion.

MR. NOLAN:

He might want to --

D.P.O. HORSLEY:

Do you have second thoughts on this?

COMMISSIONER ANDERSON:

I'm actually here to ask if it can be tabled one cycle. It's a procedural thing. We made some revisions, it's in its final form, but there's a time period that needs to be observed.

D.P.O. HORSLEY:

Okay. Legislator, since I didn't say there was a second on the approval, I got a motion to table --

LEG. CALARCO:

Motion to table.

D.P.O. HORSLEY:

-- from Legislator Calarco. I'll second the motion. All those in favor? Opposed? So moved, it has been tabled.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

2073-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the increase, improvement and extension to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126)(County Executive).

LEG. KENNEDY:

Motion.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

Motion by Legislator Kennedy. Second by Legislator Cilmi.
All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second, roll call vote on the corresponding Bond Resolution *(2073A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$6,700,000 bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126.311)).*

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. KENNEDY:

Yes.

LEG. CILMI:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2074-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 14 - Parkland (Sludge Thickening) (CP 8128)(County Executive).

P.O. LINDSAY:

Motion.

D.P.O. HORSLEY:

Legislator Lindsay makes the motion. I'll second the motion.

All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(2074A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,000,000 bonds to finance the cost of improvements to Suffolk County Sewer District No. 14 - Parkland (Sludge Thickening).***

(CP 8128.310). Roll call.

(*Roll Called by Mr. Laube - Clerk of the Legislature*)

P.O. LINDSAY:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Okay? Thank you.

2075-12 - Amending the 2012 Capital Budget and Program and appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk

County Sewer District No. 20 - William Floyd (Leisure Village) (CP 8148) (County Executive).

LEG. ANKER:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Anker. I'll make the second on the motion.
All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution *(2075A, Amending the 2012 Capital Budget and Program and appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 20 - William Floyd (Leisure Village) (CP 8148)*. Roll call.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. ANKER:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2076-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 23 - Coventry Manor (CP 8149) (County Executive).

LEG. ANKER:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Anker. I'll make the second on the motion.

All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(2076A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$750,000 bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 23 - Coventry Manor (CP 8149.312).*** Roll call.

(*Roll Called by Mr. Laube - Clerk of the Legislature*)

LEG. ANKER:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2077-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 7 - Medford (CP 8150) (County Executive).

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

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Motion by Legislator Calarco.

LEG. ANKER:

Second.

D.P.O. HORSLEY:

Second by Legislator Anker. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you. Same motion, same second on the corresponding Bond issue *(2077A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 7 - Medford (CP 8150.316))*. Roll call vote.

*(*Roll Called by Mr. Laube - Clerk of the Legislature*)*

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Okay.

2078-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 - Southwest (infrastructure improvements) (CP 8170) (County Executive). I'll make the motion. Seconded by Legislator Muratore. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(2078A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$20,000,000 bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 3 - Southwest (CP 8170.320).*** Roll call vote.

(*Roll Called by Mr. Laube - Clerk of the Legislature*)

D.P.O. HORSLEY:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you very much.

2079-12 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 10 - Stony Brook (CP 8175) (County Executive). Legislator Hahn?

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LEG. HAHN:

Yeah, I'll make a motion to approve. And I just want to ask Gil one question.

D.P.O. HORSLEY:

Sure. Why don't we get -- I'll make the second on the motion. Gil?

LEG. HAHN:

Can you just confirm for me that these improvements will help to improve the quality of the water that is discharged into the Port Jefferson Harbor and don't involve leaching into the local neighborhood?

COMMISSIONER ANDERSON:

Correct.

LEG. HAHN:

Thank you.

D.P.O. HORSLEY:

I'm glad that's an affirmative *(laughter)*.

Okay. Same motion, same second on the corresponding --

MR. NOLAN:

Call the vote on 2079.

D.P.O. HORSLEY:

Yeah, just -- that's what I just did. Okay. On the corresponding -- I'm even moving too fast for you, George. On the corresponding Bond Resolution ***(2079A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 10 - Stony Brook (CP 8175.313)***, same motion, same second. Roll call vote.

MR. LAUBE:

Seventeen on the other one, and I didn't get the second. All right, 17 on 2079.

P.O. LINDSAY:

2079 we did already.

MR. LAUBE:

I didn't call the vote, though. So now the Bond.

(*Roll Called by Mr. Laube - Clerk of the Legislature*)

LEG. HAHN:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2082-12 - Extending authorization for improvements to Suffolk Avenue (CR 100) (Montano). Mr. Montano?

LEG. MONTANO:

Motion.

D.P.O. HORSLEY:

Motion. Seconded by Legislator Schneiderman.

LEG. CILMI:

On the motion.

D.P.O. HORSLEY:

On the motion.

LEG. CILMI:

Could the sponsor just explain what this is? I understand the Town of Islip was supposed to get a couple of hundred thousand dollars for a project. What's -- either to the sponsor or to Counsel.

LEG. MONTANO:

All right. I'm going to probably punt over to Counsel, but from what I --

D.P.O. HORSLEY:

We also have the Commissioner here, too, as well.

LEG. MONTANO:

Yeah, I know. Here's the deal. We had appropriated -- Gil, you want to come up, just in case I get this wrong? We had appropriated a while back \$200,000 for improvements to the Town of Islip. They did the work. For some reason, there was a delay in transferring the paperwork over to the County and we technically ran out of time to reimburse them for what they did. So what this does is correct the -- this reinstates and allows us to pay for work that was done and appropriated for through the County which they essentially advanced; am I correct?

COMMISSIONER ANDERSON:

Correct. Yeah, this just extends the time period for the contract so that we can make the payment back to the Town of Islip. They did the --

LEG. MONTANO:

And the work was done.

COMMISSIONER ANDERSON:

The work was completed.

LEG. MONTANO:

The work was completed.

LEG. CILMI:

And what was the work that the town -- so the town was doing work?

LEG. MONTANO:

Yeah.

COMMISSIONER ANDERSON:

Yeah, I believe it's sidewalk work. I have to check.

LEG. CILMI:

Which is -- is that typical for the town to do side work -- sidewalk work on County roads?

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LEG. MONTANO:

Yes, because they were doing -- if I may. They were doing improvements simultaneous, so it made no sense for us to do the work while they were in the process of -- am I correct, Gil, on this?

MR. NOLAN:

We had an inter-municipal agreement.

LEG. MONTANO:

Yeah. In fact, Tom, that's true, Counsel just reminds me. We had an inter-municipal agreement --

COMMISSIONER ANDERSON:

Uh-huh.

LEG. MONTANO:

-- so that we can allocate how the work was done. They did it through their contractor so that we wouldn't be over stepping. You don't want -- you know, how many guys you need to change a light bulb?

LEG. CILMI:

Right. Right, we don't want County guys and town guys tripping over each other.

LEG. MONTANO:

Exactly. So they did the work. And, you know, I can't explain why the paperwork was delayed --

LEG. CILMI:

Yeah, I don't --

LEG. MONTANO:

-- but it happens.

LEG. CILMI:

Sure.

LEG. MONTANO:

And we didn't want to penalize them. And I spoke to a Supervisor and he asked me, he said, "Look, you know, we paid our people. We have a deficit. This was work that legitimately was done that the County authorized many years ago." I think it's a five-year period, right, Gil?

COMMISSIONER ANDERSON:

Correct.

LEG. MONTANO:

Yeah, this goes back five years, Tom.

LEG. CILMI:

Okay. Good.

D.P.O. HORSLEY:

Okay?

P.O. LINDSAY:

I think that was an electrician's joke.

LEG. MONTANO:

What was that? I'm sorry, Bill.

P.O. LINDSAY:

How many electricians does it take to change a light bulb.

LEG. MONTANO:

(Laughter). In this case, \$200,000 worth.

P.O. LINDSAY:

I would say half a dozen.

D.P.O. HORSLEY:

There you go. On that note, we have a motion to approve and second, right?

MR. LAUBE:

That's correct.

D.P.O. HORSLEY:

All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

2140-12 - Amending the 2012 Capital Budget and Program and appropriating funds in connection with Strengthening and Improving County Roads (CP 5014). Do I have a motion on this?

LEG. MURATORE:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Muratore. Second by Legislator Schneiderman.
All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(2140A, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$400,000 bonds to finance the cost of strengthening and improving County roads (CP 5014.353)***. Roll call.

(*Roll Called by Mr. Laube - Clerk of the Legislature*)

LEG. MURATORE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. GREGORY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MONTANO:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes. Hang.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Okay.

2152-12 - Approving the Vector Control Plan of the Department of Public Works Division

of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter (Spencer).

Do I have a motion?

LEG. SPENCER:

Motion to table.

D.P.O. HORSLEY:

Motion table by Legislator Spencer. Is there a second on the tabling motion?

LEG. HAHN:

Second.

D.P.O. HORSLEY:

Second by Legislator Hahn.

LEG. SPENCER:

On the motion?

D.P.O. HORSLEY:

On the motion, Legislator Spencer.

LEG. SPENCER:

Actually, there were some questions just with regards to the Vector Control plan, especially with the changing West Nile information and just really the long-term goals. And they're going to come before the Health Committee the next cycle and then I think we'll be in a position to pass this.

D.P.O. HORSLEY:

Terrific. Okay, I have a motion to table. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

D.P.O. HORSLEY:

Thank you.

2153-12 - Authorizing the County Executive to execute an Inter-municipal Agreement with the Village of Southampton transferring maintenance responsibilities for sidewalks along CR 39, North Road that lie within the limits of the Village (County Executive).

Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Motion to table.

D.P.O. HORSLEY:

Do I need a motion?

COMMISSIONER ANDERSON:

Yeah, I would ask that this be tabled. We're waiting for the Village to basically submit their paperwork and their part of this agreement before we move forward with this. Thank you.

D.P.O. HORSLEY:

Very good. Legislator Schneiderman makes the motion to table.

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Second by Legislator Muratore. All those in favor? Opposed?
So moved, it has been tabled.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

Okay. I'm going to take over Ways & Means:

It's twenty after four, let's see how fast we can finish this.

Okay, *2005-12 - Adopting Local Law No. -2012, A Charter Law making certain technical changes to Legislative Reapportionment Plan (Gregory).*

LEG. GREGORY:

Motion.

P.O. LINDSAY:

Legislator Gregory makes a motion. Second by Legislator Stern.

LEG. MONTANO:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Montano.

LEG. MONTANO:

Yeah, just a quick question. There's a lawsuit pending on the redistricting. What does this do to the lawsuit; does this resolve all the issues in the lawsuit, some of the issues? What effect does it have on that? I'll direct it to Counsel.

MR. NOLAN:

In my opinion, if this resolution is passed, it addresses the issue of the lawsuit, that they essentially focused on one district, the 90th District in Babylon being moved out of a certain Legislative District. This moves it back. So I think it would make the lawsuit moot, I would think, ultimately, and lead to the resolution of the lawsuit.

LEG. MONTANO:

So -- and I haven't read the papers, but -- so the lawsuit was limited to just one ED or did it allege issues across the board?

MR. NOLAN:

It was very specific --

LEG. MONTANO:

Okay.

MR. NOLAN:

-- to one Election District.

LEG. MONTANO:

All right.

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P.O. LINDSAY:

Okay. Any other questions? No? We have a motion and a second.
All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

It's approved.

2110-12 - Approving payment to General Code Publishers for Administrative Code pages (Presiding Officer Lindsay).

I'll make a motion.

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second by Legislator Montano. On the question? Seeing none, all in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2116-12 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Southampton (SCTM No. 0900-118.01-01.00-020.001) (County Executive).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2117-12 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Southampton (SCTM No. 0900-315.00-02.00-007.001) (County Executive). How about if we do same motion, same second, same vote, all right?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2126-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 William H. Dalton and Theresa A. Dalton, his wife and John M. Destefano and Virginia A. Destefano,

his wife (SCTM No. 0200-712.00-03.00-003.000) (County Executive). Do I have a motion?

LEG. MURATORE:

Motion.

P.O. LINDSAY:

Motion by Legislator Muratore. Seconded by Legislator Cilmi.
All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2127-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 and one, LLC (SCTM NO. 0200-167.00-04.00-034.000) (County Executive).

LEG. ANKER:

Motion.

P.O. LINDSAY:

How about we do same motion, same second, same vote.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2128-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Monika Zasada (SCTM No. 0903-004.00-02.00-066.000) (County Executive). Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2133-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Myron A. Hauptman and Ralph Delea, Trustees (SCTM No. 0200-167.00-04.00-036.000) (County Executive). Same motion, same second, same vote.

LEG. CALARCO:

On the motion?

P.O. LINDSAY:

On the motion.

LEG. CALARCO:

This resolution, IR 2133 and the next one, 2134, are both selling property to the DeLea Sod Farm, which I'm all for improving and increasing our farming in Suffolk County. But I do have a question about whether or not the person -- this entity will be able to turn around and ask us to buy their Farmland Development Rights. I think in total it's about 1.2 acres, and given what those development rights go for, it's a whole lot more than the twenty-five hundred we're selling this property for.

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P.O. LINDSAY:

Okay, that's a legitimate question. Do you have the answer to that question, Tom?

MR. VAUGHN:

Actually, Mr. Presiding Officer, we would be happy to table this and the next one in the interest of moving this along and we will get the answers and provide them to the Legislature prior to the next meeting.

P.O. LINDSAY:

Well, I would suggest that maybe some kind of covenant be added to the sale.

MR. VAUGHN:

We were actually just discussing that in the back, sir.

P.O. LINDSAY:

Okay, that's good. Good.

LEG. CALARCO:

I'll make a motion to table.

P.O. LINDSAY:

Okay. Motion to table. I'll second it.

MR. LAUBE:

Who was the motion?

P.O. LINDSAY:

Calarco.

MR. NOLAN:

To table.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

All right, 2133.

2134-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Myron A. Hauptman and Ralph Delea, Trustees (SCTM No. 0200-167.00-04.00-037.000) (County Executive). Same motion, same second, same vote.

MR. LAUBE:

Wait, for that to be tabled?

P.O. LINDSAY:

Yes.

MR. LAUBE:

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All right. Thank you. Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2135-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976, Joseph Frederick Gazza (SCTM No. 0900-064.00-01.00-146.000) (County Executive). Do I have a motion?

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Motion by Legislator D'Amaro. And I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2136-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jean B. Yvon Cantave and Marie Stephanie Cantave (SCTM No. 0400-160.00-01.00-088.000) (County Executive). How about same motion, same second, same vote.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2137-12 - Sale of County-owned real estate pursuant to Local Law No. 13-1976, Cynthia Noia (SCTM No. 0200-841.00-08.00-031.000) (County Executive). Do I have motion?

LEG. D'AMARO:

Same motion.

D.P.O. HORSLEY:

Motion.

P.O. LINDSAY:

Motion by Legislator Horsley. I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2155-12 - Accepting the donation of certain lands now owned by Paul and Sandra Graf and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for tidal wetlands protection purposes - Moriches Bay County Park addition (BR 68) (SCTM No. 0200-917.00-03.00-012.000) (County Executive).

LEG. SCHNEIDERMAN:

Motion.

LEG. HAHN:

(Raised hand).

P.O. LINDSAY:

Motion by Legislator Schneiderman. Seconded by Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2156-12 - Accepting the donation of certain lands now owned by Joseph Gazza and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for Pine Barrens Core Protection purposes – Dwarf Pine Plains County Nature Preserve addition (SH03) (SCTM. Nos. 0900-308.00-02.00-009.000 and 0900-332.00-03.00-011.000) (County Executive).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman. Do I have a second? Second by Legislator Hahn. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2157-12 - Accepting the donation of certain lands now owned by Franklin Faye and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for Pine Barrens Core Protection purposes – Warbler Woods County Park addition (BR40) (SCTM Nos. 0200-529.00-04.00-004.000 and 0200-529.00-04.00-035.000) (County Executive).

LEG. SCHNEIDERMAN:

Cosponsor Tim.

P.O. LINDSAY:

Same motion, same second, same vote okay with everybody?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2158-12 - Accepting the donation of certain lands now owned by Patricia Doran and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for Pine Barrens Core Protection purposes – Warbler Woods County Park addition (BR40) (SCTM Nos. 0200-529.00-04.00-013.000 and 0200-529.00-04.00-027.000) (County Executive). Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2159-12 - Accepting the donation of certain lands now owned by Alan and Florence Wilson and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for Pine Barrens Core Protection purposes – Hampton Hills County Nature Preserve addition (SH05) (SCTM No. 0900-215.02-01.00-060.000) (County Executive).

Motion by Legislator Schneiderman.

LEG. MURATORE:

Second.

P.O. LINDSAY:

Second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

LEG. SCHNEIDERMAN:

Cosponsor, please.

P.O. LINDSAY:

2160-12 - Accepting the donation of certain lands now owned by Manoutchere Baravarian and transferring such lands to the Suffolk County Department of Parks, Recreation and Conservation for Open Space Preservation purposes – VA Veterans County Park addition (HU16) (SCTM No. 0400-053.00-02.00-030.000 p/o) (County Executive). Do I have a

motion?

LEG. STERN:

Motion.

P.O. LINDSAY:

Motion by Legislator Stern.

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2161-12 - Calling for a public hearing for the consent to the acquisition of additional land at Sea Breeze Avenue, Town of Southampton, County of Suffolk, State of New York, by the Westhampton Cemetery Association for cemetery expansion purposes (Schneiderman).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

LEG. MONTANO:

Second.

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P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

Okay. That completes that part of it.

LEG. SPENCER:

Excuse me, Mr. Presiding Officer?

P.O. LINDSAY:

Yes.

LEG. SPENCER:

I apologize. Could I just ask a quick question to BRO that'll just take ten seconds?

P.O. LINDSAY:

Go ahead.

LEG. SPENCER:

Just for purposes with regards to a lot of the legislation we passed. We did a lot of bonding. Could you give me a sense of how much money we spent and how is that in relationship to the amount of money that has been retired? I mean, that we -- where are we with our debt; Can you give me a ball park idea?

MR. LIPP:

Okay. We authorized 39.4 million today in borrowing; most of that was for sewers, though. In terms of retiring debt, we're probably moving in the wrong direction, only in the sense that there's a lot of debt that's off of the books because of tobacco bonds that will be coming on the books then in the next two years. So we're increasing.

LEG. SPENCER:

Thank you.

P.O. LINDSAY:

You want to question Budget Review?

MR. NOLAN:

(Inaudible).

P.O. LINDSAY:

Okay, let's go to manilla folder. It's the [2013 Suffolk County Tax Warrant](#). We're going to start with [2200-12 - Levying unpaid water rents \(Presiding Officer Lindsay\)](#). Do I have a motion?

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Motion by Legislator D'Amaro. I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2201-12 - Implementing Budget, Staff and Taxes for the year 2013 (Discretionary) (Presiding Officer Lindsay).

Same motion, same second. Same vote?

LEG. MURATORE:

No, I'm opposed.

P.O. LINDSAY:

You're voting in the negative, Legislator Muratore?

LEG. MURATORE:

Yes.

P.O. LINDSAY:

Okay.

MR. LAUBE:

Sixteen (Opposed: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

2202-12 - Implementing Budget, Staff, and Taxes for the year 2013 (Mandated) (Presiding Officer Lindsay). I'll make a motion. Second by Legislator Gregory. All in favor? Opposed? Abstentions?

LEG. MURATORE:

Opposed.

MR. LAUBE:

Sixteen (Opposed: Legislator Muratore - Vacant Seat: District #1).

P.O. LINDSAY:

2203-12 - Authorizing that the tax warrants be signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes (Presiding Officer Lindsay). I'll make a motion.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

We skipped over the one and I'm waiting at the Counsel's request. In the interest of time, I'll keep going and we'll come back to it.

George, 2199, how are we? *(2199-12 - Authorizing a Chargeback for Out-of-County Tuition (Presiding Officer Lindsay))*

MR. NOLAN:

We already authorized the chargeback earlier this year.

P.O. LINDSAY:

Okay.

MR. NOLAN:

So I would just table that one for the time being.

P.O. LINDSAY:

Okay. Okay, I'll make a motion to table 2199. Do I have a second?

LEG. MONTANO:

I'll second it.

P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

Will that come up at the next meeting?

MR. NOLAN:

It will probably be withdrawn. We already did it earlier this year.

P.O. LINDSAY:

Okay. We'll go to the red folder, CN's:

2204-12 - Amending Resolution No. 748-2012, establishing a new policy requiring health insurance contributions by exempt employees (Presiding Officer Lindsay).

LEG. D'AMARO:

Motion.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Legislator D'Amaro made a motion. I'll second it. On the question, no? All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2216-12 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2012 Adopted Mandated Budget (County Executive).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

I'll make a motion.

LEG. MURATORE:

Second.

P.O. LINDSAY:

Second by Legislator Muratore. All in --

LEG. MONTANO:

If I may?

P.O. LINDSAY:

Sure.

LEG. MONTANO:

Just a quick explanation, Counsel; what are we doing here?

MS. VIZZINI:

The next three --

LEG. MONTANO:

I'm sorry, Gail. Go ahead.

MS. VIZZINI:

The next three housekeeping resolutions before you are mandated to mandated, discretionary to discretionary and discretionary to mandated. These identify surplus appropriations in the budget that need to be moved so that we can pay for such things as debt service, storm mitigation, Public Safety response, etcetera. We're moving from Peter to pay Paul, as we typically do at the end of the year.

LEG. MONTANO:

Right, okay. I got you. They're all in -- this is to conform with the budget, right?

MS. VIZZINI:

This is to close out 2012 and making appropriations available where they are needed from -- we're taking from areas where there may be surplus appropriations to cover expenses that we need to pay, bills we need to pay. For example, on this one, 18-B is still short \$500,000. There is a surplus in Social Services' Safety Net, so we're taking from non-mandated expenditure to cover the costs in another.

LEG. MONTANO:

The other one, okay. Thank you.

P.O. LINDSAY:

Okay. So we're at 2217. Do I have a motion? Do we have a motion on 2217?

MR. LAUBE:

2216, I didn't call the vote yet on that.

P.O. LINDSAY:

Oh, okay.

MR. LAUBE:

You have a motion and a second.

P.O. LINDSAY:

On 2216?

MR. LAUBE:

Correct.

P.O. LINDSAY:

I had it approved already. But motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2217-12 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2012 Adopted Discretionary Budget (County Executive). I'll make the motion. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2218-12 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2012 Adopted Mandated Budget from the 2012 Adopted Discretionary Budget (County Executive).

LEG. MONTANO:

Motion.

P.O. LINDSAY:

Motion by Legislator Montano. I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

2225-12 - Waiving Suffolk County residency requirements (Megan Ockovic) (Barraga).

LEG. BARRAGA:

Motion.

P.O. LINDSAY:

Motion by Legislator Barraga.

LEG. MONTANO:

Second.

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P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

Okay. Late Starters, yellow folder.

I'm just going to read the number and the committee assignment. 22 -- oh, waive the rules and place the following Late Starters on the table:
2205 to Ways & Means; 2206 to Health; 2207 to Public Works; 2208 to Budget & Finance; 2209 to EPA; 2210 to EPA; 2211 to EPA; 2212 to EPA; 2213 to Public Safety; 2214 to Public Safety; 2215 to Budget & Finance; 2219 to Health; 2220 to Parks; 2221 to Parks; 2222 to Parks; 2223 to Parks; 2224 to Government Operations; 2226 to Public Safety. Okay, I need a second on that.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Vacant Seat: District #1).

P.O. LINDSAY:

And before we adjourn, one last piece of business. It saddens me that today's meeting will be the last meeting for our beloved Budget Director who is leaving us, without much regrets by all of us. Gail, it's been an absolute pleasure to work with you all these years.

MS. VIZZINI:

Thank you, sir.

P.O. LINDSAY:

And we wish you all -- nothing but the best as you move forward with your career.

MS. VIZZINI:

Thank you. It has been an honor to serve you.

P.O. LINDSAY:

Okay. And before you get emotional.

Applause & Standing Ovation

I would not agree to Gail leaving unless she agreed to come back and be with us on the 18th, and she is to compose some songs.

(*Laughter*)

LEG. NOWICK:

About herself.

P.O. LINDSAY:

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So we will have her back on the 18th.

D.P.O. HORSLEY:

She's so fine.

MS. VIZZINI:

Thank you. I will not be far away and I will miss all of you.

Thank you so much.

P.O. LINDSAY:

Thank you very much.

Applause & Standing Ovation

P.O. LINDSAY:

We stand adjourned.

*(*The meeting was adjourned at 4:44 PM*)*

{ } - Denotes Spelled Phonetically