

General Meeting - February 5, 2013

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**SECOND DAY**

*February 5, 2013*

*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**

*Taken By*

*Lucia Braaten & Alison Mahoney - Court Reporters*

*Kim Castiglione – Legislative Secretary*

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*(The following testimony was taken by Lucia Braaten, Court Reporter  
& was transcribed by Kim Castiglione, Legislative Secretary)*

*(\*The meeting was called to order at 9:32 a.m. \*)*

**D.P.O. HORSLEY:**

Mr. Clerk, would you please call the roll?

**MR. LAUBE:**

Will do.

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

**LEG. KRUPSKI:**

Present.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

Here.

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Here.

**LEG. MONTANO:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

(Not Present)

**LEG. NOWICK:**

Here.

**LEG. GREGORY:**

Here.

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**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

Here.

**D.P.O. HORSLEY:**

Here.

**P.O. LINDSAY:**

(Not Present)

**MR. LAUBE:**

Sixteen.

**LEG. KENNEDY:**

Good morning, Mr. Clerk. How are you?

**MR. LAUBE:**

Seventeen (Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Okay. Good morning, everybody, and welcome to the General Meeting of February 5th, 2013. What we'd like to do to start our meeting today is, of course as we always do, salute the flag, led by Legislator Ricardo Montano.

**(\*Salutation\*)**

I'd like to -- the opening prayer will be given by Father Christopher Nowak from St. John of God Roman Catholic Church in Central Islip, guest of Legislator Ricardo Montano. Legislator?

**LEG. MONTANO:**

Can I use this mic? No way. Good morning, everyone. It's my honor today to welcome Father Christopher Nowak from St. John of God Roman Catholic Church in Central Islip. Father, welcome you here to the Suffolk County Legislature.

Like myself, Father Nowak was born in the Bronx and he grew up in Hicksville, Long Island. He attended Catholic grade school, Holy Trinity High School, and graduated from St. John's University with a BA in psychology. Father Nowak entered formation to become a priest in 1990 and was ordained in 1997. Father Nowak served as a seminarian in Peru for his pastoral year. And in case you can see and notice my tan, I just got back from two weeks in Peru. It's a beautiful country. He graduated from Washington Theological Union in Washington, D.C.

Father Nowak has always seen his vocation connected to working with the economically poor and in a bilingual setting. His first assignment in the Diocese of Rockville Centre was as Associate Pastor at St. John of God, Central Islip. Father, that's also the junior high school my daughter graduated from, so we have some connections here. Father Nowak also served at St. Hugh of Lincoln in Huntington Station. The mission parish in El Cercado, Dominican Republic, and now again as pastor of Saint John of God parish. Please welcome Father Chris.

*(\*Applause\*)*

**FATHER NOWAK:**

Thank you, and good morning. Let us bow our heads as we pray. Dear wise and loving God, first, let me say thank you on behalf of all who are gathered here today. Thank you for your many and abundant blessings. Thank you for life itself, for the measure of health that we need to fulfill our callings, and for your friendship. Thank you for the ability to be involved in useful work and for the honor of bearing our responsibilities. Thanks as well for the freedom to embrace you or the freedom to reject you. Thank you for loving us from your boundless and gracious nature.

We pray for our Suffolk County Legislature today. I'm asking that you would graciously grant them wisdom to govern amid conflicting interests and issues of our times. Grant them a sense of welfare and the true needs of our people. Grant them a keen thirst for justice and righteousness. Grant them confidence in what is good and fitting. Grant them the ability to work together in harmony, even when there is honest disagreement. Grant them personal peace in their lives and joy in their task. It is in your most blessed name that we pray. Amen.

*(\* "Amen" Said in Unison \*)*

**D.P.O. HORSLEY:**

Thank you very much, Father Chris, and thank you, Legislator Montano. In memory of -- I'd like to just take a moment of silence in memory of John Richberg, father of Legislator Aide Jason Richberg, who passed away this week. And, of course, as always, in our Moment of Silence, may we stand for those men and women who put themselves in harm's way for our freedoms, both day in and day out. A Moment of Silence.

*(\*Moment of Silence\*)*

Thank you, and please be seated. All righty. Moving along. It is a distinct pleasure to watch as our newly elected Legislator is sworn into office, Al Krupski. And, of course, Judy Pascale, our Suffolk Clerk, will be presiding.

First of all, just quickly, on behalf of the Legislature, Al, we are honored that you are here. By the way, everybody, Al is the first farmer to be a member of the Suffolk County Legislature and we're very proud of that fact. Everybody, just give him a hand, would you? That's great.

*(\*Applause\*)*

Judy, thank you. Would you please preside?

**MS. PASCALE:**

I just want to assure everybody that Legislator Krupski has signed the official oath book. He signed his official card, and that is on file in my office. But today, since this is his first official Legislative meeting, we wanted to secure the oath and make sure we gave it to you again.

**LEG. KRUPSKI:**

Okay.

*(\*Oath was Administered to Legislator Krupski by Judy Pascale\*)*

**MS. PASCALE:**

Congratulations.

**LEG. KRUPSKI:**

Thank you.

*(\*Applause\*)*

And I hope everybody feels the same way after a year.

*(\*Laughter\*)*

**D.P.O. HORSLEY:**

All righty, moving along. And again, congratulations, Al. We're not only impressed with you, but I believe that you will be just wonderful for your district and this Legislature welcomes you. So, we are now moving to the proclamations that we will be presenting to various folks from across the County.

I have a special request. My understanding is that because somebody is due to take off on an airplane, I'm going to ask Legislator Spencer, who will be presenting a proclamation to Capital One Bank, accepting Andrew Corrado, Long Island Market President.

**LEG. SPENCER:**

As a local bank, Capital One is committed to catalyzing economic opportunities for individuals, families and small businesses throughout Nassau and Suffolk Counties. Through an integrated approach and community involvement known as Investing for Good, one week service initiatives are part of Capital One's bank commitment to platform which focuses on four areas that are key building blocks of economic opportunity; affordable housing, education, economic development and financial literacy.

In 2012, Capital One associates served more than 192,000 hours through company sponsored volunteer activities nationwide, in which 13,500 of them were spent participating in 64 volunteer activities right here on Long Island. Associates at the 125 bank branches across Long Island have spent hundreds of hours creating financial literacy kits for local youth, tutoring and providing homework help and other educational, recreational and after school activities at the Family Service League centers.

The Suffolk County Legislature welcomes the opportunity to pay a well-deserved tribute to businesses in Suffolk County who are dedicated to supporting our local community. It gives me great pleasure to recognize Capital One Bank and their associates for their selfless acts of kindness and generosity, as well as their steadfast commitment to our Long Island community. I'd like to recognize Andrew Corrado, the Long Island Market President, who will be accepting on behalf of Capital One Bank. Thank you.

*(\*Applause\*)*

*(\*Photograph Was Taken\*)*

**D.P.O. HORSLEY:**

Did you want to --

**LEG. SPENCER:**

I have a second proclamation.

**D.P.O. HORSLEY:**

Okay. Legislator, while you're up, why don't you do your second proclamation, that's a great idea.

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**LEG. SPENCER:**

I'd like to ask the Sourbeck Family if they would come forward, please. Since 1997, the Sourbeck Family, Cynthia, Bill and their daughters Samantha and Natalie, have worked year-round to find perfect items to include in boxes that are given to impoverished and underprivileged youth through Operation Christmas Child, an affiliate of Samaritan's Purse. Their passion and commitment to the project has affected other family members and friends. They have now everyone they know saving empty shoeboxes which are filled with small gifts such as hygiene items, school supplies, toys, and they also host work parties where handmade items are created to be included in the boxes.

Beginning with four filled shoeboxes donated each year in their first eight years of participation, the number of shoeboxes in the Sourbeck Family has grown by leaps and bounds. This past Christmas they took more than 1700 boxes to a Long Island collection center to deliver to over 100 different countries, including the United States.

The Suffolk County Legislature welcomes the opportunity to again pay a well-deserved tribute to their residents who do exceptional goodwill towards others. It is my distinct privilege to recognize constituents in my district, the Sourbeck Family, for their generosity, commitment and continued selfless acts of kindness. Congratulations.

*(\*Applause\*)*

*(\*Photograph Was Taken\*)*

**D.P.O. HORSLEY:**

Congratulations to all. The next proclamator is Legislator Montano, who will present a proclamation on behalf of the entire Legislature to Commissioner Gregory Blass in recognition of his retirement.

**LEG. MONTANO:**

Thank you, Mr. Horsley, and welcome, everyone. As was said, I'm actually presenting this proclamation on behalf of the entire Legislature. I think it's very clear to say that Commissioner Gregory Blass is no stranger to this County or to this body. Commissioner Blass, Gregory, Greg as we all know him, has dedicated his career to public service. He served as a County Legislator right here from '86 to 1995. And if you look back there, I think your photo is up there somewhere as one of the former Presiding Officers, Greg. I had the pleasure of working with him when I was Executive Director of the Suffolk County Human Rights Commission. From 1996 until 2005, Commissioner Blass served as a New York State Family Court Judge.

He was appointed Chief Deputy Commissioner of the Suffolk County Department of Social Services and served from 2007 until 2009. At that time, he was responsible for leading and managing six divisions with approximately 1500 employees and a budget of 550 million dollars. Do we still have that money?

**COMMISSION BLOSS:**

Most.

**LEG. MONTANO:**

In June of 2009, Gregory J. Blass was confirmed as Commissioner of the Department of Social Services. And I understand that he's going to be retiring and I advised him to see the world, and the first place he should stop is Peru, it's beautiful.

So with that, I want to present this proclamation on behalf of all the Legislators here present, including Mr. Lindsay who's not with us today. And we just wish you enjoyment in your retirement. And thank you for your dedicated service to the people of Suffolk County. Greg, it's been a

pleasure.

**COMMISSIONER BLASS:**

It's been my pleasure. Thank you very much.

*(\*Applause and Standing Ovation\*)*

This is a deep honor for me. I have the special privilege of receiving a proclamation from a Legislature as an institution which I greatly respect, and whose members I have the highest regard for. You know, people have asked me what would someone after such a hyperactive lifestyle that you're living now ever do in retirement? And I thought about it and among other things I've been saying that I'd like to get back to shooting hoops just to stay in shape. But as I get older as a senior citizen, trying to play basketball, I know that I'll probably not get too many baskets but I sure will dribble a lot.

*(\*Laughter\*)*

Anyway, I have to say that the department that I'm leaving has a staff of workers, as all of you know, who are second to none. And I know the time is coming when the budgets will be most challenging for these next couple of years, and I just ask you to please give every possible thought to doing what you can, not only to maintaining the workforce that meets the most daunting challenges you can think of day in and day out, but pay attention to the vacancies as they occur. We just lost 18 positions that were vacant in Child Protective Services. Pay attention also to, any chance you can, to enhance those positions in the workforce, because they are, to a substantial degree, reimbursed by the State and Federal governments.

But in closing I do want to say that it's been a privilege. I want to thank former County Executive Levy, I want to thank County Executive Bellone for the support they've given to this fantastic department and this fantastic crew. And from the bottom of my heart I thank you very much. I'm deeply honored to receive this proclamation. Good luck to all of you.

*(\*Applause and Standing Ovation\*)*

**D.P.O. HORSLEY:**

Commissioner, why don't you come on over. We want to take a picture with you. Some of the Legislators would like to join you.

*(\*Photograph Was Taken\*)*

Okay. Moving right along. Legislator Muratore will present a proclamation to Ivan Guan and Alan Mohr, students from Sachem East who have been named Commended Students in the 2013 National Merit Scholarship Program. Tom?

**LEG. MURATORE:**

Good morning, Ivan. Also, we have -- we're waiting for -- you're Alan, right?

**MR. MOHR:**

Yes.

**LEG. MURATORE:**

Okay. Is Ivan in the audience? Okay. How about Principal Lou Antonetti? Is the principal here? Come on, Lou, come up here. You're all part of this process, all the educators are. We are blessed today to have with us -- we were supposed to have two young men who are students at Sachem

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East High School, who were among approximately 34,000, that's a big number, Commended Students throughout the United States of America, who have been recognized with an exceptional academic promise in the National Merit Scholarship Program for 2013. Commended students are those who place among the top 5%. There's a lot of kids in this country, and the top 5% is really not that much, of more than 1.5 million students who went to the competition by entering a qualifying test. Both Alan and Ivan, who considers -- well, Alan considers his academic passion to be mathematics and physical sciences. He attributes any future success to the opportunity provided by his school and his community. So, congratulations.

### **MR. MOHR:**

Thank you.

### **LEG. MURATORE:**

If you would like to say a few words, please, on his behalf?

### **MR. ANTONETTI:**

If I could just speak quickly about Alan. He's definitely a class act. His parents should be proud. At a recent board meeting we found out that he was accepted into MIT and if we could just applaud him on that.

*(\*Applause\*)*

I feel his actions, he basically speaks through his actions. He's a quiet kid, but he performs well in the classroom. He leads by example in the school and we're proud to have him at Sachem East. Alan, congratulations.

### **MR. MOHR:**

Thank you very much.

### **LEG. MURATORE:**

Alan, congratulations. Should I do my next one?

### **D.P.O. HORSLEY:**

Yeah. The next one is Legislator Muratore will present a proclamation to the Sachem East Girls Field Hockey team in recognition of their outstanding and winning the County Championship. Tom, go for it.

### **LEG. MURATORE:**

I am. This is my day again, you know? We'll bring you up with the coaches, too. But if I can call up Head Varsity Coach of the Sachem East High School Girls Field Hockey Team, Tina Moon, and Assistant Coach, Brittany Wilson. If you could step up here, please. Comes on girls, pour it on for me. Come on. It's so important today in today's society, you know, our young people are exposed to so much out there in the environment. And, you know, we have with us the Sachem East Girls Field Hockey Team and two coaches who really spend a lot of time with these young ladies and develop them into athletes, and what better than to be recognized on what is this, Women's Heart Health Month. So, you know, these ladies are taking these younger ladies, not so much younger, but younger ladies, building their hearts and making them strong, giving them values that's probably going to carry them through their lives and make them exceptional citizens in the community.

So on behalf of the 80,000 people in the Fourth Suffolk County Legislative District, I'd like to say thank you to Coach Moon and to Assistant Coach Brittany Wilson for all you do for our girls. And congratulations to the team. Realize they were 22 and 0. They were Division One Champions, they were Suffolk County Champions, they were Long Island Champions, they were New York State

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Champions. They were like world champions.

*(\*Applause\*)*

They actually received the number one spot of all sports in Newsday. So again, ladies from the team, Coaches, the Principal, congratulations on all you do and God bless you and have another great season because I want to bring you back next year. So thank you.

*(\*Applause\*)*

**LEG. MURATORE:**

One more, right?

**D.P.O. HORSLEY:**

One more. I understand that you are going to have a proclamation for Diane Caudullo, President of the Centereach Civic Association.

**LEG. MURATORE:**

It's all ladies month this month, see?

**D.P.O. HORSLEY:**

There you go.

**LEG. MURATORE:**

If I could call up Diane Caudullo. And, you know, we talk about heart health. You know, there's other things we do with our heart, and I know this lady from when I first started into politics, and Diane is part of our community who gives her whole heart day in and day out. She has children, she has a job, she has a husband, she has a home and she has a community. And I wish we had more people like this, and we do, but, you know, we wish for more like Diane. And, you know, when a person like Diane is recognized, I want to bring it to the people of the County. I want them to know the kind of people that make up Suffolk County.

Diane was voted -- was named the Times of Middle Country Woman of the Year for 2012, which is exceptional in the community. You know, it's something that she deserved, that she earned, and that she works hard for. And to tell you what she does, first of all, she's President of the Civic Association. Now, we all know about civics. She's also a Board Member of Middle Country Coalition for Smart Growth, part of Middle Country Youth Association, was a former Trustee on the Middle Country Board of Education, and former Treasurer of the Middle Country Baseball Team.

Her many projects include the placement of the electronic bulletin board. If you go through Centereach you see it there, which is a great thing advising people what's going on in the community. This year the Community Expo at the Middle Country Library, which is a wonderful program. People get to see what's going on in the community. You know, our libraries are well used. As well as energizing the civic Christmas tree lighting, which I enjoy going to. It's a little cool night, we go out there, she sings carols, she lights the tree, she gets Santa to come for the kids, it really is wonderful. You know, when you're in an organization, we do it mostly, their own with a key number of people, and fortunately we have Diane doing that.

She cofounded and cooperates two businesses, Medigas Service and Testing Company and Firestop Solutions. She is married to a great guy, Frank, Commissioner of the Centereach Fire Department. See, so she pushes her husband, too. And is the mother of Franco, Jason, Peter, Alexa and Giovanna, who I happen to -- Giovanna is an aspiring, I hope, news reporter. She came in and did an interview for me, what a wonderful young lady. And it's become her extensive community

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involvement in all things Centereach that the Times in Middle Country named her Woman of the Year. So on behalf of, again, the 80,000 people in the Fourth Legislative District and the 1.7 or 8 we have in Suffolk County, Congratulations, Diane, and good luck. And keep up the good work. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Congratulations.

**MS. CAUDULLO:**

Thank you very much.

**LEG. MURATORE:**

You're welcome. Thank you. If I could have the Girls Hockey Team stand up. Okay? Come on, let's give them a big round of applause. And ladies, give yourselves a big round of applause, you're world champions. It really is wonderful. Thank you so very much.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Steve, are you going to be taking a picture of the team?

**LEG. MURATORE:**

We did it already.

**D.P.O. HORSLEY:**

Oh, you did, good. All righty. The next proclamation is Legislator Cilmi, who will present a proclamation to Probation Officer Hollis Woseley.

*(\*Applause\*)*

**LEG. CILMI:**

Hollis has a fan club, I like that.

**PROBATION OFFICER WOSELEY:**

Yes.

**LEG. CILMI:**

Well, fellow members, Mr. Presiding Officer for the day, it is my pleasure to be here again today as we recognize one of our finest in Suffolk County, Probation Officer Hollis Woseley.

In October of last year, Officer Woseley was conducting a routine visit to one of our probationers in North Amityville, and as they often are in the course of their jobs, Officer Woseley was by himself. Upon entering the probationer's home, Officer Woseley encountered two other individuals, the probationer's girlfriend and another man. While interviewing the probationer, Officer Woseley noticed that he was trying to hide a tissue box, and upon taking the box our officer found a large quantity of heroin inside. The subject was placed under arrest. Officer Woseley immediately called for backup, and although the other individuals tried to interfere, our officer was able to control the situation until the police arrived, at which time one of the other individuals fled through a window.

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Subsequently, a search of the home found 1,000, 1,000, bags of heroin and a large sum of cash. Both the probationer and his girlfriend were placed under arrest and charged with Class B felonies for Criminal Possession. Probation Officer Woseley's training and experience allowed him to stay calm in a dangerous situation, and resulted not only in the arrest of two criminals, but as a result of the seizure of the heroin and the cash, no doubt saving lives.

So once again, another heroic story of one of our great probationers, Probation Officers rather, in Suffolk County. I continue to have the utmost respect for our Probation Department and the officers who serve us here in Suffolk County as such an integral part of our public safety team. They put themselves in danger every single day, and we all owe them a debt of gratitude and certainly a round of applause. Officer Woseley, congratulations to you. God bless you for your service, and we look forward to many more years.

*(\*Applause\*)*

**PROBATION OFFICER WOSELEY:**

Thank you.

*(\*Applause\*)*

*(\*Photograph Was Taken\*)*

**D.P.O. HORSLEY:**

Congratulations. All righty. I believe this is our last proclamation, at least according to the list they gave me today. Legislator Nowick will present proclamations to Mayuri Sridhar, Wesley Cox and Kenan Mutlu, 2013 Intel Semifinalists from Kings Park High School.

*(\*Applause\*)*

**LEG. NOWICK:**

Good morning, everybody. Okay. Good morning. I just want you all to see I have three, three, from Kings Park, and I know how proud you guys are. And I, too, am proud to have three students from Kings Park District today. And, Mayuri, I want to ask you how you say your last name.

**MS. SRIDHAR:**

Sridhar.

**LEG. NOWICK:**

Mayuri Sridhar. She's a finalist in the annual Intel Science Competition and the two semifinalists, Wesley Cox and Kenan Mutlu, come closer, join me at the podium, don't be afraid.

And as all of you know, the Intel Science talent search is America's oldest and most prestigious pre-college science competition in the nation. Previous Intel winners have made extraordinary contributions to science, holding more than 100 of the world's most coveted science and math honors, including seven Nobel Prize winners and three National Medals of Science. And I see Charlie Gardner from Kings Park there being very proud of his students from Kings Park. And just so you know, from 1700 applicants, 300 Intel Semifinalists were selected. That number was narrowed down to 40 finalists. And as a finalist, Mayuri will be one of the 40 students going to Washington D.C. next month to participate in the final judging of the competition. That's pretty exciting, isn't it? Your parents must be elated. We all wish you good luck. And of course, we have our Semifinalists. Your parents have to all be so delighted, three of you. That's the greatest. And congratulations to the parents as well, because this does not happen by yourself. And please join me also.

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*(\*Applause\*)*

Are your parents here? Bring your parents up. And while their parents are coming up, please join me also in congratulating these students for their talent, and as well as Mary Ellen Fay, their Advisor, and Kings Park School Superintendent, Dr. Susan Agruso, who has come here many times with her wonderful students. You have quite a school going on there. Where are these parents? Congratulations to all of you. I know you don't do this alone. I know that the students need both their teachers and their advisors and most importantly all of you, your family and your parents because they've taught you something. Congratulations. Congratulations.

*(\*Applause\*)*

You're going to Washington? What do they say now that you're a semifinalist, you're going to Disneyland, is that it?

*(\*Laughter\*)*

Congratulations to you as well. Listen, you're going to be doing better than we are, you'll be out by three.

**D.P.O. HORSLEY:**

Again, congratulations to all. Nice job.

*(\*Applause\*)*

All right. Moving along, we now have a presentation. Unfortunately, I don't have a name attached to it, but as far as who's doing the presenting. The New York State Sheriffs Association will present a plaque to Sheriff DeMarco and Suffolk County in tribute to the reaccreditation of the correctional facility in Riverhead. There's the Sheriff. Do you have somebody from the Sheriffs Association? Speak amongst yourselves, just, you know, just handle this.

**MR. MITCHELL:**

Good morning.

**D.P.O. HORSLEY:**

Good morning.

**MR. MITCHELL:**

My name is Tom Mitchell. I'm Counsel for the New York State Sheriffs Association. And thank you, Presiding Officer Mr. Lindsay and Public Safety Chair Kate Browning, and all the members of the Suffolk County Legislature. I'm here on behalf of all of the 58 Sheriffs of New York State and the New York State Sheriffs Association to honor Sheriff Vincent DeMarco and all the men and women of his office for achieving accreditation, not for the first time for the County Jail, but for the second time.

In New York State we have actually 59 county or city correctional facilities, 57 counties outside of New York City. There's one extra jail in the County of Onondaga which houses the sentence inmates, and of course there are jails in New York City. Of those 59 county correctional facilities, 29 are accredited through our State Sheriffs Association. There are 166 standards that counties must meet in order to achieve accreditation. This is a tough accreditation. We run the gamut from organization to training. We have over 60 standards just on medical issues for county jails, because we know that's where most of the liability is these days for county jails.

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For this accreditation, I brought in two of our most experienced assessors, Kevin Moore from Broome County and Chris Lian, who is from Steuben County. They've each done probably about seven or eight accreditations, and I knew that for a large jail like Suffolk County we wanted to have among the best.

Our accreditations typically last about three days. The assessors go through all of the accreditation standards. I can tell you that in our office we will sometimes guide the assessors as to what we think that the accreditation standard means, but we don't tell them what to do. They're very independent. There are circumstances where the assessors say, "Sorry, this jail just does not meet the standards right now" and they need to do some more work. We leave it up to them because they're the experts. They came back and said that it was just a fantastic job that was done by Sheriff DeMarco and all the men and women of his office.

This is one of several accreditation efforts that we do in our office and I know that the department or Division of Criminal Justice Services also does law enforcement accreditation, which Sheriff DeMarco recently received. We also do a Civil Division accreditation. I've talked to the Sheriff about that, and we're going to be working on that with him very soon. This is a great accomplishment for the Sheriff, for the Undersheriffs, for Chuck Ewald, the Jail Administer, who was here today also.

We know that there are a lot of reasons why counties do accreditations, and they're not to receive somewhat cheesy plaques like the one I'm going to be giving Vinny in a just a few minutes. But most importantly is to make sure and to improve the jail operations. And in our office, the one and overriding goal of our Association is to improve the Office of Sheriff. And we know from the over 100 accreditations that we've done in all of our programs over the years that these accreditations do, in fact, help counties to get a better understanding of what they have to do and have better operations. They not only have people from outside the area who are independent and come in and try to assess how the county is doing, but many times are jails, like Suffolk County, also offer some of their own experts to go outside their area and go to other counties throughout the State. I think that helps the assessors too to see, and the people here in Suffolk County see what other counties are doing all around the State. So we think it's a great accomplishment.

We thank Sheriff DeMarco, the Undersheriff Chuck Ewald who was here.

We thank the Suffolk County Legislature, because we know that without your financial and moral support of the Sheriff's Office, that this probably would not have happened. We certainly thank all of the citizens of Suffolk County because we know that this is a team effort and you have a great team here. You've got a Sheriff who is devoted to professionalism in this office, has been recognized not only by us, but by the State Commission of Corrections, which is that State agency that oversees all county jails, as having one of the best jails in the State. So we are very pleased to be here, and thank you very much, Sheriff, for taking on this effort, and I do want to present you with this plaque. I'm not going to read it all because I know you guys are busy. We're going to have a nicer plaque for your hall, but this is a plaque to recognize you for your efforts on accreditation, for reaccreditation of the County Jail. Thank you very much.

*(\*Applause\*)*

### **SHERIFF DEMARCO:**

I want to thank Tom for coming down from Albany and the State Sheriffs Association, all the Sheriffs around the State, and especially the assessors that came down to do the assessment on the County Jail. As you know, we run the largest county jail operation in the State outside of New York City, so this is a big achievement for us. It's not easy to meet these standards, and we have two certificates here from the State Sheriffs Association to recognize Lieutenant Sclafani and Lieutenant Macchi, who worked on this project for us and for the citizens of Suffolk County.

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*(\*Applause\*)*

And I want to thank all of you for your continued support and, you know, we try very hard at the jail to run the most professional operation in the State. At a public meeting recently, the State Commissioner of Correction, as Mr. Mitchell said, did recognize us as one of the best run jails in New York State. So thank you for your continued support and have a great meeting.

**D.P.O. HORSLEY:**

Thank you very much, Sheriff. And on behalf of the Legislature, we appreciate you making us proud.

**SHERIFF DEMARCO:**

Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you.

**SHERIFF DEMARCO:**

I did forget to mention Warden Chuck Ewald, who's the Administrator of the Jail, who does a wonderful job for the residents of the County as well. Sorry, Chuck.

**D.P.O. HORSLEY:**

Congratulations.

*(\*Photograph Was Taken\*)*

If I may, at this time, I believe I've done the presentations. There was an omission that we did earlier when we did our Moment of Silence and it certainly wasn't intentional. Reverend Wisbauer of our Police Department passed after our last meeting. He was the Chaplain for the Suffolk County Police Department, and is truly an extraordinary man who we all admired. And I remember a day when he didn't agree with some of the County's policies and he was outspoken and we were very proud of him as far as the Legislature goes. I'd like to please if everyone would just quickly stand for a Moment of Silence for Reverend Wisbauer.

*(\*Moment of Silence\*)*

**D.P.O. HORSLEY:**

Thank you, everybody. All righty. We're going to be moving into the public portion of our agenda. I have, as our tradition, that we ask those folks that -- who are elected officials to present first, and of course, they abide by the three minute regulations, as does everybody else. But we wanted to give them the privilege because we admire them. And the first public elected person is John Dunleavy, who is a Councilman for the Town of Riverhead. Mr. Dunleavy, welcome to the Legislature.

**COUNCILMAN DUNLEAVY:**

Thank you. First of all, I must apologize because I'm going out of order. There's a public hearing this afternoon on the sex offenders' manufactured homes on the East End, and that's what I want to talk about today. We have a Town Board meeting this afternoon, so I could not attend this afternoon's meeting. I'm just an ordinary person, and I have grandchildren, and even though these manufactured homes are not in Town of Riverhead, we have one that borders our town that's only about a half a mile to three-quarters of a mile away from Main Street and our stores. These people

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have to be monitored, and when they're released during the daytime, if they have no place to go, they take a walk down to Main Street, they go to our public library, and we have children that are running around.

Now, most of these offenders, it's a sickness to them, and they're not being treated that anyone can fall off at any time and we must protect our children. So I go along with the Police Department's recommendation that they be spread out. And we have all of them in the East End. They're in the Town of Southampton, but they're all in the East End. We have one in Riverside and one in Westhampton Beach. So they're all -- they're all on the East End, and I think that what we have to do is to take the recommendations of the Police Department and put these all over the County where they can be monitored. The Police Department is going to monitor them very closely, and I think that's what they need.

I know in Town of Riverhead head that occasionally a store owner will call us because somebody will be hanging around one of our stores where children go in to purchase stuff with their parents and other people, and they have to go up there and, you know, move them along and do something to -- so we have to protect. And I think what we have to do is follow the recommendation. Close those manufactured homes on the East End and put them throughout the County so they can be monitored by each precinct properly. And thank you for letting me talk.

### **D.P.O. HORSLEY:**

Thank you very much, Councilman. The next speaker is Jodi Giglio, who is a Councilwoman in the Town of Riverhead. Jodi, welcome.

### **COUNCILWOMAN GIGLIO:**

Good morning, and thank you all for the opportunity to appear before you here this morning.

Since 2006, we've been fighting the battle with Schneiderman -- Legislator Schneiderman and Legislator Romaine, and we're happy to have Al Krupski, congratulations, Al, as our new Legislator for the First District.

### **LEG. KRUPSKI:**

Thank you.

### **COUNCILWOMAN GIGLIO:**

And the Town of Riverhead appreciates everything that this Legislature does for the Town of Riverhead as far as downtown revitalization, workforce housing, and all the money for the infrastructure that the County has given the Town of Riverhead for our downtown revitalization. We feel that there's been an unfair burden that has been placed on the East End as far as these offender trailers. It's -- I have a ten-year-old and I have twins that are nine that attend school within a couple of miles of the sex offender trailers, and the -- it's very scary as a parent, as I'm sure you all know, and grandparents, that when you have to tell your kids, you know, there are bad people out there in the world. And these people need help, they will be much better served and the taxpayers of the County of Suffolk will be much better served if they are brought back to their hometowns, surrounded by their families, receiving the proper treatment that the County gives them and it will be a bit more efficient way of spending taxpayer money.

I believe right now we're spending about four million dollars a year for these homeless sex offenders and that's a tremendous burden on the County, and to put them all in one place so far away from where they receive their treatments, and it's very important that we get them back to where they live, where they're closer to their treatments and where they can be better served in the County of Suffolk, residents can be better served.

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So I urge you with all of our efforts and the money that has been spent in downtown Riverhead and the aquarium being so close and now the Hyatt that is up being so close, and we have a great bakery that just moved into town and we have a pizza place that's coming and we have all great things happening in downtown Riverhead. I believe that the plan that's on the table is a concrete plan that needs to be implemented. I know the County Executive has worked very hard on it with our enforcement officials, and I hope that you will please consider this plan and make sure that it's implemented and make sure that all of the residents of Suffolk County are served equally and fairly. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much Councilwoman. Lastly, as far as elected representatives, I have Arona Kessler, who is Assemblyman Steve Englebright's Aide, who would like to speak. Arona.

### **MS. KESSLER:**

Good morning, Members of the County Legislature. Today you have an opportunity to further our great County's legacy of being on the cutting edge of environmental stewardship. Introductory Resolution 2227 of 2012 will eliminate the local portion of the sales tax for the purchase and installation of solar energy systems for businesses. This will save businesses thousands of dollars on the cost of installing solar energy systems and encourage more commercial solar installations. Coupled with the State's new metering legislation for commercial consumers, a commercial sales tax exemption will provide the more realistic investment climate for businesses. Because commercial systems are larger than residential ones, this exemption will provide a larger benefit and base for companies that go solar. In turn, these systems will supply even more green energy to the grid while helping companies cut operating costs. This commercial solar sales tax exemption will help stimulate and rebuild our economy, create green collar jobs and reduce our dependence on foreign oil, while fighting global warming and protecting our environment.

Suffolk County has a proud history of bipartisan initiatives that are environmentally conscious and ahead of their time. From creating the first in the nation Open Space Program to being the first municipality to ban BPA in baby bottles, our citizens have long enjoyed the benefits of ecologically minded Legislators. Today you can continue this tradition while helping workers in the building trades who need jobs. The combination of State and County tax exemptions will provide a meaningful impetus for businesses considering solar energy system installation to reduce their energy costs and carbon footprint. I urge you to vote yes.

### **D.P.O. HORSLEY:**

Thank you very much. And on behalf of the Assemblyman, we appreciate you being down here today.

Okay. Moving to the public portion for the general public, I have -- the first speaker is Etoy Daughtry, and on deck Yvette Crawford.

### **MS. DAUGHTRY:**

Good morning to the members, and good morning to everyone. My name is Etoy Daughtry. I live in Wyandanch, Wheatley Heights, New York. My grandson goes to -- is going to the youth in the Youth Services Program. This program is very important because it helps the children as a whole. It helps them to communicate with each other, communicate and learn things. This program helps them study. It helps them with their work, it gives them things to do. It keeps them out of harm's way.

I have lived in Long Island since 1978. I am a member of the VFW, I'm the Senior Vice, and I think it is very, very, very important that you keep this program enforced. We need this program. We have a lot of construction, a lot of remodeling going on in our area, but we need this program to keep the children away from harm, away from the drug dealers, away from criminal activities.

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We need to protect our children.

My grandson goes there, my son went there, my daughter went there and she also worked there. They have a wonderful program for them. They have a wonderful day camp for them, and we really, really need this program.

Please, do not take this program away from Long Island, do not take this program away from the community, because if you do this, you're not hurting the adults, you're hurting our children. You're hurting our future, and you're hurting our livelihoods. These are our new doctors, lawyers, engineers, servicemen. You're hurting them. Please don't hurt our children, help them. Keep the program alive. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

On deck is Donald Hamilton, I think.

**MS. CRAWFORD:**

Yvette Crawford.

**D.P.O. HORSLEY:**

Thank you.

**MS. CRAWFORD:**

Hi. My name is Yvette Crawford, I live in Wyandanch. I'm very happy with the Wyandanch Youth Services. I ask you to please make sure we get the funding that we need to keep the Youth Center open. Actually also the safety for our children is very important to me. I am a single mother. My daughter's father was killed in Wyandanch, and I ask you that we really need this program because the safety of my daughter is very important to me. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Ms. Crawford. Donald Hamilton, and Enrico Crocetti.

**MR. HAMILTON:**

Yes, I am here for the Wyandanch Youth Center, and my stepdaughter goes there. And I appreciate you keeping the funding and keep the program, keep the teachers and the staff. Keep it active and make it a better place. Okay.

*(\*Applause\*)*

**DR. CROCETTI:**

Good morning. Enrico Crocetti, Superintendent of Mount Sinai Schools. I'm here today to support legislation proposed by Sarah Anker for the installation of 911 panic buttons in our schools. I had prayed that none of us would have to revisit Columbine. In December we all did.

Twenty-nine years ago, a principal and a teacher at the Brentwood High School was executed. It has happened. It has happened again, it will happen again. I have been in contact with professionals. They tell me it's time. Time saves lives, reaction time saves lives. Calamity visits our schools every day. Bad custody battles breed bad abductions. Substance abuse breeds people who are unreasonable and we are confronted every day in our schools. If calamity were to visit us in this room right now, would that be the time to pat yourself down for the cell phone, unlock it, find it. Was it in your pocket, on your desk? No, it's not and time is ticking. Time is ticking and

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calamity is occurring. Six to nine minutes is the time it takes for a police cruiser to reach a school in an emergency. Six to nine minutes at a life in every seven seconds is tragic.

We are as school officials securing our perimeters and doing the best we can. We're taking advice from all of you and thank you. And from our police departments and thank you. And we're doing a good job. We're tightening things up. We're not casual about this. We haven't been. But we need a way to react quickly where a person at the front visiting station and person in the main office has access to a button, when calamity visits it's made immediately and we're in contact and we're keeping our children safe.

Today we have the ability to reach every children in Suffolk County by passing legislation which touches every school. We can be leaders in this country, to be the first county to do so. We can be leaders in this country, holding our children safe. Thank you so much.

*(\*Applause\*)*

### **D.P.O. HORSLEY:**

Thank you very much, Mr.Crocetti. The next speaker is Kevin MacLeod, and on deck is Michael Ring.

### **MR. MACLEOD:**

Good morning. My name is Kevin MacLeod. I'm the President of KPS Solar, and I'm also on the Board of the Long Island Solar Energy Industries Association here on Long Island.

Just for the record, I wanted to let you know that I was responsible for drafting the State legislation that exempts the State portion of the sales taxes for Assemblyman Englebright and Assemblyman George Maziarz. I'm also responsible for drafting the legislation, the companion legislation, that passed in 2005 for the residential portion.

So just I'm going to talk about my business a little bit here. Obviously, it's tough. This is a tough business to be in, solar energy. It's always a challenge every day. High prices, we still have the high upfront cost. You know, being dependent on LIPA rebates, tax credits that are very volatile, it can go away tomorrow. Just recently we had a reduction of 25 cents a watt from LIPA for the rebate program, which basically costs me about \$2500 per job. I've got to make that up somewhere and I can't pass it on to the customer, so it cuts my bottom line.

The latest threat that we are having in our industry is the out-of-state contractors, particularly the leasing program that you probably heard about. We have these large contractors that are coming in from out of state, and a lot of other people are going to talk about this, that purchase their product in bulk outside of this state. They don't pay any sales tax, they use out of state labor. They don't have a business presence here on Long Island and they can undercut us on pricing because they have the advantage. And when it's all said and done at the end of day they pack up and they leave and they go back to their home state.

Me, being that I have my business here, I employ local people here in Suffolk County. I purchase products here in Suffolk County from local vendors, two of them are here that will speak today, and, unfortunately, I have to pay sales tax and that puts me at a disadvantage. And the State understood that and that's why they exempted their portion. And I'm asking you today let's level the playing field here and exempt the Suffolk County portion of the sales tax for commercial solar. And I really appreciate your vote today. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much, Kevin. On deck is Bill Feldmann.

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### **DR. RING:**

Good morning. I thank the Legislature for allowing me to speak today. As is the case with my colleague, I'm Dr. Michael Ring, Superintendent of the Rocky Point Union Free School District. Enrico is my colleague two districts over. I'm here today to speak in support of Legislator Anker's Resolution 1031, to review the feasibility of putting emergency notification systems in schools.

In the aftermath of the Sandy Hook tragedy, while dealing with our grief, we all look to what we could do in a situation like that or other violent situations, to either prevent them from occurring or to mitigate the loss of human life. Regrettably, as we've looked at this situation, and as we've talked to others and professionals in the field, we understand that when you're dealing with a madman who is well equipped to inflict mass carnage on a community, you may not be able to stop it, but you can mitigate.

Two weeks ago when we met with the Suffolk County Police Department leadership and school leadership throughout Suffolk County, we learned that they, too, believe that mitigation is critical and time is a key factor. This effort brought forward by Legislator Anker would help us reduce the response time to our schools, God forbid, in the event of a tragedy in our community of this nature. We have done, as Mr. Crocetti said, Dr. Crocetti, I'm sorry, has said, we have done many things within our schools to harden us as a target, as crass as that sounds. We have redoubled our efforts and we will continue to implement human and technological factors to mitigate and hopefully prevent these types of circumstances.

This effort, which would link us closer to our first responders, is a critical element of success in our program that will hopefully reduce injuries and loss of life, perhaps even prevent them in the less serious situations. I thank Legislator Anker for her leadership on this matter. I thank you in advance for your support of it.

*(\*Applause\*)*

### **D.P.O. HORSLEY:**

Thank you very much, Mr. Ring. Bill Feldmann, and on deck is Phyllis Henry.

### **MR. FELDMANN:**

Good morning, Legislators. Today I'm here -- my name is William Feldmann; you can call me Bill. I'm here today to represent our members of Long Island Solar Energy Industries Association. I am the Chairman, and I want to read a statement.

"Dear Legislators, as a representative of the Long Island Solar Energy Industries Association, also known as LISEIA, I commend you for considering the legislation introduced by Legislator Sarah Anker to provide a sales tax exemption for commercial solar energy systems. This exemption will make solar energy systems more affordable for Suffolk County businesses, which in turn will lower their operating costs and likely afford them the opportunity to hire new employees. This will also create solar installation jobs while creating a domestic energy supply that is clean and sustainable. Anything we can do to make our communities more sustainable for our children should be done without hesitation. For those reasons, we ask you to vote yes on the proposed legislation." Thank you very much.

### **D.P.O. HORSLEY:**

Thank you, Bill. Phyllis Henry, and on deck is Dr. Pamela Allen.

### **MS. HENRY:**

Good morning, County Legislators. My name is Phyllis Henry and I reside in Wyandanch and I also work in Wyandanch. I'm a 39-year resident of the community and I'm here to talk about the Youth

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Center of Wyandanch.

I can remember years ago where the Youth Center originally started in a small warehouse where they had activities for children and it was an all-day program with arts and crafts and talent shows and music and different things, and now we have a building in Wyandanch that is being underutilized. A lot of the community is asking what's going on in the building, what programs are being provided for the young people. I can't answer that question. I used to get e-mails about the programs that are going on. I don't get that any more. People are constantly asking "What's going on, why -- why are the kids still on the street? Why don't we have programs that are available for kids within the Youth Center?"

Well, that topic came up on the Town of Babylon Implementation Committee some time ago, which I'm a member of, and that's one of the things that we had discussed. In order to revitalize the community of Wyandanch, we had to be able to have someplace for our young people to go, some structured programs to keep them off the streets so that they're not on the streets hanging out, they're not doing drugs, they're not getting into trouble, programs for children, which we don't have.

Now, I'm not asking for the Youth Center to be closed, I'm asking for a different venue. The Implementation even used to meet at the Youth Center. We no longer meet there; we're not welcome. There's a lot of programs that a lot of people would like to do, but the building seems to be closed on given days. So as a representative also of the Wyandanch Mothers Club, we did a survey through the Superintendent of Schools in order to find out how many students utilize the Youth Center, and you have that before you, that document, which I don't have time to read, but it shows that the building is being underutilized. And what I am requesting is I'm requesting a change of venue in order for a fresh face to come in and do something to provide services for our youth. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you, Phyllis. Dr. Pamela Allen, and Falischa Jones on deck.

**DR. ALLEN:**

Good morning.

**D.P.O. HORSLEY:**

Good morning.

**DR. ALLEN:**

Thank you. My name is Dr. Pamela Allen and I'm here on behalf of the Family Life Center, a 501(3)(c) community based organization starting in September, 2009. The Family Life Center proposes to open 20 Andrews Avenue to increase the hours of operation, to open partnerships, increase the number of programs and facility use. The Family Life Center proposes to increase the hours of operation to 72 hours per week. And that survey previously mentioned, with the high school -- Wyandanch Union Free School District and the Wyandanch Mothers Club, 46% of the high schools students were surveyed and we discovered that 78% have never been in the Youth Center, and 92% have not been in in the last year. Fifty-six percent of the middle school students were surveyed; 64% have never been in the Youth Center, and 73% have not been in the last year.

The Family Life Center proposes current programs -- the Family Life Center has current programs serving the community of Wyandanch and they are New Beginnings Parent Enrichment Program, which offers workshops in behavior management, nutrition and budgeting, family and child development and STEM, science, technology, engineering and mathematics. We also have

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counseling services currently offered in the community, which are individual and family counseling, parent/child relationship building, domestic violence counseling, group therapy, crisis intervention, case management services and, of course, intake referral follow-up and outreach.

In September 2012, the Family Life Center opened an after school Homework Help Program, and this program offers assistance to children in grades K through eight with a high school component of test and peer homework help, and this is with the use of volunteer high school student service learners. There's been a consistent demand for the increase of this program. We are now with 68 children enrolled and new children enrolling every day.

The data from that Mothers day (sic) survey showed us that the children are interested in participating in programs that offer academic enrichment, sports and fitness, performing arts, computer and technology. Utilizing that information, the Family Life Center proposes programs with academic support, STEM, computer technology, computer literacy, beginning conversational Spanish, English language learners, community chess club, robotics participation. Football, basketball, wrestling, dance, cheerleading, physical fitness activities for children, Mommy and Me exercises, low impact exercise, meditation aerobics. We also offer a community health initiative with information on nutrition, wellness and disease, HIV awareness and education.

The Family Life Center proposes to offer community service projects, understanding your voting rights, holiday and cultural celebrations, reducing your carbon footprint, finance and budgeting, community empowering fundraisers, and a Wyandanch Community 5K run.

The following agencies who have currently full operational programs will form partnerships with the Family Life Center and they are the Wyandanch Union Free School District, which will operate --

### **D.P.O. HORSLEY:**

Doctor, would you please start to wrap it up? Thank you.

### **DR. ALLEN:**

Okay. The Wyandanch Union Free School District, the Economic Opportunity Council of Schools, Wyandanch Junior Warriors, Team Green with Danny Green, the Suffolk County Police Department, which is already working with us, and, of course, the Wyandanch community. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much. We appreciate you being here. Falischa Jones, and on deck is William Stewart.

### **MS. JONES:**

Good morning. My name is Falischa Jones and I currently reside in West Babylon, New York. I am a mother of two daughters, ages 13 and 15. I am here to give my full support for the comprehensive sex offender plan to be implemented by the Suffolk County Police Department. I read about the proposal in Newsday and I think it makes sense to increase and enhance the verification process of where sex offenders reside. I also believe that no one community should bear the burden of housing homeless sex offenders alone. The proposed plan to place homeless sex offenders throughout Suffolk County makes sense and is coupled with increased monitoring of all sex offenders, which will only help to increase the public safety in Suffolk County. I support the comprehensive plan and I urge the Legislature to vote for approval of this plan today.

Also, I'm here to speak on behalf of support of the Family Life Center. I am currently employed by the Town of Babylon and I work in the Wyandanch Community Resource Center. I'm here to give my full support to the Family Life Center serving as the contracting agency of the Wyandanch Youth Center. I have enjoyed an excellent working relationship with the Family Life Center for the past

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three years, as we share the same building and offer services to the residents of the Wyandanch community.

The Family Life Center is committed to serving the community from a holistic perspective. We have a very successful baby college called New Beginnings, where parents and children learn the skills needed to succeed. They have a successful Homework Help Program where adult volunteers -- adult volunteers actually assist the children with their homework, and we have established a partnership with the Wyandanch Union Free School District to provide an opportunity for high school students to give back to their community. The enrollment in the Homework Help Program has grown exponentially that they have had to move out of the Wyandanch Community Resource Center for that program and into the Wyandanch Community Nutrition Center in order to have enough room to serve the youth that attend.

The volunteers and Board Members have worked hard for the community of the Wyandanch and I know that once given the contract to operate the Wyandanch Youth Center, they will ensure that the youth of the Wyandanch community are served through extended hours of operation, increased partnerships with the community and a commitment to inspire youth to achieve beyond measure. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much, Ms. Jones. William Stewart, and on deck is Dane Carroll.

### **MR. STEWART:**

Good morning, good morning. My name is William Stewart. I came out in support for my Youth Center of Wyandanch. I'm a community person. I've lived in the community for over 35 years. I am now a homeowner of that community, I have kids in that community. My kids are part of the of that Youth Center and they've been there for a few years now and I'm hoping that it continues to stay open. They give a lot of good programs for my kids there. My kids do come home with a lot of things that they pull from that Youth Center, and I do have kids that shortly one day will actually probably have kids in that Youth Center as well. And I'm just here for support. And if it closes, I just don't know what my kids would actually be doing or be able to come home to bring and say what they're actually learning other than trying to go towards the streets or anything. So hopefully the center will stay open and with the support of the people that showed up today will change the minds of people who want it to close. Thank you.

### **LEG. CILMI:**

Next up is Dane Carroll.

### **MR. CARROLL:**

Good morning, and thank you for allowing me to address the Legislature. My name is Dane Carroll, the Executive Director of Wyandanch Youth Services. We believe this body is about to remove funding from Wyandanch Youth Services. It is important to note that the funding was already approved on November 18th, 2012. Wyandanch Youth Services believes that funding should continue, at the very least the issue should be tabled and sent to a committee for further consideration for the following reasons:

Wyandanch Youth Services has been given -- has not been given an opportunity to make a presentation to any committee prior to today, though another organization has been given the opportunity on January 28th of this year. Wyandanch Youth Services has made repeated attempts via letters to Legislator Gregory concerning the issue of the contract since January 8th of this year. We have not to this date received a written response to our request. We believe that misleading statements have been made and presented, even the Youth Bureau Director of Suffolk County has only visited the Youth Center once, and on that day failed to visit the children that were participating

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in our summer camp at the time. In addition, the Youth Bureau Director failed to attend an open house that was conducted, though he indicated he would attend. He, too, failed to respond to our written request for further information.

To this day, written inquiries concerning the status of the contract have gone unanswered, program disruption is upon us. The impact on our children and families that we serve in Wyandanch and the employees that service them, we do not believe in the status quo, and there's always been the ability to make space available for those who request it. Wyandanch Youth Services believes that final judgment on funding should not be made until all of the facts have been presented. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much. Jean Crichlow, and on deck is Deltrice Thompson.

**MS. CRICHLAW:**

Good morning to the Legislature and the people.

**D.P.O. HORSLEY:**

Ma'am, would you please speak into the mic? We're having trouble hearing you.

**MS. CRICHLAW:**

Okay. Good morning. Name is Jean Crichlow on behalf of the Wyandanch Youth Services. My children, grandchildren, nieces and nephew, the program there has helped them a lot. One is my daughter Adrina Crichlow, she was an All American from Wyandanch. She started out at the youth service as a basketball player. She was the number one in the State of New York in 1986. She was also the second basketball player in the United States. Over 300 colleges recruited her. Also I had a granddaughter, Autumn Crichlow Thompson. She's now in school for nurse practitioner. She came out of Wyandanch. She wasn't able to stay for her senior year. She was a valedictorian, but I had to pull her out because of the fighting and the shooting in Wyandanch. But she came up all the way until the 12th grade and she's now graduating as a nurse practitioner. She works at Columbia Presbyterian Hospital. I also have a niece who left last Thursday for Kuwait, Capri Shan. She came through the system. Also, my twin sister's son Shenga, he serves in the courts in Albany, New York and Adrina now works in the Courts in Brooklyn, New York. If it wasn't for that program, I was a single parent at the time, and still am, a widow, it has done wonders for the kids and for myself. It has helped me.

Also, I'm a retiree from the New York State Department of Motor Vehicle for nearly 20 years, and Suffolk County Off Track Betting. And I feel that there wasn't enough communication between the two centers, the Wyandanch Youth Services and Family Life Services. There's nothing wrong with change, but you have to open up your mouth and talk and you've got to come together, put your differences aside and get on one accord. And I hope that everything works out well in favor of the kids, because I'm about the kids and not about the adults. Okay? Thank you.

**D.P.O. HORSLEY:**

Thank you, Ms. Crichlow.

*(\*Applause\*)*

Deltrice Thompson, and on deck is Charles Gardner.

**MS. THOMPSON:**

Good morning to all. My name is Deltrice Thompson. I serve as Wyandanch Youth Services Board of Director Treasurer. I would like to take this opportunity to thank this Legislative body to allow us to speak to you today. As the Board of Director Treasurer, I would like to express the need of Wyandanch Youth Services Agency, which has been a 501(c) agency within the Wyandanch community for over 25 years. We, the new acting board, as well as the Director, have been carrying out as well as providing more programming for the youth services.

As you know, we had hit an economy which allows us to be in a recession. As the Board of Directors, we had to -- with the funding that we get from the Town, from the County, as well as United Way and some other donors, we had to restructure our programming like any other corporation would do. We understand that the kids in the community need to have vital programming for them to succeed. As you know, well, you may not know but I'm telling you now, Wyandanch Youth Services on the grounds will now be housing a Head Start Program. We believe with the Head Start Program being there, as well as the Youth Center, we can bridge a better collaborative gap.

The Wyandanch Youth Board of Directors have been reaching out to the Superintendent in the school district because we knew there was a disconnect, and we have been trying to revitalize that connection. With the school district, this is where the children learn and grow, and we would like for the district to honestly tell their side of the story in this relationship with our Family Life organization within the Wyandanch community. We believe that these two organizations, Family Life, as well as Wyandanch Youth Services agency, can coexist together as a collaborative group.

I believe some of the services that they will be operating may not be too conducive to the environment with the new Head Start. Our block grant is for youth services, and adult continuation I don't believe is part of that criteria. We can work together, but to take the agency that's been in this community for 25 years and throw it to the side as it served no children, served no purpose, is dishonest, disrespectful, and doesn't tell the true picture.

It is my understanding that there will be a bill introduced which will allow the Family Life, who's been coexisting for about three years and we, the Wyandanch Youth Service, had a collaborative --

**D.P.O. HORSLEY:**

Ms. Thompson, you have to start to wrap it up. Thank you.

**MS. THOMPSON:**

I will. Thank you. Had a relationship just this December where we provided some support in their annual events. So basically I would like for this Legislative body to put on hold the transferring our funds or the necessity of ticket in regards to transferring these funds based on a bill that will be produced. I thank you for your time.

**D.P.O. HORSLEY:**

Thank you very much.

*(\*Applause\*)*

Charles Gardner, and on deck is Reverend Constance Davis.

**COMMISSIONER GARDNER:**

Thank you, Legislator Horsley. My name is Charles Gardner. I'm here today representing the Long Island Chapter of the National Electrical Contractors Association as Director of Government Affairs and also representing the Kings Park Chamber of Commerce as the immediate past President. I

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want to speak about the solar energy sales tax exemption, IR 2227.

Just before that, I just have a quick aside. As former President of the Kings Park School Board, I do want to thank Legislator Nowick and the entire body of the Legislature for honoring our outstanding Kings Parks students today. Thank you very much for that.

NECA, the Long Island Chapter of NECA, and the Kings Park Chamber of Commerce supports this proposal as a means to provide an incentive to encourage businesses to install solar energy systems, just as we have done with our homeowners. As most of us know, solar energy system installations can be extremely costly for businesses. Because of the upfront costs many local businesses are hesitant to use this energy source. One of these upfront costs is sales tax. Last August, New York State exempted the sale and installation of commercial solar energy systems equipment from State sales tax effective this past January 1st. The State also allowed municipalities to do the same. Residential systems are already exempted since 2005. With the status of LIPA itself, not to mention their rebate, refund or incentive programs questionable at best, we urge you to follow the lead of New York State and pass I.R. 2227-12, bringing energy, jobs, economic activity. Thank you very much.

### **D.P.O. HORSLEY:**

Thank you, Charlie. Connie, and on deck is Yessenia Santana. Connie, always welcome. Good to see you.

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

### **REVEREND DAVIS:**

Thank you, Mr. Horsley. Good morning; I think it's still morning, anyway. Good morning, and thank you for the privilege to stand before you this morning. I'm honored to be here and thank you so much for hearing us.

I would like to say to you that the Family Life Center has been in existence since 2009. And since that time, we have touched over 700 families, men, women and children. Our program is geared towards reaching out to those who are neglected, those people who are not being seen, those people who are not in any formal type of treatment. We believe that all children can learn. We believe that all men and women want the best for their children. We believe that given opportunity, everyone, everyone can succeed. I, myself, I believe that if given the opportunity, the children who are in failing classes will become successful children.

And you've heard an overview of the things, the plans and the programs that we have. They're successful, they are doing -- the children are doing well, the families are doing well. We not only reach out to English-speaking people, we open our doors to everyone. If you come, you will see that our programs are state-of-the-art programs. We not only have a homework program, but we have a homework program where we don't only provide space, but we provide teachers; that's a big difference.

So we ask you to please consider what we're doing. Please understand that no one wakes up in the morning and says, "Today I'm going to be a drug addict, I'm going to be a poor mother or a poor father," nobody does that. Life happens. And you have to have something in place where people are available to reach down to those people who are standing on the corners, those people who have children walking behind them. We focus on the child. We focus on the child because we believe that if we can catch that child before they even enter, enter the school system, that we can impart that which will not only give them intellectual understanding, but also a mind to live a decent and a wholesome life. We believe that the Family Life Center is an integral part of the Wyandanch

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community. We believe that was because most of us grew up in Wyandanch and we have a love for the community. We have a love for the children and for the people. I am a licensed social worker --

**D.P.O. HORSLEY:**

Reverend, you're going to have to start wrapping it up, please.

**REVEREND DAVIS:**

All right. Can Family Life Center please stand, those people who started this? We started it, we do not get paid, we have worked for almost five years. We do not receive any type of salaries because we don't want it. We want to be a blessing to the people of the community. We have the children and the family at our best heart. That's what we want to do, we want to strengthen, we want to develop and do all the things that we feel that can make a wholesome and a healthy community. Thank you so very much for listening to me.

**D.P.O. HORSLEY:**

Thank you, old friend.

*Applause*

Okay. I'd like to make a motion -- as you can see, it's eleven o'clock -- to extend the public portion. Seconded by Legislator Cilmi. All those in favor? Opposed? So moved, we are in extended public portion.

**MS. ORTIZ:**

Twelve.

**D.P.O. HORSLEY:**

Yessenia?

**MS. SANTANA:**

Yes. Hi.

**D.P.O. HORSLEY:**

Thought so. Hi. And also, on deck is Carolyn Scaff.

**MS. SANTANA:**

Hi. I'm Yessenia. Hi, everybody. I came with a depression problem and the Life Community Center and the youth program helped me a lot. I got seven children from 18 to 20 months, and my 18 year old, she started doing -- helping the youth program with the children. She's doing community service right there, and I get treatment there. And I'm very happy with the program. We really do need it because Wyandanch is the place that they have a lot of people outside on the street with drugs and, you know, it's bad out there. So it's good for our children to be in that program and it's good for me, it helped me and I'm doing much better right now. Thank you.

*Applause*

**D.P.O. HORSLEY:**

Thank you. Carolyn Scaff, and on deck is -- I'm not sure, Julia?  
I guess it is Julia Jackson.

**CAROLYN:**

Good morning. My name is Carolyn Scaff and I've lived in Wyandanch for over 55 years. The things that the people are doing in Wyandanch now, the Family Life Center people, and all the programs

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that are going on, they're tremendously important to us and to the children who you want to be productive in the coming years. They can't do that by themselves. I believe that children learn by what they see. If they see good, they're going to do good; if they see bad, that's going to be represented, too. And I ask you all to please look kindly on this. Thank you so much.

### **D.P.O. HORSLEY:**

Thank you, Ms. Scaff. Julia Jackson, and Rachel Bailey is on deck.

### **MS. JACKSON:**

Good morning. My name is Julia Jackson and I'm with the Family Life Center. I'm also the Program Coordinator for our Homework Help Program. And I know you have heard something about it, but I'd like to tell you a little more about it.

The homework help component of the Family Life Center offers an after school academic support program for students Grades K through 5. We provide help for the students with their academic assignments and have a long-term academic development program to help improve their academic skills. We have set up a schedule to meet with the students on two-day sessions, either Monday/Wednesday or Tuesday/Thursday, and we did that schedule so that we could be able to service more children. We provide peer tutors, which we call student learners, and at this point we have been able to collaborate with Wyandanch High School and they have given us students. We have nine students that are on deck now that come in and work from four o'clock until seven o'clock and basically just do homework with the children, that's initially what we do. But we found that with doing homework with the children, we're able to do other things. We're able to do discipline with them, we're able to teach them some socialization skills, a lot of different things are coming out just being able to do a one-on-one with the children.

We have reached out to the students that are not all -- that are not English-speaking. We know that the parents are not able to help them with their homework because they cannot speak English. And we do allow them to come up even if they're over the 5th grade level, and we have seen tremendous advances with them. When we started out in October, we were servicing some seven to nine students a night. At this point, after we've moved into a larger facility -- we were first at the Wyandanch Resource Center and we were just bursting at the seams. We have since moved to the Senior Citizen Center and we're servicing some 17 to 21 children every night. We have on roll at this point 68 children that we serve. And we know we've done this without really even advertising, without really even going out, because we know that this is a service that's needed. And we hope that you give us the opportunity to not just do this because we have a lot of other things that -- this is the groundwork. We know that if the students are helped with their homework, they will get better grades; if they get better grades, we know that they'll feel better about themselves. So we're asking that you allow us the opportunity to grow with this program and to add on as we continue. Thank you.

### **MS. BAILEY:**

Good morning, everyone. Thank you for giving us the opportunity to share with you. Our goal and focus is to have more Allens and more Intel students. With that being said, I am a graduate of Wyandanch High School, 1964, I'm a retired teacher. I also played hockey, so congratulations to the hockey team.

Let me tell you a little bit more about what we're doing with the Family Life Center. It was founded in 2009. I'm the Director of the New Beginnings Parent Enrichment Program and we provide the parents of Wyandanch and the surrounding communities -- communities with a parent enrichment program with best practices, information and support necessary to produce intellectually, emotionally, spiritually and physically healthy children. Parent workshops include brain development, language development, pre-reading, intrinsic skills, math skills, social skills, discipline

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versus punishment, financial wellness, identification of disabilities in children and nutrition. Also, our programs encompass Latin-speaking parents and children, Haitian parents and children, white parents and children, black parents and children, whoever comes they are welcome.

I have to tell you a little bit about the New Beginnings Program as it relates to STEM. Last spring we were the youngest group that participated in the SUNY Farmingdale's 2nd Annual STEM Diversity Summit. We presented a colloid experiment called Blue Goo, and the children -- we had 1st and 2nd grade children, and they were so excited, and everybody came by our tables and played with our Blue Goo. So we're collaborative. We're going to -- I'm a sports advocate. I play golf, I play tennis, so we want to collaborate and bring those things back to Wyandanch full of glory and enthusiasm, and we're just excited about what we can do and the possibilities there are in the community. Thank you so much for your attention.

**D.P.O. HORSLEY:**

Thank you, Ms. Bailey.

*Applause*

Haywood Jennings, Jr., and on deck is LaQultey Brooks. Good to see you, Haywood.

**MR. JENNINGS:**

I just want to say --

**MS. ORTIZ:**

Speak into the mic.

**MR. JENNINGS:**

Good morning. Good morning, Legislators. I just want to state that I'm going to pass my statement due to the fact that I wasn't certain when I came in and filled out the yellow form. So due to the people that's here, I don't want to make a statement.

**D.P.O. HORSLEY:**

There's no more to be said, huh?

**MR. JENNINGS:**

No, sir.

*(\*Laughter\*)*

**D.P.O. HORSLEY:**

*(Laughter)* Okay.

**MR. JENNINGS:**

Thank you.

**D.P.O. HORSLEY:**

You're welcome. Ms. Brooks, and on deck is Charles DiStefano.

**MS. BROOKS:**

Good afternoon, everybody. I'm not going to speak, I'm going to give my time to Reverend Dr. Costello.

**D.P.O. HORSLEY:**

Okay. Could you please speak into the microphone now?

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**MS. BROOKS:**

I said good afternoon, everybody. I'm not going to speak at this present time, so I'm going to give my time to Dr. Costello.  
Thank you.

**D.P.O. HORSLEY:**

All right. Ms. Costello.

**REVEREND COSTELLO:**

Good morning. I'm Dr. Zurina -- Reverend Dr. Zurina Costello.

**D.P.O. HORSLEY:**

And Doctor, would you please fill out a card when you're done?

**REVEREND COSTELLO:**

I did.

**D.P.O. HORSLEY:**

Okay. Oh, good. Thank you.

**REVEREND COSTELLO:**

I did that already. It was just later on down the line. I'm a resident of West Babylon. I'm a bilingual, Spanish-speaking mental health counselor and I'm here today to support the Family Life Center. I've been a volunteer parent educator with the New Beginnings Program since cycle one.

I believe that the Family Life Center reflects the diversity present in the Wyandanch community and all of its programming. I believe that the practices of the Family Life Center engage in having participants have equal access and opportunities for individuals, families, youth, children, and wholistically for the community. I have observed both the leadership and all of the volunteers, for that matter, which are highly effective at conducting multi-cultural programming, planning and outreach and valuing all cultures. For example, the New Beginnings provides opportunities for participants to receive services in both English and Spanish. And also, parents are learning English in the process of taking the parenting classes. I support the transfer of all revenues and programming contracts to the Family Life Center. Thank you very much.

*Applause*

**D.P.O. HORSLEY:**

All righty. Thank you very much. Charles DiStefano, and Frank Nitto.

**MR. DiSTEFANO:**

Yes. My name is Charles DiStefano, I'm the Director of P2P Energy Solutions here in Ronkonkoma, a local solar contractor. I would like to speak for a moment about the commercial sales tax exemption that we'd like to applaud Ms. Anker for presenting to the Legislature.

First off, just let me say that these tax incentives, there is no question that they work. This is evident. Since 2008 when the Federal government had passed some -- he lifted the restrictions for tax credits personally, well, personally and commercially here in the United States. We've had exponential and sustained growth in the industry. There has been more solar installations done since that time, several times over since there was, you know, prior to that.

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So let there be no mistake that these tax incentives actually do work and do incentivize the industry to continue to move forward. I don't think that there's any question either here on Long Island since the aftermath of Sandy. Whether it be scientists speaking to the fact that possibly this could have been caused by -- you know, or at least helped out and strengthened by global warming factors, or whether it be that we here as residents of Long Island in the aftermath, waiting in lines for fossil fuel created energy, or the strain that we saw put on LIPA's grid and how that could hopefully be alleviated by distributed generation of solar throughout the Island. I think we see that there is a need for solar energy here on Long Island and renewable energy. I ask for your vote today to pass this. I think we all know that it's needed and I hope to see this come to light. Thank you.

### **D.P.O. HORSLEY:**

Thank you, Mr. DiStefano. Frank Nitto? Frank Nitto? All right. Robert French? And on deck is J. Cucurullo.

### **MR. FRENCH:**

Good morning, Ladies and gentlemen of the Suffolk County Leg. My name is Robert French, I'm a counselor representative with the Northeast Regional Council of Carpenters, and I want to speak on the topic of the appointment of Paul Tonna to the Suffolk County IDA.

I just would like briefly to say I believe Mr. Tonna has represented the County and its residents very well in the past as a member of this board and I believe he will also represent the Suffolk County residents well as a member of the board of the IDA.

So the Northeast Regional Council of Carpenters wishes to express their endorsement and support of the appointment of Paul Tonna to the Suffolk County IDA. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much, Mr. French. J. Cucurullo. And then I understand that Mr. Nitto walked back into the room, so we'll take him up next.

### **MR. CUCURULLO:**

I'm John Cucurullo, I'm a representative --

### **D.P.O. HORSLEY:**

I'm sorry, I mispronounced your name.

### **MR. CUCURULLO:**

Okay. My name is John Cucurullo, I'm also a representative of the Northeast Regional Council of Carpenters and I'm here to support and recommend that Mr. Tonna be with the Suffolk County IDA. He has been a friend to labor and a friend to the industrial development of the County and I'm here with the carpenters. Thank you.

### **D.P.O. HORSLEY:**

Thank you, Mr. Cucurullo. All right. Frank I understand is back in? There you are, Frank.

### **MR. NITTO:**

How are you doing? My name is Frank Nitto, I'm a business rep for Local 28 Sheet Metal Workers Union. I also represent Nassau and Suffolk Building Trades and Long Island Federation of Labor. We have 250,000 members here on Long Island and I'm here today to speak on tabling the appointment of Paul Tonna. The reason we want it tabled, the Long Island Fed and the Long Island Building Trades, is that there was a situation -- every elected official knows that they have to reach out to all their people in the community, and there was a situation where somebody reached out to Paul and he was told -- he told us that he didn't need to speak to us. We believe if this is tabled

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that the situation is that we can have him come and talk to us and amend our relationship with Paul. We believe if we were given a little more time that this could be worked out and we're asking today that it be tabled and be brought up at a different time.

### **D.P.O. HORSLEY:**

Thank you very much, Mr. Nitto. We appreciate it. Leonard Devlin? And on deck is Reverend Doctor Zurina Costello. Oh, she spoke?  
I'm sorry. Leonard Devlin, please.

### **MR. DEVLIN:**

Yes. On behalf of Sayville schools, I want to take this time to thank Sarah Anker and the County for this opportunity. My name is Len Devlin. I'm the head of security for Sayville schools, a security consultant and a retired Detective from New York City. I've worked for Sayville schools for approximately eight years. Sayville would greatly welcome the 911 system in our schools. It would greatly enhance our school or any other school district school plan.

As you know, the State has limited school boards to a 2% tax cap and it's very difficult for school boards to meet their cap. And by this security system funded by the State, funded by the County, it would enhance our school system. This is a great opportunity for Sayville to move forward. I would recommend this system to be placed in two locations in schools, one at the main entrance and one located near the school dean and/or the principals. The system would have -- should and will have strict guidelines to activating the police system and should follow with a call to 911 if possible. This system will save lives. As you know, this system is in banks. This system we installed in banks to protect our money; why not put the system in schools to protect our children? Thank you for this time.

### **D.P.O. HORSLEY:**

Thank you very much, Mr. Devlin. I have Nanci Dallaire, and on deck Patrick Hahn.

### **MS. DALLAIRE:**

Thank you. I was hoping that I would not have to speak before this Legislature about the John J. Foley Skilled Nursing Facility. Unfortunately, the cooperative spirit that was spoken about could not be achieved and the future at John J. Foley remains uncertain. It was wishful thinking that we could move forward in a positive direction to work on resolving problems and searching for solutions that would strengthen these vital health services, not strip this community of their proven safe haven. It's discouraging this Administration chose the same senseless path as the previous administration, and if these choices are not going to change, then I need to understand these choices. If we are to sacrifice our public health services, I need to understand why.

I watch as my County consumes itself with opening that jail for criminals instead of efficiently operating John J. Foley. I listen as this County can assist the homeless sex offenders who were displaced by that storm, but the hard working homeowners struggle to recover. The Administration is so quick to blame John J. Foley and claim these essential services are a burden to the taxpayers, but I never hear them complaining about that correctional facility and what it's cost the taxpayers. These are the choices I struggle to understand.

I cannot accept that State mandates made these decisions. The State can spend \$8 million to put up all those new signs along the LIE but they will not support these vital health services and preserve this emergency evacuation center? Those signs that will now be in danger of being blown from their bolts when the next major storm hits Long Island, and this County has chosen to rebuild that ballpark, but you will not restore John J. Foley so we can be prepared for the next crisis. These are the choices I need to understand. Why is Suffolk County so willing to take any chances, especially in the wake of Sandy? This does not make any sense to me. So I stand, once again, and

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object to any sale or closure of this incredible institution and I will ask you, what major catastrophe will it take for you to realize the value of John J. Foley.

*Applause*

**D.P.O. HORSLEY:**

Thank you very much, Nanci. Patrick Hahn, and on deck is Ed Gay.

**MR. HAHN:**

Good morning, County Legislators, Ladies and Gentlemen. My name is Pat Hahn, I represent the Center Moriches Watchdog Community Association, we are the neighborhood civic. I know I'm off the agenda on this one, but I wanted to come before the full Legislature as I had sent you numerous e-mails and letters in reference to a very important issue.

We just want to go on record that I have over 400 signatures that I'd like to give to the Presiding Officer in reference to -- against the proposal of a crosswalk at the Center Moriches Elementary School on Main Street. Trust me, I'm a Scoutmaster for 18 years of service and I want to advocate for kids. I also deal with kids in my troop that also have special needs. I'd be the first person to stand up here with a pipe band behind me pleading that we pass this thing and give the 150,000 for the crosswalk, but this is not the case, Ladies and Gentlemen. The case here is teachers and staff that are parked across the street at the elementary school to cross the street so they don't have to go by two crosswalks that are only less than 200 feet on each side. And when those crosswalks are not manned by our crossing guards from Suffolk County, they are manned by our finest Suffolk County Police Department. They are the most protected crosswalks in our area at this point. To put a crosswalk in the middle is ridiculous, and to utilize children that have Autism as a tool to put a crosswalk in is even more ridiculous.

Our Center Moriches Fire Department has given our school district a bus for the special needs students. No one would take kids across the street to, what, walk across the parking lot? You's have to be taught to walk on the sidewalk. You still have to walk to the crossing guard. So I plead with this legislation (sic) to take into consideration any monies that were going to be appropriated of \$150,000 for that particular crosswalk. We as a community organization took a vote on this in September, I'm mandated by that vote, as their President, to argue the issues. So I come before you today to let you know that we are against that crosswalk. We have been advocating for a public crosswalk, a safe crosswalk in the Town of Center Moriches on Bank Street and Canal.

I know I've been speaking to our newly elected Legislator, Al Krupski; congratulations, Sir. This is no reflection on our other Legislator, Kate Browning, her and I have a very good rapport, she's a friend of mine, we just have different sides, point of view on the issue. But I have an obligation, as a representative of our community and as a President that was ordered by a mandate from a motion that was passed and carried unanimously, to bring this forth to your attention. I thank you for your time and I know you have a busy agenda ahead of you. Thank you.

**D.P.O. HORSLEY:**

Thank you, Mr. Hahn.

Okay. On deck is Ed Gay -- no, up now is Ed Gay, and on deck is Barry Baxer, Jr.

**MR. BAKER:**

Baker.

**D.P.O. HORSLEY:**

Baker, I'm sorry.

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**MR. GAY:**

Good morning, Legislature. I want to first start out, I've been a teacher, a science teacher for 20 years, and I can basically teach you about the crab cycle and tell you things that you probably don't even know unless you do the research. With that said, I've been in that community for all my life, okay. I was a product of the center when it was just that gas station on Straight Path where my Mom dropped me off with a bunch of kids from Deer Park and other towns, were picked up and went about our programs. I was also part of the 1st Precinct Explorers. I was also a Cadet, and I thank all of those people who have took interest in my life. I also have a brother who was adopted who was a problem child, okay, and he is a product of the community as well. He went to ranger school, he is now married living in Virginia. So you see why it's so important that the community leaders in that community are approachable. Yeah, you can run a program, but if you're not approachable, there's nothing you can do.

I spoke with some of the Suffolk County Police one time and I said, "Listen" -- I'm also the head coach up at Wyandanch as well, football. And I told the Suffolk County Police, I said, "Listen, if you see those kids on the streets, send them to me," and that's what they did. Now, of course it was a little bit too late for them, okay, but I'm now starting to see some of those members testifying the wrongdoings that they have done. I also taught at the STEP Program in Manhattan at NYU and I had the kids from Brooklyn, District 13. And my thing is if it can be done in Brooklyn, it can be done here in Wyandanch, but when I came back to Wyandanch, I saw that it was not being done. Okay? I've had kids that have gone off. I can sit here and talk about myself all day. It's not about me.

I'm the President of the Wyandanch Junior Warriors. We did it without funding. You know how hard it is to get money from people? It was hard, but we did it. Okay, it's about the kids, 100% kids. Not just kids that are not going to give you trouble, but kids that may have a past.

*Applause*

And if you can turn them around, that's your assessment. Any time you run a program you have to have assessment, okay. So that's what we're about and that's what we're driving for, because you have community leaders here that care 100% about the kids and care that the community is changing. The structure is changing, but you have to change the core as well. And if you don't do that, you're going to have the problems all over again. I thank you for your time and for hearing me.

*Applause*

**D.P.O. HORSLEY:**

Thank you, Mr. Gay. Barry Baker?

**MR. BAKER:**

Baker. Good morning. How are you doing?

**D.P.O. HORSLEY:**

I'm sorry about that. And on deck is Bishop Talbert.

**MR. BAKER:**

Okay. How you doing? Good morning. My name is Barry Baker, I'm the head coach of the Wyandanch basketball team, an assistant head coach for the Wyandanch football team. I'm a product of my environment. I'm here to represent the Family Life Center and the kids in the Wyandanch community who need an outlet instead of the corner.

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Growing up in Wyandanch, the use of the playing field and the youth center was always open to the youth, always open to the youth, as well as the community. My family, the youth center, as well as the people who worked in the youth center, helped me to mold -- helped me to mold me and become the man I am today. There are kids in greater use of the building, and with more access and more resources we can continue to make Wyandanch rise.

I'm a five-year Syracuse graduate. I came back to my community to give back, uplift, instead of trying to dismiss our youth who need it more than anything. Right here my motivation is to help, change and construct positive reinforcement to our youth. There's more to life than just standing on the corner trying to get something out of life. With the right people in place, as far as myself who can stand and represent for the youth, this is my community and coming back, I just want to be the face of the youth to help change and make a difference in Wyandanch. Thank you.

### *Applause*

#### **D.P.O. HORSLEY:**

Thank you, Mr. Baker. Bishop Talbot? I saw him earlier, and Amol Sinha. Bishop, welcome.

#### **BISHOP TALBERT:**

Good morning.

#### **D.P.O. HORSLEY:**

Good to see you.

#### **BISHOP TALBERT:**

Good to see all of you. First of all, I want to just say thank you for allowing me to address you, to our Legislator DuWayne for taking responsibility to move and to make a difference in Wyandanch.

I serve as the President of the Wyandanch Clergy Association. I also serve as President of Wyandanch Union-Free School Board. We are here, or I am here and we are here to say that what we are doing here, what we are embarking upon is to take a building and to utilize it for the greater use of the community. For five years I have been approached by different organizations who are unavailable or could not use the facilities, the football field, the gymnasium, in the manner that they wanted to. I've lived in the community for 20 years. I have four children, two of them play football and basketball, and to see the buildings underutilized, we can reach more children. Now we're at a place where the attention must be given to address the Administration. We've got to open the building up. We've got to open the field up to the greater community use, and that's what I'm here for to say to our Legislator, keep pushing forward. I hope your colleagues will join you in supporting the greater use and pulling those children off of the corner, into a building, structured, where we can patrol the building, help bring order and some protection. So I think with us in the building, the building open, can serve the greater community rather than just a limited portion of it. God bless you.

### *Applause*

#### **D.P.O. HORSLEY:**

Thank you very much, Bishop. Amol Sinha and Teilia Dockery on deck.

#### **MR. SINHA:**

Good morning. Thank you so much for the opportunity to speak today.

I'm here to talk -- my name is Amol Sinha, I'm the Director of the Suffolk County Chapter of the New York Civil Liberties Union. We're a constitutional rights advocacy organization and the Statewide affiliate of the American Civil Liberties Union, our national organization.

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You know, I'm here today to talk about the expanded monitoring of sex offenders and the closure of the trailers, but I won't talk about the merits of the law because, frankly, we just saw it this morning. What I'm here to talk about is the process behind it, and what I'm here to talk about are fundamental notions of democracy. You know, whenever I talk to my Legislators here in Suffolk County, whether it's on an individual basis or before you today, I -- and I'm energized because I feel like you all understand what it means to pursue democracy in the proper way, and you all understand the ideals that we're here to protect. And I love my job for that reason, and when I talk to you I get the sense that you guys love your job for that reason as well.

And to pass something without significant deliberation that is an issue of public concern and public safety is not only offensive, is not only bad public policy, it is antithetical to the principals of democracy that are grounded in our Constitution. And I would urge you to think carefully about the Community Protection Act, to think about whether or not it is good public policy for us to pass something without committee meetings, without public hearings, sufficient public hearings, and with hardly any notice given to the public about a bill that concerns them.

Thank you very much. I won't take any more of your time. And if you'd like to talk about the merits of the bill I'm here. And you guys have my contact information, so feel free to reach out about the Civil Liberties' concerns about this bill or any other bill that you may have come your way. Thank you.

### **D.P.O. HORSLEY:**

Thank you, Mr. Sinha. Teilia Dockery, and on deck is Bill Duffy.

### **MS. DOCKERY:**

Good morning. I'm Teilia Dockery, I'm a resident at Wyandanch. I started going to the youth center at the age of 12. I volunteered till the age of 14. I started working from 14 to the age of 17 and the whole time me being there it was open for the community where we could come on Fridays or Saturdays to play basketball or do something so we wouldn't be in the street. As the time flew by, the youth center got distanced where we couldn't come or we couldn't go there on Saturdays to play basketball or come with our fellow students or people that lived in Wyandanch because they took that from us. I have two kids and I feel like -- I'm a single mother and I don't want my kids to end up in the street. So I went to the youth center about November to see if I could bring my kids there and I would volunteer and go there all day. I left my number and I left my name so the head director could call me, I never got a call. I just want the youth center to come back. I want it where we have a director that can open it up for the youth and everybody in Wyandanch because there are single mothers that work to provide for their family and their kids are at home with whoever and they're not getting that watch that they need. When I was there we had that.

I was a troubled child growing up. I was in the streets because my Mom tried to maintain her sons so her sons could be something. And the previous directors that I had, they had me on track, they gave me that motivation to tell me that I could be something and I could do it if I dreamed and I believed in my dream.

As of right now we don't have that. We don't have nobody in our community to help us with our kids or help us or strive our kids to do it. I would like if we could get new directors where they can open the community, the youth center for everybody, not just the people that they know, and give us an open -- I can't -- give us the chance to get all of us together. Thank you for letting me speak.

*Applause*

### **D.P.O. HORSLEY:**

You did a good job. Bill Duffy, and on deck is Corey Mourer.

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### **MR. DUFFY:**

Hello. Thank you for affording me the opportunity to speak today. Obviously I'm here to speak on behalf of Paul Tonna and the Suffolk IDA Board appointment.

I've known Paul for almost 30 years. Met him in 1986 as a little kid, a little wise -- you know, a wise guy at St. Anthony's High School, he taught me religion. He definitely left an impression on me that I've carried through my life. Most of us in this room know Paul very well, he's done some incredible things for Long Island. And the men and women of Local 138 that I represent think it would be a great crime to stop him from -- giving him the opportunity to continue to do good things on Long Island.

Quite frankly, to table this vote is -- it's ridiculous, because honestly we all have a million different things that we need to address. Something as petty as this, it just needs to be either -- you know, one way or another, move on and let's all continue to work for the betterment of Long Island. And I would just like to say thank you for giving me the opportunity.

### **D.P.O. HORSLEY:**

Thank you, Mr. Duffy. Corey Mourer, and on deck is Kevin Bonner.

### **MR. MOURER:**

Thank you. Good morning. I'm here representing Avon Electrical and our solar distribution business. This commercial exemption on the solar sales tax would greatly benefit the local market. Currently solar installers purchase their commercial solar equipment out of state to avoid the sales tax; this would be a job creator and only benefit our local community. Thank you.

### **LEG. CILMI:**

Kevin Bonner, and on deck is LaFlorence Grant.

### **MR. BONNER:**

Good morning. My name is Kevin Bonner, I'm a resident of Wyandanch. I've been a resident of Wyandanch since 2005. I came to the community under the Officer Next Door Program.

I'm here to talk on behalf of the Wyandanch Youth Services. I believe in the viability of its programs. I believe that we need a safe place for all of our children of our community. Upon entry into the community, frequently I drive through the community and I do my own assessment of the community. I like to see what's going on. And I do see our children in the streets and I see the gang activity, and that's why I support 100% locking of the facility. You should have the doors locked. My children do participate in the program and I'm very comfortable, and I feel -- I rest assured that my children are safe because those doors are locked. I believe that those doors are locked not only for the safety and security of our children, but also the staff as well. We have sex offenders throughout our community, we have gang activity throughout our community, and I think it's important that we make sure that our children and our staff are safe.

While the building remains accessible to the children of the community, it should not be open -- just open to anyone without doing proper criminal background checks, along with clearing these individuals through the State Central Registry for sex offenders. That's going in line with people wanting to implement programs and mentorships in our center without doing proper checks of these individuals to ensure that our children are not going to be confronted or exposed to people with criminal or sexual offenders.

Also, I believe that while there is definitely a need for the Family Life Center, you know, which reaches out to everyone in the community, I do not support the transferring of revenues or contracts to the Family Life Center, but I do support their efforts to secure separate funding,

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because this is also important as well.

I thank you all for your time. And I hope, I sincerely hope that we don't turn ourselves back into another community where we're going to look back and regret making terrible mistakes by just allowing anyone to walk into our building. We also hope -- I also hope that this is not an issue of monopoly where people are just looking to get access of facilities just for -- to expand their program rather than building up our community. I don't believe that we should duplicate programs. I think that there's a need for separate programs and I thank you for your time.

### *Applause*

#### **D.P.O. HORSLEY:**

Thank you very much. LaFlorence Grant, and on deck is Bobby Blessingame.

#### **MS. GRANT:**

Good morning. My name is LaFlorence Grant. I am here to address the Legislature, Suffolk County Legislature. Thank you for allowing me to address you.

I am the Chair of the Rosa Parks Civic Association and I am a proud resident of Wyandanch, a taxpayer in the County. I've been in the County and the Town of Babylon since 1972, long before the Wyandanch Youth Services was even formed. That's how long I have been an advocate for my community and the youth. I'm also a former Trustee and President of the Wyandanch Board of Education, and currently the coordinator of the Wyandanch Public Library's Literacy -- Early Literacy Coordinator. It tells you, to give you an overview, that I'm not just here just to be on one side. I care about the kids in Wyandanch, I care about all the kids in Wyandanch, and I care what's going -- about the caregivers who are going to be giving services to them.

I am here -- I've been fortunate to be in touch with the Deputy Commissioner, Ms. Lewis, and she informed me of what -- of what the intentions are of the Legislature. I've been fortunate to have a private meeting as well as a public meeting with other members of the Rosa Parks Civic. My major concern is that the proposed action that is taken today by the County Legislature in regards to transferring the Wyandanch Youth Services, Inc, approved budget to another community agency that possibly is offering similar services, but more or less does not have sufficient housing for that program. The bottom line is that the community needs both agencies, they need both. There's no such thing as -- we have enough issues in our community that everyone should be part of it. It takes a village to raise a child. You need the family life, you also need the Wyandanch Youth Services which has been around, as you can see, for a long time. So it would be a shame that you would try to take it away from our community at this time.

I think both agencies need to be able to operate fully and to cooperate and they can get some space in the building, but it shouldn't be one or the other. We should not be dividing our community and making it divisive against one agency against another. Our community has seen enough of this. The families within our community, and especially within the Hamlet of Wyandanch, they need the program, they're at risk. They will need to be consistent, reliable, whoever provides that service, they will -- they need to continue to provide us --

#### **D.P.O. HORSLEY:**

Florence, you're going to have to start wrapping it up.

#### **MS. GRANT:**

Excuse me?

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**D.P.O. HORSLEY:**

You're going to have to start wrapping it up, three minutes.

**MS. GRANT:**

Okay, I will start.

**D.P.O. HORSLEY:**

Thank you.

**MS. GRANT:**

And they will continue to provide a safe haven for all of our youths. Just to give you a background, the Wyandanch Services, as I said, has been around since 1972, enough where my two daughters attended Camp Gambia for every single summer, then came back as college students.

**D.P.O. HORSLEY:**

Florence? Florence, please.

**MS. GRANT:**

Their names are Ghenya B. Grant, Esq., and {Sakia} Grant, she's a geologist.

**D.P.O. HORSLEY:**

I --

**MS. GRANT:**

I feel that due to the lack of the process and the communication --

**D.P.O. HORSLEY:**

Florence?

**MS. GRANT:**

That you guys need to reconsider. Thank you very much.

**D.P.O. HORSLEY:**

Thank you very much. Bobby Blassingame, and on deck is Shirley Baker.

**MR. BLASSINGAME:**

Shalom, shalom. That's out of -- Mr. Blassingame, community leader of Wyandanch's unofficial mayor. I've been listening to them because I don't hold no elected office, you know that, in Wyandanch, but I've been hearing them say the problems that they've been having. When I was at the Town Hall, I was appalled that the Superintendent's assistant would have to come down there and beg the use of the community center; that should not be.

I've been hearing they're a 501(c)3. I'm not down here to ask to be a 501(c)3. I would like it if a board were put in place that is elected by the community, just like the school board, just like the library. You may have a staffing down there, that's how they run the building, that's how it's paid, but not a private staffing that is on the back of the taxpayers of Wyandanch. We're already paying for the community to get built. I am watching them come down here, I don't sit on no board here, but as a community leader I watch. We had a thing for the Weed & Seed. We asked for all of them to show up, the Director did not show up. If you represent Wyandanch, I expect for you to be at the community meetings, I don't care how you feel. If you have a problem -- DuWayne Gregory show up, Wayne Horsley show up. You tell me you show up at all these other events. I did visit the community center as a community leader. I saw some children getting educated, but the person down there was not a licensed tutorer. If you got somebody who's 12 years old, seven years old,

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different types of work, they need to know what's going on. Even though I like the staffing, the staffing are very friendly people, but I'm not asking for your friendliness. I don't expect for my President of the school board has to come down and say can he use the building that's in Wyandanch. I, as a taxpayer, own every building in that town and I could prove it with my taxes; I own every building in Wyandanch. So as long as I am the owner of said building, because when they go sewage you're going to send me a tax bill, right? So I must be the owner because I must be paying for it. So I expect as a taxpayer it will be used; not maybe, not sometimes, not when you get good and ready. It's when I see the board President of a library have to come and say to this board, "Can't we use the building?" They should not be down here asking you this. It should be you have to vote on common sense. The building sits in Wyandanch.

They said the children of the community. I don't see the children of Wyandanch using it. Don't tell me about the children of North Babylon. I love children, but I don't represent North Babylon. I don't represent Huntington, even though they got children. These individuals are asking for something simple, and as a community leader, I don't mind moving forward. Because I will say it again, we must find use of the building. And if somebody gets upset because you're saying so, then you shouldn't be sitting there.

### **D.P.O. HORSLEY:**

Bobby, you're going to have to start wrapping it up.

### **MR. BLASSINGAME:**

Other than that, I have nothing else to say.

*(\*Laughter\*)*

### **D.P.O. HORSLEY:**

Shirley Baker and Roger Clayman.

### **UNKNOWN AUDIENCE MEMBER:**

She had to step out.

### **D.P.O. HORSLEY:**

She's not here? Okay, I'll put her aside then. Roger Clayman.

### **MR. CLAYMAN:**

My name is Roger Clayman, Executive Director, Long Island Federation of Labor. I'm here to address a question that's caused quite a bit of concern which is the appointment of Paul Tonna to the Industrial Development Agency.

I've been working off my organization with the building trades, with the Long Island Federation of Labor, to find a solution to this issue to take the pressure off of you to have to have that be ultimately responsible for some of the disputes that have arisen between Paul Tonna and the building trades and bringing this discussion to a head here, and I think we have arrived at a very reasonable solution.

This is not the key question, the appointment of one person to the Industrial Development Agency, this is not the key question that we should be confronting in economic development. What we should be confronting is how the IDAs function, whether they take our money, community money, the taxpayers' money, invest them in employers and developers who are supposed to bring jobs to our community and whether they do that properly so that those jobs provide good wages and benefits that are brought back into our community for reinvestment, or whether they're being used improperly and used to hire people from out of state and take money out of our communities.

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Now, how does Paul fit into this? Paul has been representing Jerry Wolkoff. There are significant disagreements between what Jerry Wolkoff would like to do with his development and what the labor movement thinks is proper. Does that in and of itself indict Paul representing him? No. But there is a substantial disagreement with developers who think that they can follow the Jerry Wolkoff model and try to get union contractors, union business agents and our locals to bid against artificially low bids put out by non-union developers.

We think there's a solution to this and that's dialogue. We've suggested that you table this and that the labor movement can have those discussions, put away what is a very real, realistic, simmering disagreement between our construction trades and Mr. Tonna, and move forward. I'm sorry that the -- that Mr. Tonna said to me that, you know, if his name -- he resents the opposition and that we would table it, that that's an insult. It's not an insult. What we're trying to do is to move forward and give that name an opportunity to go forward, which I think it will. In fact, I'm from the Long Island Federation of Labor's perspective, it can go forward. But we're asking that this be tabled today. Those discussions and that clarity can be achieved, and that we move forward to deal with the real economic development questions that we have. So that's why we put that position before you as a solution to a complex and difficult and kind of a clawing problem and not a way to throw a barrier into any person or at you as a body. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much, Roger. Yvonne Phinizy.

### **MS. PHINIZY:**

Good afternoon. My name is Yvonne Phinizy and I'm speaking on behalf of the Family Life Center. I'm the Assistant Director there. I'm a student of Wyandanch High School, was a student of Wyandanch High School, I graduated in 1963. I'm a licensed clinical social worker and I have been in Wyandanch for 50 plus years. I was part of the coalition, I was a vice-president of the Wyandanch Coalition to build that building, the youth center, and we got it built. And during that time, there were two wonderful people, the Bullards that were running it, and it was a very vital building, a vital program. They had everything you could possibly think of back in that day.

I just wanted to assure everyone in this room that the Family Life Center is not looking to take over anything. We want to work with the community. We want to expand -- we're not looking to close the center. We're looking to expand the programs and make it more sophisticated so that the people that are in this community, the children especially, get a chance to grow up to be productive human beings. You know, sometimes people look at Wyandanch and say, you know, that's a lost cause. I know that Wyandanch is not a lost cause. I was -- I was going to Wyandanch school, elementary school when Straight Path was a dirt road, and I saw people struggling and trying to be upward and mobile. And I also watched the community with great sadness go down. I don't want that anymore. We are a powerful, powerful people, we are a powerful, powerful community. We have diversity there, we need to use that to grow and to educate our children, because we are a part of this great nation. And in order for us to make a difference, we have to educate our children and give them the love and the guidance that they need. Thank you.

*Applause*

### **D.P.O. HORSLEY:**

Thank you very much. We appreciate your comments. I remember also the Bullards and they were wonderful people; you're absolutely right about that.

### **MS. PHINIZY:**

Yes.

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**D.P.O. HORSLEY:**

Shirley Baker. I'm going to call her again, I don't know if she -- she wasn't here when I called her earlier. Shirley Baker? No? Would anyone else like to speak? Would anyone else like to speak?

**MS. GRANT:**

*(Raised hand).*

**D.P.O. HORSLEY:**

No, you've already spoken, Flo.

**MS. GRANT:**

It's on a different topic.

**MR. NOLAN:**

No.

**D.P.O. HORSLEY:**

No. Sorry.

Okay. Anyone else? I'll make the motion to close. Second by Legislator Barraga. All those in favor? Opposed? So moved, it has been closed. ***(Public Portion Closed)***.

All right, we're moving to the reports --

**MS. ORTIZ:**

Fourteen (Not Present: Legislators Browning, Kennedy & Nowick - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

No. 8 on the agenda, **Reports and Statements from the County Executive**. I have a note here that the County Executive's Office wants to speak after the public portion, and this would be the time to do that. Is there a representative from the County Executive's Office who would like to speak? Good morning, Mr. Chu. Always a pleasure to see you.

**MR. CHU:**

Good morning, Legislator Horsley. I'll be brief. On behalf of the Administration, I'm here to express strong support for the appointment of Paul Tonna to the IDA Board. The primary purpose being and the primary reason being that we are in critical times, we are in desperate need of economic development and additional economic activity that will help to foster new businesses, create a friendly environment for existing businesses and create new jobs for working families. We think that this appointment should go forward today, that this body is in a position to do so. That Paul Tonna's record is well chronicled as being not only someone who is pro-economic development but pro labor, and Paul Tonna will be the same person a month from now that he is today.

To the brothers and sisters in the labor movement that are here today, with the understanding that there are some who have different opinions from others, I would offer that sometimes disagreement is an opportunity for conversation which can be a road to progress. And we expect that we'll continue those conversations tomorrow, just as we have had them every day since the Administration has been here, and we look forward to working together on the road to progress.

So with that, one more time to support Paul Tonna and for the vote to go forward today. Thank you very much for your time, and I'll be glad to answer any questions.

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**D.P.O. HORSLEY:**

Are there any questions for the Commissioner? We're good? Okay. Thank you very much, Mr. Chu. Appreciate it.

**LEG. CILMI:**

Mr. Chair, just a point of personal privilege?

**D.P.O. HORSLEY:**

Yes.

**LEG. CILMI:**

Just very quickly. I really feel compelled to say this. You know, we've heard it from a number of speakers this morning who approached and said or expressed their thanks to us for the privilege of speaking to us. And I just had to say that it's us who should offer you the thanks for allowing us the privilege of listening to you. That's all I wanted to say. Thank you.

**D.P.O. HORSLEY:**

You're quite a guy.

*Applause*

On behalf of the Legislature, right on. There you go.

*(\*Laughter\*)*

I have several folks that would like to take different issues out of order, and I'd like to call on Sarah Anker for a motion to take a CN out of order.

**LEG. ANKER:**

I would like to make that motion to take it out of order.

**D.P.O. HORSLEY:**

Which one, Sarah?

**MR. NOLAN:**

IR 1031.

**LEG. ANKER:**

IR 1031.

**LEG. CALARCO:**

Second the motion.

**LEG. HAHN:**

Second.

**D.P.O. HORSLEY:**

Okay, I have a second on the motion by Legislator Calarco. All those in favor? Opposed? So moved, it is taken out of order.

**MS. ORTIZ:**

Sixteen (Not Present: Legislator Kennedy - Absent: Presiding Officer Lindsay).

***IR 1031-12 - Examining the feasibility of installing Emergency Notification Systems in schools throughout Suffolk County (Anker).***

**D.P.O. HORSLEY:**

Okay. I will need a motion from the sponsor.

**LEG. ANKER:**

I would like to make a motion to approve IR 1031.

**LEG. HAHN:**

Second.

**D.P.O. HORSLEY:**

And second by Legislator Hahn. We have a motion to approve. Are there any other motions? Any discussion, we're all good? Okay. On the motion, Legislator Montano.

**LEG. MONTANO:**

I would like an explanation on the bill.

**LEG. ANKER:**

Okay. This bill, basically we're going to move forward with analyzing the -- or actually examining the feasibility of installing emergency notification systems in schools throughout the County. And I have to put on record, this is not requiring our school districts to install a panic button. It is not requiring the County, the State or the schools to pay for any type of system. This is a study, we're doing our research, we're trying to figure out what we can do as a County to help our schools. And again, through discussion and understanding that the Suffolk County Police have a panic button system available for victims of abuse, for people who are at increased danger, so there is a panic button which basically relies on a radio signal.

Now, what's happening in schools is there are blockers, and in school districts or school buildings, sometimes that radio frequency is not available. So right now we're looking at land-lines that may be connected with phone systems which would be next in line. But that connection between -- directly between the Police Department and our schools would provide seconds notice, not minutes, you know, but every second counts. We saw that at the School Safety Summit that was recently held at the community college, sponsored by our Police Department, where we had just I think every school district in Suffolk County attend. We saw seconds; if there's an issue with safety, it's vital that our police have that notification.

**LEG. MONTANO:**

It doesn't require any action other than the study.

**LEG. ANKER:**

Correct.

**LEG. MONTANO:**

Okay. Thank you.

**D.P.O. HORSLEY:**

Okay. Legislator Nowick.

**LEG. NOWICK:**

Just a quick question. I don't have a problem with this at all, but my question is -- and I know Legislator Montano might appreciate this.

**LEG. MONTANO:**

*(Laughter)*.

**LEG. NOWICK:**

It's a CN, and I just wondered, I thought traditionally we did vet everything through committee. Not that this is a big deal, but are we setting another precedent that we don't want to get into? And I see Legislator Montano shaking his head. It's not a big deal to me, I just want to bring it up. I thought that we were going to be very cognizant of the fact that we do have a committee process. Is there a reason for the CN?

**LEG. ANKER:**

Sure. I mean, in the legislation it actually asks for 120 days to come up with a system notification. I think this will add pressure, it will create a sense of urgency, and I think with a CN it's vitally important. Just as this legislation creates a facilitation of, you know, safety for our schools, this is part of the process. And to go through committee that's a month. You know, to get laid on the table is a month, to go through committee it's a month, another month to go in front of the Legislature. A CN provides the -- provides us to expedite that process. So again, because of the situation with Sandy Hook and some of the other, you know, horrible situations, we could be the first County in the State to do this, and I think we need to set an example to get this done quickly.

**D.P.O. HORSLEY:**

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

**LEG. CILMI:**

Yes. Thanks very much, Mr. Chair. Listen, I think the study is a great idea; not a good idea, a great idea.

**LEG. ANKER:**

Thank you.

**LEG. CILMI:**

But I'll say this; any time I've proposed a study, we've always looked to the departments that are required to do the study for their counsel in terms of what resources they have available and, you know, whether or not the time length that we've provided for in the bill is sufficient time to do the study. I just wonder if there's anybody here from the Police Department that could speak to that.

**LEG. ANKER:**

We have a representative here.

**D.P.O. HORSLEY:**

There you go.

**SERGEANT OKULA:**

Hello. I'm Sergeant Okula from the Suffolk County Police Department, Police Technology Bureau. Chief Fallon should be here shortly, but I can address -- I'm here to address the technology of the panic alarms. The 1070 alarms that has been referred to, that technology was developed in the 1980s and isn't suitable for what we're looking to do with this. But we are very willing to explore and study, there's lots of different ways we can solve this problem and we're looking forward to coming to a solution.

**LEG. CILMI:**

May I continue to --

**D.P.O. HORSLEY:**

Yes. Legislator Cilmi, continue.

**LEG. CILMI:**

So thank you for speaking. So you're speaking on behalf of the department that you're in favor of this study, you have the resources to perform the study and the 120 days that has been provided in this bill are sufficient in order to do a full study and report back to us.

**SERGEANT OKULA:**

Yes.

**LEG. CILMI:**

Terrific. Thank you. Clerk, please list me as a cosponsor to this bill. Thank you.

**D.P.O. HORSLEY:**

Thank you. We're trying to move through this, so if we could be expeditious in our speaking. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you. And Chief, thank you. Similar to Legislator Cilmi, I was going to ask those questions, that's important to hear about the department.

To the sponsor. Legislator Anker, I would just ask you, we had representatives from various school districts here today who spoke in support of that, and I appreciate that, I welcome that. But as you know, school districts here throughout the whole state are separately operated legal entities --

**LEG. ANKER:**

Right.

**LEG. KENNEDY:**

-- with an elected board. Do you -- have you gotten a letter of support? Have you had a resolution from any board? We have 71 school boards here in the County of Suffolk.

**LEG. ANKER:**

We did call our schools and, of course, the Superintendents work closely with their school boards and we have received overwhelming support of this legislation, and just the idea of connecting the Police Department directly to our schools.

**LEG. KENNEDY:**

How do you envision -- you know, there's so many different ways to communicate. I mean, unfortunately my cell phone just won't stop going off. But who would bear the cost of this? Because ultimately there's got to be a cost someplace.

**LEG. ANKER:**

That's exactly what this legislation is focused on, the feasibility. Who's going to do this? Right now it's our Police Department and it's directed by the Police Department to look into this, and which we really appreciate. How is it going to be done? What's going to be done? Who's going to pay for it? Those are questions that this study will address.

**LEG. KENNEDY:**

Okay. Mr. Chair, back to Lieutenant Okula. Do you have any protocol for school district communication now, Lieutenant?

**SERGEANT OKULA:**

No, right now the schools would communicate just like most members of the public, using the 911 --

**LEG. KENNEDY:**

Pick up a phone, or 911. Okay. All right, thank you.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Kennedy. Legislator Hahn?

**LEG. HAHN:**

The morning of December 14th, I happened to be, it was my daughter Hope's 6th birthday and I was in her kindergarten classroom reading a book to her class. You think back on that day and I think back on the innocence and excitement and wonder of those six year-olds. We were kind of warned that morning.

We -- this is a logical response. This is something that can connect our schools with our Police Department in a speedy, urgent manner should an act of shooter scenario occur ever in our County. And I think that there is an urgency to this that we investigate this with all due haste and make it happen where it's warranted and wanted as soon as possible. So I'm very much in support of this. I had gone on as a cosponsor weeks ago, and I thank you, Legislator Anker, for this legislation.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Hahn. Legislator Schneiderman.

**LEG. ANKER:**

I just want -- can I just --

**D.P.O. HORSLEY:**

Sure.

**LEG. ANKER:**

-- add to the comment? Again, my thought, too, is, you know, if we can have panic buttons in places of businesses, in banks, grocery stores across the board, we should have that available in our schools. Our children are priceless. And again, this is one of the reasons why, you know, I'm moving forward, Chair of Education, working directly with Suffolk County Police, mother of three children. There's no reason why, you know, we can't move forward with this as soon as possible. Thanks.

**D.P.O. HORSLEY:**

All right, thank you very much, Legislator. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Thank you, Legislator Horsley. And certainly I'm going to support this. I'm going to cosponsor it and anything we can do to make our children safer. I'm also a parent of two young children that are in school right now, hopefully.

I have only one question, and that really has to do with schools throughout the County. The Suffolk County PD represents the five western towns, but we do have schools throughout the County and I just want to make sure there's coordination with the Police Departments on the East End, and there are numerous ones, so that they're involved with this, too. So that we can make sure that schools on the East End receive the same potential type of protective measure that anywhere else in Suffolk they might receive. So I just wanted to put that on the record, and if the PD wanted to respond to that, that would be great.

**SERGEANT OKULA:**

Depending on the solution that we come to at the end of the study, we can definitely take the associated agencies into account. There are 14 different Public Safety Answering Points within Suffolk County that answer 911 calls. It would have to be determined, actually, for each school who would be the primary responding agency, so that agency would be the ones who would accept the direct emergency call from the school district.

**LEG. SCHNEIDERMAN:**

I just would ask that you involve them as you progress your study, so make sure that they're in the loop on this as well.

**SERGEANT OKULA:**

We'll make sure that they're included in the study.

**LEG. SCHNEIDERMAN:**

Appreciate it.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Schneiderman. Legislator Montano.

**LEG. MONTANO:**

Yes, very quickly. Legislator Nowick made reference to my continued resistance to C of Ns, and I just wanted to be clear that because this is a study and because it is -- if they want to get to this study right away, that's fine with me. My voting for this C of N does not change my position with respect to C of Ns generally. This is not a substantive bill, this is something that's easily accomplished and I will support it.

**D.P.O. HORSLEY:**

Duly noted. Legislator Montano -- I'm sorry, Legislator Muratore.

**LEG. MURATORE:**

Yes, thank you. To the Sergeant; John, he's a Sergeant, he's not a Lieutenant. You can't be promoting, you need a SCIN for that; right, Bill? *(Laughter)*.

**LEG. KENNEDY:**

How do you know? He's got some stripes and some brass, you know.

**LEG. NOWICK:**

He'd like to be a Lieutenant.

**LEG. MURATORE:**

Yeah, he would like to be a Lieutenant. But my question to Sergeant Okula, can we do something almost immediately, a hotline phone? Do we have to spend 120 days on this? My colleague Anker, you know, I think Public Safety meets in a few weeks, so we can really get this rolling in committee in two weeks and cut down on the time.

**SERGEANT OKULA:**

I've been in discussions with Police Commissioner Webber where we did come up with a solution using landline telephones, which if that ends up being the ultimate solution, could be implemented very quickly and very cost effectively.

**LEG. MURATORE:**

Because my fear is if, you know, they spend all this time, between 120 days, and, you know, with all the copycat stuff going on, back in my history in law enforcement, I don't know what can happen. I mean, we had a principal come in and say it takes nine minutes for a Police car to respond. I taught firearms for nine years. You know how many people can be killed in nine minutes? And, you know, who's going to have access to the button? What are they going to press the button for? Are they going to press it for a domestic, like he said, and bring the calvary and then have problems in other areas of the community, or is it going to be an actual shooting event? And maybe the school districts need to think about putting people on campus, because you need to slow down the perpetrator. You need to slow down that killer, and by a cop driving the highways, he's not slowing him down. The teachers are not qualified for it. Their main concern is to safeguard the students. Why not think like they've done in the past?

I know as a young Police Officer, I worked with some of the school districts. I worked at public libraries, plain clothes and armed. Why can't the department do like New York City and have a paid detail unit where the school districts can hire the police officers and pay them through the department and supply them that way? I mean, we want people to train. You don't want to just hire, you know, a security company. But I think they're going to get a false promise with this. You know, we'll put in this panic button and we're going to spend 120 days, when you've already just said we can implement this almost immediately. So I really think we should not think about, you know, the CN and think about getting this into committee so we can move it ahead a lot faster. So that's my question time. Thank you.

**D.P.O. HORSLEY:**

Okay, thank you. That was a question, or is that --

**LEG. ANKER:**

I have just one --

**LEG. MURATORE:**

It's a statement.

**D.P.O. HORSLEY:**

That's a statement, I thought so. All right, Legislator Anker, you wanted to respond real quickly.

**LEG. ANKER:**

I just wanted to respond.

**D.P.O. HORSLEY:**

But we've got to get moving.

**LEG. ANKER:**

Okay. Three weeks ago my office basically came up with this idea when we looked at our panic buttons and why can't we put these in schools. I called the school district assuming they were already in the schools and they were not. So right away I called the Police Commissioner, your department, the County Exec's Office, we worked together very efficiently and effectively. So we are expediting this and that's why this CN is so important.

But again, the other situation regarding this legislation is that we need to answer questions before we jump into something. You even mentioned, Legislator Muratore, that the schools may not understand the system, so we need to come up with a system, explain the system so there's a level of security of actually -- of the process of the system. So again, we're going as fast as we can, and I can almost guarantee it's going to be less than 120 days. In fact, you know, you've been working

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on it since the day that I called you, I believe, and I'm sure it will be done very shortly. But we have to make sure we have the right system in place.

### **SERGEANT OKULA:**

If I might. Just with any system that the Police Department puts in place, we do always test it as a prototype to make sure that it works as intended and there are no unintended consequences, and that would happen with this system as well.

### **D.P.O. HORSLEY:**

Legislator -- you want to --

### **LEG. MURATORE:**

Just one question.

### **D.P.O. HORSLEY:**

Okay, because I've got two more and we've got another one we're going to pull out of order, so.

### **LEG. MURATORE:**

I just want to make sure I heard what Legislator Anker said, that she guarantees that it will be less than 120 days; is that what you said on the record?

### **LEG. ANKER:**

I'm hoping -- I don't think I said guarantee, but I guarantee that our Police Department will do their best in making sure the system is moved forward as fast as possible; that's what I can guarantee.

### **D.P.O. HORSLEY:**

I'm sure they're very efficient. Legislator Barraga.

### **LEG. BARRAGA:**

Thank you. I certainly, most certainly will support the feasibility study. But what I'm hoping happens here in a bigger context, a larger context, at some point, either through the Executive Branch, the Legislative Branch or a combination of school districts and government, is some sort of a commission be established to take a look at not just this proposal, but all other alternatives to protect our children in secondary and elementary schools. You know, your feasibility study really keys in on one specific area. I think you need some sort of focus group or commission, some sort of staff group, a combination of educational and governmental people and maybe some people in the private sector to really take a long, hard look at other alternatives that are being utilized in other parts of the country. All right? Some of them we've read in the papers. You know, I'll give you an example. Recently we had a change in terms of police coverage on Sunrise Highway and the Long Island Expressway. By the same token, we have maybe 35 or 40 Deputy Sheriffs at this point that now are doing other functions. What is the feasibility of utilizing those Deputy Sheriffs in elementary schools if Superintendents of school boards want them in? They are being utilized, for example, in other parts of the country. They're not only safeguarding the children, but they're taking a look at the whole question of working in harmony with administration on bullying and peer-to-peer pressure and on suicide aspects and crime on and off campus. So there are another -- there are a number of other options we should be looking at, all right? But I'll support the feasibility study because I think it's a movement in the right direction.

And the answer to the question as to whether or not -- how do we pay for this? What is the cost factor? If the Police Department comes back and this is doable, I don't see much resistance on the part of Legislators. There's a movement in the State Legislature right now to eliminate or delete the 2% cap as it pertains to school districts that will incur additional costs associated with protecting their children as a result of what happened in Newtown and Carmine. So I think you're moving in

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the right direction, I would just like to see it expanded to a greater scope.

### **LEG. ANKER:**

Thank you. I invite you to come to our Education Committee. And feel free if you'd like to introduce legislation, we could work together on that. Because that's what this is about, working together for the safety of our children, our schools, our teachers, administrators. You know, that's what you're seeing right now. I mean, sometimes you see Legislators just taking a bill and just keeping that --

### **LEG. BARRAGA:**

In terms of broadening it, you don't need legislation. You're the Chairwoman of the Education Committee? From your position, you can reach out to the educational community, the private sector and call for that commission. You know, we'll have a lot of people who want to do it with a lot of expertise in the field. Good luck.

### **LEG. ANKER:**

Thank you.

### **D.P.O. HORSLEY:**

Thank you very much. Legislator D'Amaro?

### **LEG. D'AMARO:**

Thank you, Mr. Chairman. Just very quickly, while we have the Sergeant here. And I want to first commend the sponsor for putting this bill in, and I do think that this is an appropriate use of the CN. And like Legislator Montano, I think we should be very cautious in using that as a mechanism to bring bills before this body. However, and I think we would all agree as parents that we can't complete this study a moment too soon. So I appreciate the use of the CN here today.

But while we have the Sergeant here, I just wanted to ask very quickly because the bill, in one of the WHEREAS clauses, talks about emergency security buttons, which I guess we're calling the panic button or the red buttons that are installed from time to time. And I just wanted to ask you, just so I have more of a sense of how effective they are. Are they viewed as more effective as far as getting response as opposed to picking up the phone in the same situation and having to dial 911, or is it more about it's just easier to contact and send out the distress signal, if you will, in a moment when it's really needed. What's the purpose of the button as opposed to the phone? How effective is it really?

### **SERGEANT OKULA:**

So there are different types of panic buttons. It was referred to that a beauty salon or a bank has a panic button, and they do, but those panic buttons don't come directly to the Police Department. They are monitored by a central office, a company somewhere in the United States who then calls the Police Department and reports the alarm.

Then we also have a program, as was referenced, for battered spouses or other people who the Court deemed are in danger where the Police Department issues them a radio pendant that, when pressed, it alerts our Communication Center that this button was depressed. The problem with the button, a couple of problems, one is all we know is the button was pressed, so we don't know what's really happening. We don't know if it's a person coming to hurt them, we don't know -- we don't know if they just think there's someone coming to hurt them. The other technical issue with those buttons is they're operated by radio frequency, and they were created in the 1980's for residential homes. So they'll work in most people's residential homes for about a hundred meters or so, but if you're in a steel building or a concrete building, that would have to be tested on the distance. Because one thing we're worried about is the false sense of, if you're an administrator or someone who presses the current panic buttons that we have now, you're going to think the police have been

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notified and are on their way, where if they're out of the distance of the pendent, they won't know that we weren't contacted and they're waiting for the calvary to arrive and we were never notified.

So it's stuff like that where we want to verify that whatever system we put in place, that there's a two-way communication so the Police Department knows what's going on; and secondly, the person who initiated the emergency response has some sort of acknowledgement that the police are on their way.

### **LEG. D'AMARO:**

Very good. And I'm very encouraged by your answer, because obviously then we do need the study. And I am encouraged by the level of expertise that you're showing just here on the fly, you know, testifying on behalf of this bill and supporting this bill.

So I will support the bill. I would like to be added, to the Clerk, as a cosponsor as well. And I look forward to getting your report, because all of those factors need to be considered when the ultimate goal is safety of children in schools. You know, the gut response to something like this is it's better to have it than to not have it, but there is certainly, as you just pointed out, so many issues that need to be explored, so I look forward to seeing your report on that.  
Thank you, Mr. Chairman.

### **LEG. MONTANO:**

Call the vote.

### **D.P.O. HORSLEY:**

Okay? We're good? Okay, thank you very much. We have a motion on the floor to approve. All those in favor? Opposed? So moved, the CN has been approved. Congratulations, Sarah.

### **LEG. SCHNEIDERMAN:**

Tim, cosponsor.

### **D.P.O. HORSLEY:**

Okay. We have a couple of cosponsors. You got 'em?

*(\*Legislators Schneiderman, Calarco, Cilmi, Horsley, Gregory, Stern, D'Amaro & Spencer were added as cosponsors to IR 1031-13\*)*

### **D.P.O. HORSLEY:**

Okay. We've got to move along here, we've got five more minutes. Legislator Montano wants to take a motion out of order.

### **LEG. MONTANO:**

Yeah, just very quickly. I'd like to make an application to take Procedural Resolution No. 3, authorizing --

### **LEG. CALARCO:**

Second.

### **LEG. MONTANO:**

Thank you. Authorizing an appeal in Spota v. County of Suffolk. We have Mr. Stuart Besen here. He came in at 11:30, we're actually -- I guess he's on the clock. I don't really have any questions at this moment. I'd like to get this an up or down vote, so I'll make a motion first to take it out of order.

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**D.P.O. HORSLEY:**

There's a motion. I need a second on the motion.

**LEG. MONTANO:**

Just need a second.

**LEG. KENNEDY:**

Second.

**D.P.O. HORSLEY:**

Second by Legislator Kennedy. All those in favor? Opposed? So moved, it has been taken out of order.

**MR. LAUBE:**

Seventeen (Absent: Presiding Officer Lindsay).

**LEG. MONTANO:**

All right. I'll make an appli -- I'll make a motion to approve.

**D.P.O. HORSLEY:**

There's a motion to approve. Is there a second on the motion? Legislator Kennedy, you want to make the same motion, same second?

**LEG. KENNEDY:**

Yeah, I just want to make sure that the motion that we are approving at this point is a Procedural Motion to --

**D.P.O. HORSLEY:**

Yes. First of all, it's in the vanilla folder. If everyone -- manilla folder, I'm sorry. Manilla folder. Everyone's got it?

**LEG. BROWNING:**

No.

**D.P.O. HORSLEY:**

No? Take your time.

**LEG. BROWNING:**

I don't have it.

**D.P.O. HORSLEY:**

You don't have it? It's in the folder.

**LEG. MONTANO:**

Here, you can have mine.

**D.P.O. HORSLEY:**

Okay. Everyone find it first.

**LEG. BROWNING:**

We'll share.

**D.P.O. HORSLEY:**

You guys are good?

**LEG. ANKER:**

We can share.

**D.P.O. HORSLEY:**

Oh, share, that's what I like. A sharing Legislature.

**LEG. KENNEDY:**

Okay. Yeah, I have it in front of me now. Yes, fine. Yeah, I'll make the motion to --

**LEG. MONTANO:**

No, it's the second. You second the motion.

**LEG. KENNEDY:**

I'll second Legislator Montano's motion.

**LEG. MONTANO:**

And if I may --

**D.P.O. HORSLEY:**

Okay, thank you. We have a second on the motion by Legislator Kennedy. Legislator Montano.

**LEG. MONTANO:**

Yeah, if I may. Through the Chair, I'd like to have Mr. Besen, who is our Counsel, come up and give a brief procedural explanation. We're hoping to get him out of here before lunch; if not, he'll have to come back at 2:30.

Mr. Besen, I'm going to skip the preliminaries that we discussed and just give us, you know, a status of where we are in this case and, you know, why we're here.

**MR. BESEN:**

Well, I believe, as everybody knows, we got a decision by Judge Gazillo declaring that the Local Law with regard to specifically with the three offices of District Attorney, County Clerk and Sheriff was declared unconstitutional; therefore, term limits do not apply to those three offices. The premise behind it was that these are State offices and only the State Legislature would have the authority to enact that type of law for those specific three offices.

I did file a Notice of Appeal, that effect date is May 10th. I did receive a letter, as I believe the Legislature did, with regards to the position of the County Executive, and that's where we are. There was part of the application, a taxpayer did make an intervention motion which was also denied. They subsequently made a motion to the Appellate Division, which was actually returnable yesterday, just asking for preference like in Election Law's case, just to expedite the appeal. But again, at this particular point, he is not an intervenor because he was denied by Judge Gazillo. And that's where we are.

**D.P.O. HORSLEY:**

Thank you very much, Mr. Besen. We appreciate you and the good job that you've done throughout this process.

**MR. BESEN:**

Thank you, sir.

**D.P.O. HORSLEY:**

Okay. Are there any questions?

**LEG. MONTANO:**

If I may?

**D.P.O. HORSLEY:**

Yes. Legislator Montano.

**LEG. MONTANO:**

Yeah, no, if I may. Just with respect to what you said with perfecting the appeal. I don't know if everybody understands that. Correct me if I'm wrong; the Notice of Appeal has been filed. The perfection means that you would need to file your brief on behalf of the County by a certain date, and that date is May 10th.

**MR. BESEN:**

Yes, sir.

**LEG. MONTANO:**

Am I correct?

**MR. BESEN:**

That is correct.

**LEG. MONTANO:**

If we don't make a decision by then, you basically default on the appeal and it won't be heard; is that accurate?

**MR. BESEN:**

It is accurate. I wouldn't use the --

**LEG. MONTANO:**

Maybe default is strong.

**MR. BESEN:**

I wouldn't use the word *default*. Just, you know, when there's a decision, most attorneys will file a Notice of Appeal, whether they're perfected is up to the client.

**LEG. MONTANO:**

Exactly. And I have one technical question, because you mentioned that there's an application made by the intervenor for a preference.

**MR. BESEN:**

Yes.

**LEG. MONTANO:**

What that means is that they're asking that the case be moved from the bottom of the list to the top of the list so that it can be heard immediately or expeditiously by the Appellate Division; am I correct in that?

**MR. BESEN:**

That is correct. There was also a second part of the application, which I don't think they're going to

--

**LEG. MONTANO:**

No, we don't need that.

**MR. BESEN:**

Okay.

**LEG. MONTANO:**

All right. And the legal question I had, number one, we discussed this, and I really want to get you out of here, unless there are other questions. Is there -- what is your opinion with respect to the likelihood of winning an appeal or not winning an appeal?

**LEG. D'AMARO:**

Excuse me. Mr. Chair, I really believe that we need to go into executive session to have this discussion.

**LEG. MONTANO:**

All right, I'll withdraw that question.

**LEG. D'AMARO:**

Yeah. Because I --

**LEG. MONTANO:**

I withdraw that. I got you. I withdraw the question.

**LEG. D'AMARO:**

And I agree with you and I have -- if we're going to be asked to vote on whether or not we should appeal the decision and we need to discuss the merits of the case, we should talk about that privately.

**LEG. MONTANO:**

Yeah. No, I'll withdraw it. I don't have an issue with that.

**LEG. D'AMARO:**

Okay.

**LEG. MONTANO:**

I did have one question, though, and I don't know if there will be any requests for executive session. If no preference is granted and the appeal by the -- whether it be our appeal or the intervenor, moves forward and we have an election and -- you know, at first I thought there was a stay once the decision was appealed, but I don't believe that's the case. Are you with me on that?

**MR. BESEN:**

Yes.

**LEG. MONTANO:**

Okay, so there is no stay. If an election is had and the appeal that was filed either by the County is perfected or by the intervenor, if that moves forward and the Court, Judge Gazillo's decision is overturned, what would be the consequences; do you have any idea?

**MR. BESEN:**

Well, the term limits would be upheld.

**LEG. MONTANO:**

Kick back in?

**MR. BESEN:**

Yes.

**LEG. MONTANO:**

Okay. All right, I don't have anything further.

**D.P.O. HORSLEY:**

All right. Thank you very much. I'm going to ask Legislator Nowick to make a motion.

**LEG. NOWICK:**

Yeah, I'm going to make a motion -- just because one of our Legislators needs to go --

**D.P.O. HORSLEY:**

Bring another one out of order.

**LEG. NOWICK:**

Pursue a CN, make a motion to extend this meeting.

**MR. NOLAN:**

You don't have to.

**D.P.O. HORSLEY:**

Okay. We don't need a motion to extend?

**MR. NOLAN:**

No, we can keep going.

**D.P.O. HORSLEY:**

Okay. I don't need it? Hey, I'm powerful. We're extending, boys. Okay, Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, Legislator Horsley. I have before me this Procedural Resolution asking me to decide whether or not Suffolk County should appeal a decision that was not favorable to the County; right, Mr. Besen?

**MR. BESEN:**

Yes, that is correct.

**LEG. D'AMARO:**

Nice to see you, by the way. And so there's always an analysis that needs to be done, excuse me, in deciding whether or not to appeal litigation, the cost benefit, the risk, the merits, you know, what's the issue. You know, there are so many issues there that I think that in order for us to make an informed decision, I think we need to be in executive session and have discussion with our attorney to decide whether or not we should be supporting this resolution; if so, why; and if not, why not? I don't know -- I haven't had an opportunity to speak with Mr. Besen about the merits of any appeal, so I don't know what they are, so it's very difficult for me to vote on this without having that discussion. So I would ask that we -- if we're going to break, let's break, but at some point today we go into executive session and have an opportunity to speak with our attorney.

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**LEG. MONTANO:**

Okay. Well, in order to do that, you need to make a motion, we can vote on that. And then, Mr. Besen, I apologize, but since we're going to break for the lunch hour, you'll have to come back for the executive session. So with all due respect, is that a motion, Mr. D'Amaro?

**MR. NOLAN:**

We will do that after lunch.

**LEG. MONTANO:**

We'll do it after lunch? You want to do it after lunch?

**LEG. D'AMARO:**

I'll do it at your discretion, whatever is -- it doesn't matter when we do it.

**D.P.O. HORSLEY:**

All right. Well --

**LEG. MONTANO:**

No, if the motion -- if I may. If the motion's going to pass, then let's do it now so that he knows that -- and by the way, are you available, Mr. Besen? Because I know I promised I'd try and get you out of here by 12:30, but we got delayed.

**MR. BESEN:**

I will make myself available.

**LEG. MONTANO:**

Okay. So if the motion for executive session is going to pass, I'd like to do it now so Mr. Besen can arrange his schedule. Because we don't -- we have to vote to go into executive session.

**D.P.O. HORSLEY:**

Do I have a second on the motion?

**LEG. MONTANO:**

Do you have a second?

**MR. LAUBE:**

Yes, you do.

**D.P.O. HORSLEY:**

I have a second on the motion to go into executive session after lunch. We're going to pass on this, then. Yeah, because I've got -- I want to take care of Mr. Gregory's request as well.

**LEG. MONTANO:**

We do this after public hearings or after lunch?

**MR. NOLAN:**

We have to do it after. The public hearings have to go first after lunch. We have some other business we have to attend to before we take the lunch break. So I think procedurally we should just vote on that executive session issue after we finish all business we're going to do this morning.

**LEG. D'AMARO:**

That's fine.

**MR. NOLAN:**

Okay?

**D.P.O. HORSLEY:**

Okay? All right. So --

**LEG. MONTANO:**

We have a motion on the floor. We have a motion on the floor.  
If there's another motion then, you know, I'm -- excuse me?

**LEG. SCHNEIDERMAN:**

Is there a motion to approve?

**LEG. MONTANO:**

There's a motion to approve --

**LEG. CALARCO:**

That's it.

**LEG. MONTANO:**

-- and now there's a motion and a second to go into executive session.

**D.P.O. HORSLEY:**

Which we're going to take up after lunch.

**MR. NOLAN:**

But I think we can hold that in abeyance. We pass over things, we can wait on that. I think there's one other matter we want to take before the lunch break, I think we should do that, then vote on the motion to go into executive session.

**D.P.O. HORSLEY:**

I'm already running late.

**LEG. MONTANO:**

Fine with me. Mr. Besen, I apologize.

**MR. BESEN:**

That's okay.

**LEG. D'AMARO:**

Sorry.

**D.P.O. HORSLEY:**

Okay. We are going to pass over this for the time being. Then when we come back, after the public hearings we will go into executive session.

**MR. BESEN:**

2:30?

**D.P.O. HORSLEY:**

Stu, I'm sorry.

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**MR. BESEN:**

That's okay.

**D.P.O. HORSLEY:**

You know, it's sausage.

**MR. BESEN:**

Do you want me back at 2:30?

**D.P.O. HORSLEY:**

No. I think probably I would go maybe, what do you think, 3:30?

**MR. NOLAN:**

Three thirty.

**D.P.O. HORSLEY:**

Three thirty; how's that?

**MR. BESEN:**

That's fine. Thank you.

**D.P.O. HORSLEY:**

We'll make sure when you come in we'll deal with you.

**MR. BESEN:**

I'll see you at 3:30.

**D.P.O. HORSLEY:**

I'm anxious.

**MR. BESEN:**

Thank you. Thank you, everybody.

**D.P.O. HORSLEY:**

There you go. Legislator Gregory, I understand you have -- because we have a lot of folks in the audience that are here for the Wyandanch issue. I'd like to allow you to take that out as motion -- that motion out of order as well.

**LEG. GREGORY:**

Yes. Thank you, Mr. Chair. Because of the speakers that came today, I don't want them hanging around necessarily, so I'm going to make a request to take CN 1123 out of order.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

There's a second on the motion by Legislator D'Amaro. It is now out of order. Is there a motion on the -- may I have a motion? Oh, I've got to vote on that. All those in favor? Opposed? So moved, it is out of order.

**MR. LAUBE:**

Seventeen (Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Which number is that now, DuWayne?

**LEG. GREGORY:**

1123.

**D.P.O. HORSLEY:**

Everyone got it? 1123? *1123-13 (Amending the 2013 Operating Budget and transferring funds from Wyandanch Youth Services to the Family Life Center (County Executive)).* Okay. Mr. Gregory, would you like to make a motion?

**LEG. GREGORY:**

Yes, I'm going to make a motion to approve.

**D.P.O. HORSLEY:**

There's a motion to approve. Do you have a second on the motion?

**LEG. BARRAGA:**

I'll second it.

**D.P.O. HORSLEY:**

Seconded by Legislator Barraga. It is -- there's a motion and a second by Legislator Barraga.

**LEG. MONTANO:**

And this is on the C of N?

**D.P.O. HORSLEY:**

This is on the C of N on 1123. Got it?

**LEG. MONTANO:**

Yeah, I got it.

**D.P.O. HORSLEY:**

Okay. Okay. On the motion?

**LEG. MONTANO:**

On the motion?

**D.P.O. HORSLEY:**

Yeah. Let Mister -- would you like to speak first?

**LEG. GREGORY:**

Yes. Thank you, Mr. Chair. As there were a lot of speakers here this morning that spoke on this issue, this has been an issue in the Wyandanch community for some time now, unfortunately. It is my opinion that the building is being underutilized. The County provides over \$100,000 in County funding. This is a high-risk community. You know, we need an organization that is going to provide a wide array of services. The website, if you look on their website, I think it's taken down now, the building was available 20 -- just over 20 hours a week. The new programming is going to be over 70 hours a week. You know, this is a community that needs services. This is a community that has high-risk youth. They need programs, they need all these avenues and alternatives to keeping them off the streets and gangs. I have all the confidence in the world in the Family Life Center.

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Reverend Constance Carter Davis is a person with -- who's held in high regard. She's a former Commissioner of the Town of Babylon for Human Services, she has respect in the community, as well as others that are associated with the program, decades of service in this community. I have all the confidence in the world that they will fulfill the promises that have been made. I personally tried to work with the administration at the youth center. In my opinion, it's fallen on deaf ears. I have personally requested the Executive Director to set up a meeting with some community members because they came to me and said that the building is closed to members of the community. He told me that he would not do that. He told me directly, "*I will not do that*," and that was on several occasions.

So, you know, from my perspective as a Legislator, I don't run health centers or youth centers, I try to work with those in the community to provide resources to them so they can provide services. I think it's important, as a person who represents the community, that you have access and a collaboration with those in the position to provide those services. I don't think if I made a similar request to -- excuse me, I failed to mention your new name, Constance Carter England. I don't think I would be denied a request or concerns that the community has mentioned to me. I would be very shocked if that ever were to happen.

I think you know I don't necessarily agree with the CN process, but I think given the nature of the community that's being served, any delay would be a detriment to the children of this community. There needs to be a seamless, quick transition so we can move on. They're ready to take over tomorrow, and that's all I have to say. I think it's evident what the services are going to be provided there.

### **D.P.O. HORSLEY:**

Thank you very much, Legislator. Legislator Montano, I understand you have questions.

### **LEG. MONTANO:**

Yeah, on the motion. What I've heard this morning, knowing many members of the Wyandanch community --

*(\*Photographer Fell Off Stool\*)*

Whoa! I blew you away. That's what you get for getting in front of me.

*(\*Laughter\*)*

This -- in all honesty, I have a number of questions that I would like to ask on this issue. And I don't think -- we're already over the 12:30 mark. And as happened with Mr. Besen, I would not -- I don't want -- this resolution is a C of N to basically strip away \$90,000 from the Wyandanch Youth Services, an agency that the County has funded for the last 25 years. Money that was appropriated in the Operating Budget and passed in November, we're in February, the ink's not even dry on the budget and we're now, just in the stroke of two minutes, going to single-handedly wipe out this organization and give this money to a new organization that I don't know anything about. I have a lot of questions and I'd like to have an opportunity to ask those questions and have them answered. I do know that Reverend Pearson is here, or at least he was, and he was going to address some of the issues here. So I don't know how we can do this before lunch, Legislator Gregory.

### **LEG. GREGORY:**

With all due respect, this is an issue that's been prevalent in my community. I wouldn't expect you necessarily to know all the players involved.

**LEG. MONTANO:**

I know a lot of the players because I ran in that community and I've got a lot of support in that community and I have a lot of friends in that community and I have a lot of information with respect to this. So that comment, you know, let's move on.

**LEG. GREGORY:**

All right.

**D.P.O. HORSLEY:**

Legislator Montano, would you like to make a motion?

**LEG. MONTANO:**

No, I'd like to go to lunch.

**D.P.O. HORSLEY:**

We've already taken it out of order. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I don't know much about that district, but I would expect you as the Legislator to know the most, but basic information I would appreciate having before being asked to vote. So what percent of the Wyandanch Youth Services is this 90,000; is that basically all the funding that they operate under? Is this going to close down the organization?

**LEG. GREGORY:**

The County is the majority funder. They do receive funding from the United Way and I think one other -- the Town of Babylon provides them some funding.

**LEG. SCHNEIDERMAN:**

Is that all of the County's funding, the 90,931?

**LEG. GREGORY:**

Yes. At one point it was 120,000, in that neighborhood.

**LEG. SCHNEIDERMAN:**

Okay. And, you know, in the testimony that I heard earlier from the Family Life Center, one of the things that they mentioned they do after school programs. And as you know, because you're on the Budget Working Group, we tended to move away from after school programs thinking the schools could do those. But they did mention some other programs, parent support types of things. And 90,000 is a big allocation, I just want to make sure it's going to things that we said were the priorities for the budget when we were preparing the budget for this year.

**LEG. GREGORY:**

Right, absolutely. All their programming goes towards at-risk youth. I mean, this is an at-risk community. I'm not sure if you caught it, but in their statistics, this really stems from a survey that was done in the community, from the community, that in a petition of over several hundred people that said, "We need a change of leadership." That's over 70% of the high school students had never been in the building? That's a disgrace. Middle school kids, over 60% of the middle school kids have never been in the building. How can you say you're serving the community when you have a high percentage of people that have never been in the community, in the youth center?

**LEG. SCHNEIDERMAN:**

Okay. And my last question has to do with, you know, although Legislator Montano said the ink hadn't dried, it's very early. In another sense, we're in February already, so a whole month has

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gone by. This budget was passed late last year, so this organization named Wyandanch Youth Services did their hiring, did everything that they would have to do believing that they were receiving a certain allocation from the County. You know, I imagine they're going to have to lay people off because of this. Are we taking away money that really is for services that they've already rendered in January; that could be a problem and I would not want to do that to the organization.

**LEG. GREGORY:**

No. I spoke to the Executive's Office, I spoke to the Youth Bureau, they will be paid for services rendered. And actually, the CN will expedite that process.

**LEG. SCHNEIDERMAN:**

So this gives them ample time to prepare for this change? I'll just tell you, I have two groups that do similar things in one of my areas in my district and I've been pushing for them to merge, and I believe that's going to happen. In fact, I had a meeting yesterday trying to get them to merge because I think through that consolidation I can stretch the small amount of money I'm able to provide through this body and through the County to reach as many kids as possible.

And, you know, I hate to pick one group that's serving our kids over another. If you're telling me that they're really not reaching out as best as they could and we can reach more kids by going a different way, I just would ask you to make sure that you really thought this through in that, you know, we're not shutting down a good organization in any way that's -- you know, maybe a merger is a better idea between these two groups in some way.

*Applause*

**D.P.O. HORSLEY:**

Legislator Montano, we're dealing with it, but why don't you start asking some of your questions.

**LEG. MONTANO:**

Well, through the Chair, we have the Director of the Wyandanch Youth Center here, and I have a number of questions. This obviously, from what I've heard and what I've seen, is a transfer of funding from one agency to another, one agency that we're simply going to eliminate, that we're going to kill, another agency that's going to walk in and pick up this appropriation. They've maintained that they do services, they've maintained that they're going to do great services. I have no idea, you know, what they're about, whether or not they've been funded, what they're doing. I would like to hear both sides.

I just don't think, in all honesty, that we can do this in the time allotted. I would ask that we break for lunch, we're already beyond a quarter to. Because if you want -- you know, the questions I have are going to be extensive, and I don't know if I want -- you know, you guys want to sit through it or not? But I'm not going to yield on this.

**D.P.O. HORSLEY:**

Okay. Legislator Gregory, do you have any --

**LEG. GREGORY:**

I'd rather just call the vote.

**D.P.O. HORSLEY:**

All right. Well --

**LEG. MONTANO:**

You can't call the vote because I'm not yielding the floor.

**LEG. SCHNEIDERMAN:**

Can I -- I'm sorry. I had asked a question before, and DuWayne, you know, I'm sorry you didn't have an opportunity to respond. And I noticed there was some response from the audience to this idea of merging these two organizations that are both serving youth in the Wyandanch area. Have you explored that; might it be better to try to use this as a little bit of leverage to bring these two organizations closer together?

**LEG. GREGORY:**

I'm not in the consolidating private entity's business. If they on their own want to get together and collaborate in some way, that's up to them. I have no opposition to that. But the community has said, "*This organization is not serving our community*"; it's not one or two people, it's several hundred people.

*Applause*

So with the voice in the community -- I represent the community, the voice has been clear about this issue.

**UNKNOWN AUDIENCE MEMBER:**

Yes.

**LEG. GREGORY:**

And we see it in the crime statistics, we see it in the gangs. There were eight gangs in this community. People asking for an opportunity to get their kids and the kids of the community off the streets in a positive program, and we're going to hold this up one day, one hour? You know, I'm telling you this is what the community needs and the community has said this is what they need.

*Applause*

**D.P.O. HORSLEY:**

Okay. I think we've moved from Legislator Montano. Let me --

**LEG. MONTANO:**

No, no, no. I haven't -- no, no, no, no, no.

**D.P.O. HORSLEY:**

Let me ask you a question, Mr. Montano. Who do you want to hear from?

**LEG. MONTANO:**

First I'd like to hear from --

**D.P.O. HORSLEY:**

Because maybe we could ask if they would be able to come back, so otherwise we're --

**LEG. MONTANO:**

No, I know that Reverend Pearson wanted to speak; he can definitely come back because he works for the County. Mr. Director, are you able to come back after lunch?

**MR. CARROLL:**

Without a doubt.

**LEG. MONTANO:**

I'm sorry? Are you willing to come back?

**MR. CARROLL:**

Yes.

**D.P.O. HORSLEY:**

We may not be able to get to this again until -- what time do you think, Counsel, about four are you thinking?

**MR. NOLAN:**

Yes.

**LEG. MONTANO:**

Would that work for you?

**MR. CARROLL:**

Four, five, six, seven.

**LEG. MONTANO:**

Okay.

**D.P.O. HORSLEY:**

No, we won't go all night.

**LEG. MONTANO:**

The reality is this is a C of N. My position really is that, you know, with everything I've heard, it should go to committee, but that's a decision of the Legislature. But before we even consider a vote, I'd like to hear both sides of the story. And I think that's only fair to give people an opportunity whose funding is being cut to make their case, I don't think there's anything wrong with that.

**D.P.O. HORSLEY:**

All right. The two people that you would like to have --

**LEG. MONTANO:**

And I would also like to hear --

**D.P.O. HORSLEY:**

Anyone else?

**LEG. MONTANO:**

Yes, representatives from the Family Life Services, Inc.

**MR. NOLAN:**

Well, they've testified.

**LEG. MONTANO:**

They've already -- yeah, but I have questions. They testified but I wasn't allowed to ask questions. Believe me, I have substantial questions.

**D.P.O. HORSLEY:**

Are they able to come?

**LEG. MONTANO:**

I don't know, ask them.

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**D.P.O. HORSLEY:**

Yes? Connie, you're good?

**REVEREND DAVIS:**

Yes.

**D.P.O. HORSLEY:**

Okay. DuWayne, we're going to have to take a break. I don't see how we're going to get through all these questions.

**MR. NOLAN:**

We're breaking for lunch.

**D.P.O. HORSLEY:**

Okay. We'll break for lunch till 2:30.

*(\*The meeting was recessed at 12:49 PM and resumed at 2:36 PM\*)*

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

**D.P.O. HORSLEY:**

Madam Clerk, could you please call the roll?

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

**LEG. KRUPSKI:**

Hi.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

(Not Present)

**LEG. MURATORE:**

(Not Present)

**LEG. HAHN:**

Present.

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Present.

**LEG. MONTANO:**

(Not Present)

**LEG. CILMI:**

Yup.

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**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Yes, here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

(Not Present)

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

(Not Present)

**D.P.O. HORSLEY:**

Here.

**P.O. LINDSAY:**

(Not Present)

**MS. ORTIZ:**

Twelve.

**D.P.O. HORSLEY:**

What was your number?

**MS. ORTIZ:**

Thirteen.

**D.P.O. HORSLEY:**

There's Rick.

**LEG. MONTANO:**

I'm sorry. Did you call the roll?

**D.P.O. HORSLEY:**

Yes.

**LEG. MONTANO:**

I'm with you.

**MS. ORTIZ:**

I got you.

**D.P.O. HORSLEY:**

Welcome back, everybody. And we are going to be moving into the Public Hearings portion of our agenda, starting with *I.R. 2027-12, the Charter Law strengthening monitoring of sewer plants operating in Suffolk County (Schneiderman)*. Would anyone like to be heard on this? I do not believe I have any -- I do not have any cards on this matter. Would anyone like to be heard on 2027-12? Sir, please, come on up. This is on a Charter Law to strengthen monitoring of sewer plant operations in Suffolk.

**LEG. SCHNEIDERMAN:**

Oh, sewer plants.

**MR. IACONE:**

I understand that, Jay. My name -- is it on now?

**MS. ORTIZ:**

Yes.

**MR. IACONE:**

Can everybody hear me? Okay. My name is Carl Iacone and I come from the Flanders area. I didn't sign a card for the simple reason we were at a meeting last night and Jay was there, and it seems that we're trying to get the sewer system into our area. But why I haven't signed a card up and haven't approached the Legislature is because the -- it hasn't been completed. It hasn't been completed yet. It's still under observation of what we can use and what we can't use, but we can use a sewer system up there for our economy reasons of putting businesses in up there.

When the survey is completed, I'll gladly sign a card and come before you people and express my feelings at that time. Until then, I just wanted you to know why we didn't -- I didn't fill a card out for this particular reason. Thank you for listening to me.

**D.P.O. HORSLEY:**

Well, thank you of advising us of that. Okay. Would anyone else like to be heard on this matter, 2027? Anyone like to be heard? Jay, how say ye?

**LEG. SCHNEIDERMAN:**

I think I'm going to recess.

**D.P.O. HORSLEY:**

Okay. We got a motion to recess; I'll second the motion. All those in favor? Opposed? So moved. It has been recessed.

**MS. ORTIZ:**

Sixteen. (Vote Amended to 13-0-0-5/Not Present: Legs. Muratore, Nowick, Stern & Spencer – Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

*I.R. 2064 - A Local Law to ensure adequate gasoline distribution to the public after disasters (Stern)*. I not have any cards on this. Would anyone like to be heard on 2020 -- 2064? Would anyone like to be heard on 2064? Hearing none, I don't believe the sponsor is in the room. Oh, Mr. Krupski.

**LEG. KRUPSKI:**

You know, it was really -- obviously, this is in response to the hurricane that we had last Fall, and if you look -- if you think back 20, 30, 40 years how many gas stations that were in Suffolk County in

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everyone's community that have been shut down because it's too expensive to replace their tanks, and if you look back all those years that every farm had tanks, gas and diesel tanks on their farm, and those are mostly gone because of overregulation by the Health Department. And if you think that -- if everybody could have -- you know, if there was some way that gas stations could have tanks that weren't as expensive, there would be more gas stations, there'd be more opportunity.

So, basically, you know, overregulation shut all that down and you had so much access to fuel. And if every farm on the North and South Fork and into Brookhaven had access to fuel during that emergency, at least part of the County wouldn't have suffered so badly, you know, and it's a safety issue. You know, you can't -- you don't have fuel for generators, you don't have fuel for, you know, for transportation. So I think that's something you'd have to look at. The current County Law has really throttled that part of it and it takes an emergency to make everyone realize what happened over time.

**D.P.O. HORSLEY:**

Thank you very much for your comment. Anyone have any idea what the sponsor wants to do with this?

**LEG. D'AMARO:**

Yeah. Motion to recess, please.

**D.P.O. HORSLEY:**

Motion to recess.

**LEG. CILMI:**

Second.

**D.P.O. HORSLEY:**

Second by Legislator Cilmi. All those in favor? Opposed? So moved. I.R. 2088, a Local Law --

**MS. ORTIZ:**

Fourteen. (Not Present: Legs. Muratore, Stern, Spencer – Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Is someone looking for me?

**LEG. CILMI:**

She's calling the vote.

**D.P.O. HORSLEY:**

Oh, okay, I'm sorry.

**LEG. CILMI:**

She didn't call the vote.

**D.P.O. HORSLEY:**

Thank you. ***2088 - A Local Law to set minimum safety standards for recreational boats in Suffolk County (Spencer)***. I do not have any cards on 2088. Would anyone like to be heard on 2088? Would anyone like to be heard on 2088? Hearing none, Doc Spencer is not in the room.

**LEG. MONTANO:**

You want to pass it over?

**LEG. D'AMARO:**

Yeah, pass it over.

**D.P.O. HORSLEY:**

Yeah, we'll pass. That would be fine, sure. Pass it over, okay.

***J.R. 2161 - 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).***

I do have one card, Mr. Charles Cuddy.

**MR. CUDDY:**

Good afternoon. Charles Cuddy, representing the Association. I'd like to thank Mr. Schneiderman and his office for bringing this to -- before the Legislature.

Just a little background. We want three acres of land. We've been in existence since 1754 and we're running out of land. So we're asking that you approve a resolution permitting us to buy three additional acres in Westhampton. It's been approved by the Town and we would ask you also to approve it. Thank you.

**D.P.O. HORSLEY:**

Mr. Cuddy, could you just say that -- once again a little louder, the second -- the last part?

**LEG. SCHNEIDERMAN:**

It was approved by the Town, he's saying.

**MR. CUDDY:**

It's been approved by the Town. I also have with me, if there are any questions, Mr. Benjamin, who is the President of the Association, and Mr. Rogers, who's the Treasurer.

**LEG. SCHNEIDERMAN:**

And if I could just defer again to Counsel. Just so the Legislature is aware, we don't see these very often, but, apparently, whenever a cemetery seeks to expand in Suffolk County, it has to come before this body, even though we don't own the land or, you know, it's a private property type of thing. George?

**MR. NOLAN:**

Yeah. Once every year or two we do one of these, yeah.

**LEG. SCHNEIDERMAN:**

Right. And so it's somewhere in our Charter or is it State law?

**MR. NOLAN:**

State law.

**LEG. SCHNEIDERMAN:**

State law.

**MR. NOLAN:**

State law.

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**D.P.O. HORSLEY:**

Okay. Thank you very much, Mr. Cuddy.

**MR. CUDDY:**

Thank you.

**D.P.O. HORSLEY:**

Would anyone else like to be heard on this matter? Would anyone else like to be heard on this matter? Hearing none, Mr. Schneiderman, what do you want to do?

**LEG. SCHNEIDERMAN:**

Motion to close.

**D.P.O. HORSLEY:**

Motion is to close. Is there a second on the motion?

**LEG. D'AMARO:**

I'll second.

**D.P.O. HORSLEY:**

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

**MS. ORTIZ:**

Sixteen -- oh, seventeen (Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Okay. I'm going to go back to the vote on ***2088 - A Local Law to set minimum safety standards for recreational boats in Suffolk County***. We had -- we didn't have anyone speak on the matter, Doc Spencer, and I just wanted to see how you wanted to have us vote on this.

**LEG. SPENCER:**

Motion to close, please.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

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

**MS. ORTIZ:**

Seventeen. (Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Thank you. ***I.R. 2230 - A Local Law to amend the membership of the Suffolk County Disabilities Advisory Board (Cilmi)***. I do not have any cards on this. Would anyone like to be heard on this matter? Would anyone like to be heard on this matter? Seeing none, I ask the sponsor, Mr. Cilmi, how say ye?

**LEG. CILMI:**

Motion to close.

**D.P.O. HORSLEY:**

Motion is to close.

**LEG. MONTANO:**

I'll second it. Could I ask a question?

**D.P.O. HORSLEY:**

You can second it and then you can ask a question.

**LEG. MONTANO:**

Thank you. Legislator Cilmi --

**D.P.O. HORSLEY:**

We're not going to debate it, though.

**LEG. MONTANO:**

No, we're not going to debate it. Could you just give me a brief -- what are we amending?

**LEG. CILMI:**

We're just -- we're amending the composition of the Disabilities Advisory Board to include a representative of SILO, that's all.

**LEG. MONTANO:**

SILO?

**LEG. CILMI:**

SILO.

**LEG. MONTANO:**

Who's SILO?

**LEG. CILMI:**

Suffolk Independent Living Organization.

**LEG. MONTANO:**

Oh, yes.

**LEG. CILMI:**

We actually have the Executive Director, I believe is the title, is here today in case you had a question.

**LEG. MONTANO:**

So we're adding one member from SILO?

**LEG. CILMI:**

That's right, yes.

**LEG. MONTANO:**

Fine. Thank you.

**LEG. CILMI:**

Yup.

**D.P.O. HORSLEY:**

Okay.

**LEG. SCHNEIDERMAN:**

Can I ask one question on that?

**D.P.O. HORSLEY:**

You may.

**LEG. SCHNEIDERMAN:**

Because we had amended this bill I believe last year to allow for six Legislative appointments and I'm not sure that all those seats are filled. We could just -- why don't you just appoint that person to the Board now?

**LEG. CILMI:**

Well, SILO is -- SILO covers the entire -- you know, the entire County, really, so it's not exclusively my district that I'd have them represent us on.

**D.P.O. HORSLEY:**

Okay. And we'll debate this bill when it comes up.

**LEG. SCHNEIDERMAN:**

We can -- we'll debate the bill when it comes up, too.

**D.P.O. HORSLEY:**

Exactly.

**LEG. SCHNEIDERMAN:**

I just wanted to bring that to your attention.

**D.P.O. HORSLEY:**

Very good. Okay. That being the case, we have a motion to close and it's been seconded. All those favor? Opposed? So moved. ***I.R. 1001*** --

**MS. ORTIZ:**

Fifteen. (Not Present: Legs. Stern & D'Amaro – Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

-- ***A Local To ensure the safety of children in child care facilities (Hahn)***. I do not have any cards on this. Would anyone like to be heard on this matter? Would anyone like to be heard on this matter? Seeing none, the sponsor, Ms. Hahn, what would you like to do?

**LEG. HAHN:**

Motion to close.

**D.P.O. HORSLEY:**

Motion is to close. Is there a second on the motion?

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

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

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**MS. ORTIZ:**

Fourteen. (Vote Amended to 15-0-0-3/Not Present: Legs. Stern & D'Amaro – Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Thank you. *I.R. 1020 - A Local Law to enlarge qualifications for Museum Director (Lindsay)*. I do not have any cards on this. Would anyone like to be heard on this matter? Would anyone like to be heard on this matter? I do not see anyone. Seeing none, does anyone have --

**LEG. HAHN:**

Motion to close.

**D.P.O. HORSLEY:**

Motion to close by Legislator Hahn. Do I need a second on that?

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

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

**MS. ORTIZ:**

Fifteen. (Not Present: Legs. Stern & D'Amaro – Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Okay. We are going to -- do they have copies of this? Everybody's got copies?

**MR. NOLAN:**

Everyone's got a copy of this, yeah.

**D.P.O. HORSLEY:**

Okay. Everyone's got copy of the Local Law known as the *Community Protection Act and that is I.R. 1125*. It is posted correctly, and we are going to -- it's coming in as a CN, and we are going to have a public hearing on it. Any questions? We're good?

**LEG. SCHNEIDERMAN:**

Just, technically, I just want to make sure we've aged it an hour. I think it's been posted for a full hour?

**MR. NOLAN:**

Yes.

**LEG. SCHNEIDERMAN:**

Okay.

**D.P.O. HORSLEY:**

Okay. I think we're -- all our particulars have been set. I have a number of cards here and we will start to go through them. The first card I have is Sandy Thomas.

**MS. THOMAS:**

Good afternoon. I don't have to push this, right?

**MS. ORTIZ:**

As long as the green light is on.

**MS. THOMAS:**

Yeah. I didn't anticipate being first. I do have some questions about this Local Law and that is, on the average, how many homeless sex offenders are there being housed right now?

**D.P.O. HORSLEY:**

Yeah. This is for your testimony, Sandy, but we're going to, right when -- we're going to debate this bill almost immediately after it.

**MS. THOMAS:**

Right.

**D.P.O. HORSLEY:**

So these questions should be answered, but I believe the answer is 38.

**MS. THOMAS:**

Okay, because my next question was going to be are there 38 homeless men's shelters in Suffolk County at the current time? My understanding is that there isn't.

The concern that I have, that I want to bring into testimony about this public hearing, is that the certificate here talks about the fact that the Commissioner has the ability to waive Local Law, and also to try not to cluster. It's only supposed to be one sex offender per shelter where that's practical. And those terms, "practical" and "try not to cluster", and that the "Commissioner can waive Local Laws" says to me that where there's schools, and where there are nursery schools, and where there are vulnerable populations, that these people would be housed.

The second concern that I have is that communities of color, minority communities usually bear the brunt of having all the shelters, having the sober houses, etcetera, and it seems to me that they would then continue to bear the brunt of the homeless sex offenders. And I question and I'm concerned about the ability to be able to monitor people when they're being moved day to day and night to night and community to community. I do feel that that is a threat to my community and to communities that surround my community. And I do think that there are just too many variables that are not answered, in my opinion, in this application that warrants the approval, and that I'd like to go on record as saying that.

I represent the concerned taxpayers of Wheatley Heights/Dix Hills Civic Association, I am the President. I have spoken with you before about other issues.

**D.P.O. HORSLEY:**

Sandy, to me, it would have to -- didn't even need to be said, but thank you very much for coming down. And I think some of these questions will probably be answered in the hearing itself.

**LEG. D'AMARO:**

Wayne. Wayne, could I just make --

**D.P.O. HORSLEY:**

Yes, question to --

**LEG. D'AMARO:**

-- one point of clarifying as we go forward in the public hearing? Hello.

**MS. THOMAS:**

Hi.

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**LEG. D'AMARO:**

The section you're referring to that gives the discretion to the Commissioner for going beyond some of the laws that may be -- that has been completely removed from the bill. Just so you know, it's been recently amended. You may not have the most up-to-date version of that bill.

**MS. THOMAS:**

As of this morning, when you downloaded --

**LEG. D'AMARO:**

That's correct.

**MS. THOMAS:**

-- off the computer, that was there.

**LEG. D'AMARO:**

Yeah. That revision was made during the day today, so that --

**MS. THOMAS:**

Oh, I see.

**LEG. D'AMARO:**

Are you referring to Section 37, I believe it is?

**MS. THOMAS:**

I have it here that, "Further, the law authorizes the Commissioner to waive the provisions of any other Local Law" --

**LEG. D'AMARO:**

Correct.

**MS. THOMAS:**

-- "or resolution relating to the housing."

**LEG. D'AMARO:**

I had an issue with that as well, and the newest version, the version we'll be voting on, that section has been completely deleted from the bill.

**MS. THOMAS:**

Oh, okay.

**LEG. D'AMARO:**

Okay?

**MS. THOMAS:**

Thank you very much.

**LEG. D'AMARO:**

You're welcome.

**MS. THOMAS:**

All right.

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**D.P.O. HORSLEY:**

All righty. Thank you very much, Sandy, for your comments today.

**LEG. MONTANO:**

Wayne.

**D.P.O. HORSLEY:**

I'm sure they'll be answered.

**LEG. MONTANO:**

Wayne, if you don't mind.

**D.P.O. HORSLEY:**

Oh, Sandy. Sandy, we have another question of you. Legislator Montano.

**LEG. MONTANO:**

Hi, Sandy. How are you?

**MS. THOMAS:**

Fine. How are you doing, Rick?

**LEG. MONTANO:**

I'm good. Just very quickly, I mean, I'm in the same position you are, I'm not clear which is the final version. Have you had an opportunity to fully analyze this bill and discuss it with the members of the community or --

**MS. THOMAS:**

Absolutely not.

**LEG. MONTANO:**

Okay.

**MS. THOMAS:**

You know, I became aware of this bill because I happened to be affiliated with another agency that is also a shelter, and that we were being told that shelters were being threatened to change, being family shelters to becoming homeless men shelters, otherwise, their contracts would be pulled. Now, we are told that that's not true anymore. However, that shelters were being placed under tremendous pressure to convert from family shelters to homeless men shelters.

**LEG. MONTANO:**

And when you say you were told, who are you -- who's been telling you this, and how has it been communicated?

**MS. THOMAS:**

Shelter providers. That is the word among shelter providers. I don't want to be specific, but I will tell you, among shelter providers, that was what was being told. Then they were also -- the shelter providers were then told, after DuWayne, I believe, made an inquiry, that, oh, that wasn't true, that really isn't any threat to shelters. But I question, I don't believe that there are enough homeless men shelters to even provide one sex offender per shelter throughout the County. I don't believe that that's a possibility right now. And I don't understand how the Department of Social Services will enforce that or be able to provide the housing for these people.

**LEG. MONTANO:**

So, just so I'm clear, you don't know how many shelters are in existence in your community that would absorb the sex --

**MS. THOMAS:**

Homeless men, no. I know that there are a number of shelters in my community that are family shelters, okay? I know also that there are a number of sober homes in the surrounding communities in Wyandanch, there are a number of group homes. These communities often, the communities of color often bear the brunt of all the social ills, and this will just be another one compounded to that. And I just think that -- I know initially the Legislature had a couple of years ago talked about placing people in every town.

**LEG. MONTANO:**

Yes.

**MS. THOMAS:**

Well, this will not happen. This will only be in some towns and that's my concern and my fear. So that's -- and, no, my community has not really had an opportunity to digest this, to have this information. I think this was sprung upon all of us very quickly, and as things often are, and so that's why I'm here this afternoon.

**LEG. MONTANO:**

And that's really the point that I'm driving, which is essentially that what I'm getting from you, and certainly my sentiment has been expressed, that this is being done at a -- in a manner that isn't fully --

**MS. THOMAS:**

Transparent.

**LEG. MONTANO:**

-- explained or understood by many people or communities that are going to have to deal with the repercussions of this bill, should it be passed today.

**MS. THOMAS:**

That's correct.

**LEG. MONTANO:**

Do you concur in that, Sandy?

**MS. THOMAS:**

I absolutely agree.

**LEG. MONTANO:**

Okay. That's just what I wanted to get on the record. Good seeing you again. Thank you.

**MS. THOMAS:**

Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Sandy. We appreciate you being here today.

**LEG. KENNEDY:**

Legislator Horsley, can I?

**D.P.O. HORSLEY:**

Oh, I'm sorry. John, I forgot about you.

**LEG. KENNEDY:**

Yes. Ma'am, could I --

**D.P.O. HORSLEY:**

Legislator Kennedy.

**MS. THOMAS:**

Oh, me?

**D.P.O. HORSLEY:**

Sandy, yup, come on up. My mistake. I did see John and I just -- always unforgettable.

**LEG. KENNEDY:**

Thank you, Wayne. Thank you for coming up to speak on this. I think you raise sentiments and concerns some of us around this horseshoe have. And having a bill that's before us, as recently modified as 12:19 this afternoon is not only a surprise for you, but, quite frankly, it's a surprise for me. But I want to make sure that you just understand a couple of points.

This bill was drafted by the County Executive's Office. This bill actually has the input and the marks of multiple departments directed by the County Executive. But the one thing that I don't see here is a representative from the agency that I believe your shelter organization would be in contract with.

**D.P.O. HORSLEY:**

Excuse me, John, please keep it to questions.

**LEG. KENNEDY:**

It is questions. Who -- Department of Social Services, I believe, isn't that who your agency contracts with?

**MS. THOMAS:**

I believe that all agencies contract with the Department of Social Services.

**LEG. KENNEDY:**

So if there was some type of an edict or a proviso put out there that folks' contracts were going to be terminated, it would have come out of the Department of Social Services who --

**MS. THOMAS:**

It would come out of?

**LEG. KENNEDY:**

It would have come out of the Department of Social Services.

**MS. THOMAS:**

Absolutely, yes, uh-huh.

**LEG. KENNEDY:**

But we don't have anybody here today from the Department of Social Services, not that I see.

**MS. THOMAS:**

I don't know.

**LEG. KENNEDY:**

Okay, good. All right. Well, I appreciate that. Thank you very much for coming to the podium.

**MS. THOMAS:**

Thank you.

**D.P.O. HORSLEY:**

Thank you. Sandy, you are so popular.

**MS. THOMAS:**

I am telling you. See that's what happens when you're first. I didn't want to be first.

**D.P.O. HORSLEY:**

Right, exactly. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, and I'll be very brief. Just as long as you're up here and you're testifying, and I appreciate your input very, very much. And I know how concerned you are about your community and all of us on Long Island.

I just want to get specifically your objection, because my reading of the bill is simply that we're putting in this comprehensive type of umbrella overall of the registered sex offenders in Suffolk County for monitoring, verification of address, and stepping up enforcement of all the laws we have on the books. So I just want to hone in on more of what your objection would be.

**MS. THOMAS:**

My objection is that I don't believe that there are -- first of all, the homeless men shelters are almost always in minority communities.

**LEG. D'AMARO:**

Right.

**MS. THOMAS:**

I don't believe that there are enough homeless men shelters --

**LEG. D'AMARO:**

Right, because the limits to one, right, right.

**MS. THOMAS:**

-- to put one sex offender in there.

**LEG. D'AMARO:**

Right.

**MS. THOMAS:**

Okay. So that you don't have 40 or 38 homeless men shelters, so which means then that they -- and it also, the bill talks about the fact that the Commissioner can, if necessarily, cluster, so that means it's not going to be one homeless sex offender in a shelter.

**LEG. D'AMARO:**

Right, right.

**MS. THOMAS:**

It's going to probably be three or four or five or six, or whatever it is. It says to me and it doesn't seem to me that this has been thought through enough with enough community input to talk about the what-ifs, the what-if you don't have enough shelter for one, and what if he has to clusters. And where will those clusters be? Those clusters I believe will be in the minority communities, and I believe that that puts those communities, those children, those schools and those daycare centers at greater risk and at greater exposure to sex offenders. And we're not talking Level One here, we're talking Two and Three.

**LEG. D'AMARO:**

Why do you feel that it will be -- I mean, we --

**MS. THOMAS:**

Because we already experienced that --

**LEG. D'AMARO:**

Okay.

**MS. THOMAS:**

-- in the 15th Legislative District a couple of years ago --

**LEG. D'AMARO:**

Right.

**MS. THOMAS:**

-- when our distinguished County Exec prior to our current one attempted to do that. And, at that time, the Commissioner of Social Services and the Deputy County Executive came to my civic meeting and said, oh, they did a study, and in the study the best place for homeless sex offenders was by a dump, an airport and a cemetery, and we said to them at that time, "Well, you just described Wyandanch." And Wheatley Heights abuts Wyandanch, and Wheatley Heights and Wyandanch and North Babylon and Farmingdale are all right there. And what they said was, "Oh, in our study, this is the best place to place these people." Well, that really didn't turn out to be true. The place they wanted to place them was in Wyandanch.

**LEG. D'AMARO:**

The bill says that in the instance that you're talking about --

**MS. THOMAS:**

Yeah.

**LEG. D'AMARO:**

-- that the Commissioner is going to be consistent with New York State law; after consulting with the County Police Department, is going to be making this placement, but ensuring public safety and avoiding clustering. I think it's directly the exact opposite.

**MS. THOMAS:**

But how can he avoid clustering if he doesn't have the shelters to put one in? If he doesn't have the shelters to put one in, and how can he avoid clustering when he's got to put them somewhere? He's got to have the placement to put them somewhere, hence the pressure on shelter providers to change over. But he doesn't have 36 men shelters.

**LEG. D'AMARO:**

Right, I understand.

**MS. THOMAS:**

And they're not all throughout the County.

**LEG. D'AMARO:**

I don't want to debate the bill, but what I'm saying to you is that it's true --

**MS. THOMAS:**

It sounds very good.

**LEG. D'AMARO:**

-- we have a legal obligation to house individuals. And the fact is, if we're going to have to do that, I'd rather do it with the oversight of the Commissioner and the County Police Department than not have that oversight. That's what this bill does.

**MS. THOMAS:**

But you're going to have that oversight anyway.

**LEG. D'AMARO:**

Well, but --

**MS. THOMAS:**

You're going to have that oversight anyway, because sex offenders have to register. You have that oversight anyway.

**LEG. D'AMARO:**

No, I'm not talking about registration, I'm talking about getting the Police Department involved in that oversight effort as well.

**MS. THOMAS:**

Well, my understanding is that police departments, as well as local towns, as well as Parents for Megan's Law, all have that oversight now. My only frustration is, is that some towns are going to bear that pressure more so than others, and that originally I thought that the Legislature had talked about all towns sharing equally in this unfortunate problem. And the way this is, is just that some towns are going to bear that pressure greater than others, and because you're able to get rid of that, it's done. And I'm saying that minority communities and communities of color that already bear a lot of social ills are going to have everyone more, and that's what I think you should talk about, so.

**D.P.O. HORSLEY:**

Okay. I think that's it.

**LEG. MONTANO:**

No, no. Let me ask a question.

**D.P.O. HORSLEY:**

Oh, I'm sorry. Legislator Montano.

**LEG. MONTANO:**

Sandy.

**D.P.O. HORSLEY:**

Sandy, one more.

(\*Laughter\*)

**LEG. MONTANO:**

Sorry, I'm not going to let you go, I know you too well. What was that, Jay?

**LEG. SCHNEIDERMAN:**

Nothing.

**LEG. MONTANO:**

The question I was going to ask, because I know what you're referencing, you're referencing a bill that we passed in the Legislature, but I was going to ask Counsel, that bill was vetoed. Does anyone remember whether or not the veto was overridden. Do you know which bill I'm talking about? It was Bill Lindsay's bill.

**LEG. SCHNEIDERMAN:**

It was overridden.

**LEG. CALARCO:**

The mini shelters? Yeah, it was overridden. It was overridden.

**LEG. MONTANO:**

All right. So that's in force. That's the bill that you're referencing?

**MS. THOMAS:**

That all towns share in that, that's right.

**LEG. MONTANO:**

Yeah. In other words, that we would divide the sexual offenders --

**MS. THOMAS:**

Throughout all the towns.

**LEG. MONTANO:**

-- and not have more than one mini shelter in any Legislative District; we're divided by 18.

**MS. THOMAS:**

Right.

**LEG. MONTANO:**

Okay. Does that conflict, George, with this?

**MS. THOMAS:**

So if there are 36 sex offenders that are homeless, that would be two throughout the 18th Legislative District.

**LEG. MONTANO:**

Yeah, that's what you're referring. I want to ask --

**LEG. SCHNEIDERMAN:**

That's incorrect. The mini shelter program was that there would be six shelters, each with six sex offenders in them, with no more than one mini shelter per Legislative District or town. So, yes, potentially this area could end up in a nonresidential area with one mini shelter. The new policy that's being promoted is to end clustering altogether so that we wouldn't congregate these

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individuals anywhere in the County.

**LEG. MONTANO:**

All right. So this bill essentially overrides the bill that we passed a couple of years ago, it nullifies that particular bill.

**MR. NOLAN:**

Yes.

**LEG. MONTANO:**

Okay.

**D.P.O. HORSLEY:**

Okay. I just wanted to remind everybody that this is a public hearing that is for the public to discuss with us.

**LEG. MONTANO:**

Thank you.

**D.P.O. HORSLEY:**

We will debate the bill.

**MS. THOMAS:**

Thank you.

**D.P.O. HORSLEY:**

Thank you, Sandy. Alice Cone. Hi, Alice.

**MS. CONE:**

Hi. How are you doing? Good afternoon, Ladies and Gentlemen. My name is Alice T. Cone and I'm President of the Belmont Lake Civic Association. I represent 1200 homes and 4,000 voters. I'm requesting that you vote no to placing sex offenders in homeless shelters throughout the County.

Minority communities such as mine are overwhelmed with group homes, homeless shelters and halfway houses. We cannot absorb anymore. Historically, homeless shelters are always placed in communities such as mine. They destroy the whole concept of community and the American dream.

The life span of a middle class black community is 17 years. We have been in existence for 54 years fighting the enemy within and the enemy without. Our civic association strives for excellence in education, unity, safety, beauty and the quality of life for all our residents. On behalf of the Belmont Lake Civic Association and all the residents of Northwest Babylon, we are requesting that you vote no on placing sex offenders in our homeless shelter.

**D.P.O. HORSLEY:**

Thank you very much, Alice, we appreciate your comments. All righty. Carl Iacone, and on deck is Thomas Yllanes.

**MR. IACONE:**

My name is Carl Iacone. I live in the Town of Southampton, in the Hamlet of Bay View Pines, right off Route 24. This time I wrote a card up on this, where before I didn't.

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We've been at this for six years already. I don't know where some of the information on some of the speakers that were before you got some of that information, but we are a community that's diversified. We have just as many homes and homeless people, and whatnot, in our community also. And we're a mixed color, we're white, we're blacks, we're Latinos, we're everything, we're diversified in our area. We're not East Hampton, let me put it to you that way. We're not the rich, we are the middle class people of the area. And I speak as a middle class person in that particular area, which I've lived for 25 years.

Now, the impression that was given to this Board was there's not a cluster of sex offenders. There is a cluster of sex offenders and it's right in our area where the jail is. There's two trailers there, and I'm not going to quote how many occupy it, but to my estimation, I think there are 36 predators in there. I call them predators because there's nothing else you can call them. Nobody on this Board wants them, nobody sitting in this audience wants them, but yet we've had them for six years. We don't only have two trailers there, but we also have one in Westhampton, where it first started.

And we can thank Mr. Levy for this whole disruption of what's going on here today, because when he came out with his law six years ago, he said he was going to spread the wealth on this, and give us a couple of months here with them, put trailers elsewhere, and a couple of months elsewhere with them. He never did that. He never did that, and that was a slap in the face to us.

You people on this Board don't want them in your backyard; the same for us. We'll take our share. We'll do our best to do what we have. But why should we take everybody else's share? We want to do what we have to for our own and for what's in the area. We also have schools, we have school children there, we have libraries there that are within the area. If anybody knows where that jail is in Riverside, or Southampton Town is the way they put it, they'll know where those trailers are. They're not behind the fences, they're in front of the fences. And this Board, I've been before it two or three times in the six years that I've spoken out on this, and I think something should be done now. I think the trailer issue should be put to a plan of where you're going to do this and how you're going to spread it. That's up to you people.

### **D.P.O. HORSLEY:**

Mr. Iacone, you're going to have to start to wrap it up.

### **MR. IACONE:**

Okay. Thank you. I have a lot to say because I've been on this subject --

### **D.P.O. HORSLEY:**

I'm sure.

### **MR. IACONE:**

I've been on this subject for six years, but I'm going to cut it short. Let's see what you body of people do today to eliminate this and not put the whole burden on the Town of Southampton or the people in the Flanders area. Thank you.

### **D.P.O. HORSLEY:**

Thank you, Mr. Iacone.

*(\*Applause\*)*

All right. Mr. Yllanes. Y-L-L-A-N-E-S.

### **MR. YLLANES:**

That's me.

**D.P.O. HORSLEY:**

Oh, I didn't see you. On deck, Theresa White.

**MR. YLLANES:**

My name is Tom Yllanes and I would like to address today to ask your support.

**D.P.O. HORSLEY:**

Mr. Yllanes, would you please speak more into the mic?

**MR. YLLANES:**

I would like to address you today to ask you for your support in the passage of the Community Protection Act.

As a parent, I speak with some urgency in stating that Suffolk County needs to have the most comprehensive sex offender monitoring and enforcement program in the nation, and that our passage of the Community Protection Act will go a long way. Simply stated, the Act, as well as the plan developed by the Suffolk County Police Department and Parents for Megan's Law, demonstrates the best possible tracking and enforcement of sex offenders, the use of the latest technologies to support the effort, the best use of the County and the taxpayers' resources in keeping our communities safe from sex offenders. I urge your support today to pass the plan. And I thank you for this opportunity to speak.

**D.P.O. HORSLEY:**

Thank you very much, Mr. Yllanes.

*(\*Applause\*)*

Theresa White, and on deck is Mason Haas.

**MS. WHITE:**

Good afternoon. I work at the Vocational Independence Program at New York Institute of Technology in Central Islip. This is a program for young adults with learning disabilities and who are on the autism spectrum, as they and younger people with disabilities are more vulnerable to being victims of abuse. So I'm here to ask you to support the plan, that anything that can be done to protect our children from being exposed to these predators, it should be done. And I ask that you pass the Community Protection Plan. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Ms. White. Okay. I have a card from Southampton Town Supervisor Anna Throne-Holst. And it is our custom to call up elected officials because of their time. Is Anna here? Ms. Throne-Holst, there you are. Welcome, Supervisor.

**SUPERVISOR THRONE-HOLST:**

Thank you. Good afternoon, everyone. And thank you for holding this hearing, and for considering this new approach to the housing of the homeless sex offenders.

I am looking at my iPhone as I'm speaking to you because we do have a couple of concerns with the legislation as proposed, and so if you would afford me a few minutes to look at this. I've had my Town Attorney's Office look at it. In general, we're very supportive of it, but there are some references to current County law that I think would strengthen this and make sure that we don't find ourselves in a situation similar to the one that we had over the last several years where there is no local municipal authority here, and where you, too, as the County Legislators, stand to lose some of

your ability to enforce County law.

For instance, the reference to shelter and congregant shelter, to make sure that that does not then usurp your authority as a County, or ours as a local municipality, in terms of limits to residences. So if you wouldn't mind, I wouldn't -- I would appreciate an opportunity to look over these notes. We only just got the proposed bill this morning. So if you would be so kind, I would ask --

**D.P.O. HORSLEY:**

Ms. Throne-Holst, why don't we do this, why don't we -- over here. Why don't we -- we'll call you back up at the end of the public hearings.

**SUPERVISOR THRONE-HOLST:**

I would appreciate that.

**D.P.O. HORSLEY:**

Thank you.

**SUPERVISOR THRONE-HOLST:**

Thank you very much.

**D.P.O. HORSLEY:**

All right. Mason Haas.

**MR. HAAS:**

Good afternoon, Ladies and Gentlemen. Okay. I started this back in 2007. I'm an elected official in the Town of Riverhead. I never did this as an elected official, I did this as a community person. I'm a parent. I was active in the PAL, active in the ambulance corps, active in the fire department.

The one word that you've heard a lot about is clustering, and we have to look at what caused the clustering. If we went by New York State laws, our clustering issue would not be the issue we're dealing with. There are people, Legislator Gregory, Legislator Browning, I've had conversations with and I understand their concerns about clustering in their districts and all. In Riverhead, we have the sober homes, we have clustering, too. These people are talking about the clustering, is what caused the clustering, again is what we adopted here at this body and at the local municipalities.

We have constantly put restrictions on this group of people to the point that they are forced into certain areas. When they go to their parole officers or they got to their probation officer and looking for a place to live, they have to go through the maps and find out where they fit in under the County laws and the local municipalities.

This is a good plan. You're turning around and you're being proactive. These Local Laws that are adopted have been challenged in other states, New Jersey, for instance, where the Supreme Courts have stricken it down, the Local Laws, and the say, "Only enforce your state laws." If we go that route and you be protective with this bill, you're doing a great justice to the taxpayers, because you also are the stewards of their money. And I know about their money because I'm an Assessor, so I'm a very popular guy come Christmastime when the tax bills go out and everybody comes in talking about their cost of life.

So this is a good bill. I urge you to move forward with this. You're going to be proactive. Your six shelters is an expensive project. The money that you save from that project, the extra money that's left over by implementing this new bill you could turn around and use towards the education, which is a striving point. Everybody has talked about it. If you educate more, they'll turn around and you'll educate these children and they'll be -- know what to look for, what the public will know what

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to look for. I cannot talk how much I am for this bill, like I say, because I understand what they're saying. They don't want it in their area, getting all forced into their area, but if you do this, you're going to stop this. That clustering won't happen because you'll go by the State laws. You're being proactive and being ready for when the State laws are being challenged, because, as I understand it, they are being challenged.

When we adopted this plan of the trailers out East back in 2007, you had Professor Krueger from Columbia University back then saying that this is not good. You have Bill O'Leary, who is -- I've had numerous conversations with, who not only counsels them, he counsels the victims.

It's a positive move in this bill and I urge you all to move forward with this bill. I think it is the best thing that has come forward. You're going to save money. And with that extra money, you're going to turn around and put it towards education, and that itself will help along with this. Again, I urge you to pass this bill. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Mr. Haas.

**LEG. KENNEDY:**

Wayne.

**D.P.O. HORSLEY:**

All right.

**LEG. KENNEDY:**

Wayne, Wayne, Wayne, any time now.

**D.P.O. HORSLEY:**

Mr. Haas.

**LEG. KENNEDY:**

How about it? Thank you.

**MR. HAAS:**

Mr. Kennedy.

**LEG. KENNEDY:**

Hello.

**MR. HAAS:**

How are you?

**LEG. KENNEDY:**

Mason, nice to see you again.

**MR. HAAS:**

Nice to see you again, John.

**LEG. KENNEDY:**

You have been a consistent and staunch advocate and brought us important information in this issue, and some of us around this horseshoe have dealt with this just as long as you have.

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**LEG. HAHN:**

Yes, you have.

**LEG. KENNEDY:**

Six, seven years. And most speakers identify that this is an issue and problem that we all struggle with mightily. And the -- some of the issues that have been brought forward already, you mentioned them, clustering and things like that, are things of great concern for most of us. But we just had the Southampton Town Supervisor here before you, and you're a representative of Riverhead government. Does the Riverhead Supervisor have this bill?

**MR. HAAS:**

Excuse me?

**LEG. KENNEDY:**

Does the Riverhead Supervisor have this bill? It was --

**MR. HAAS:**

I believe he does have a copy. I emailed a copy to him.

**LEG. KENNEDY:**

The one that was revised at 12:19 today?

**MR. HAAS:**

No, not the one that was revised now. But I will tell you this: I am the point person for Riverhead, they've given me the authority on this.

**LEG. KENNEDY:**

Well, thank you very much. And I know you know your real estate very well and I know you know how to assess. But when it comes to interacting and dealing with towns, most often you deal with the Supervisor.

My only point is, is that we're having dialogue here with various electeds and members of the public on something that we ourselves have only seen less than about 120 minutes ago, or 140 minutes ago.

The Town Board, when a Town Board acts, what's the process, how do they act? If I want to get a resolution done in the Town of Riverhead, how do I go about it?

**MR. HAAS:**

They'll present it. They've also taken them off the floor also. They have taken them off the floor, John, you know that.

**LEG. KENNEDY:**

But more often than not, and particularly with controversial issues like your EPCAL or anything else, you go to committee, your members discuss it, they debate it, they vet it, and then they vote it.

**MR. HAAS:**

They also debate it. When they bring them off the floor, they'll debate them right there in the public, so --

**LEG. KENNEDY:**

If there's something urgent like remedy from a hurricane or a storm, absolutely.

**MR. HAAS:**

We're getting down to that urgency part of this, John. And let me --

**D.P.O. HORSLEY:**

This is kind of asked and answered.

**LEG. KENNEDY:**

We're just -- all I'm doing, Mr. Chair, is I'm asking a few questions from the Riverhead elected. That's fine. Thank you.

**MR. HAAS:**

Okay. Just to finish what you were saying, when we talk about the urgency, again, six years going back and forth. Is this at the point now that it's urgent? Yes, because you are --

*(\*Applause\*)*

You have situations now where it's being challenged in court, your own laws. And if these laws get stricken down, you need to have something in place, and this is a good thing to put in place.

**LEG. KENNEDY:**

Thank you.

*(\*Applause\*)*

**LEG. MONTANO:**

Question, Wayne --

**D.P.O. HORSLEY:**

Yes. We have one more question.

**LEG. MONTANO:**

-- for the gentleman. Sir?

**D.P.O. HORSLEY:**

We have one more question.

**LEG. MONTANO:**

Hi, Councilman. How are you?

**MR. HAAS:**

Yes. Legislator Montano, how are you?

**LEG. MONTANO:**

I'm well. You indicated the fact that these cases are now pending before courts in several states, as well as New York, right?

**MR. HAAS:**

That's correct.

**LEG. MONTANO:**

Yeah. I'm looking at a New York Times article that came out this morning and says Courts in New York are now hearing several challenges to local -- do you know the status of these cases?

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**MR. HAAS:**

That I don't know. I do know New Jersey won. The Supreme Court ruled in favor -- ruled against the -- that local municipality there. They did that and they turned around and said, "You have to abide by State laws."

**LEG. MONTANO:**

All right. And maybe this question doesn't pertain to you. I've seen -- maybe Counsel. I've seen several, I guess, versions. The one I have before me now is date-stamped one -- February 5, 1:02. Is that the bill that's currently -- is that the last revised bill, or is there another bill after that? Can somebody -- I just want to make sure I'm reading the right bill. They all say -- is this the bill, George? I just want to -- you know, because as you said, there have been several changes. I think you indicated earlier that your Supervisor has -- you just sent him the final version or the --

**MR. HAAS:**

I sent him the version that was out this morning.

**LEG. MONTANO:**

All right. Can somebody tell me what version we're working off?

**MR. NOLAN:**

On the bill itself, it says it was revised as of 12:19.

**LEG. MONTANO:**

What do you mean 12:19?

**MR. NOLAN:**

The top of the bill itself, not the CN page, but if you turn, revised as of 12:19 p.m.

**LEG. MONTANO:**

Oh, all right. Revised as of 12:19 p.m. That is the latest revision and that is the one that we are currently considering?

**MR. NOLAN:**

That's what we're having the -- holding the hearing on, that's what we're going to vote on.

**LEG. MONTANO:**

Thank you very much. Thanks a lot, Councilman.

**MR. HAAS:**

Okay. Thank you.

**D.P.O. HORSLEY:**

Legislator, I just want to maybe suggest that when Laura Ahearn gets up later on to speak about the particulars of the bill, she would be expert on where those court cases are going at this point in time.

**LEG. MONTANO:**

Yeah, she would. I think she would know.

**D.P.O. HORSLEY:**

Okay. All right. The next speaker is Bridget Fleming, Councilwoman from Southampton.

**MS. FLEMING:**

Good afternoon. Thank you so much for allowing me to speak. My name is Bridget Fleming and I'm a Councilwoman from the Town of Southamptton. This isn't the first time that those of us from out east have come up to talk to you about the sex offender trailers, which, as you know, are of great concern to our constituents and many of the constituents of mine who are sitting in the audience.

I was an Assistant District Attorney in the Manhattan DA's Office for many years, and I was in the Sex Crimes Prosecution Unit when Megan's Law was passed and when the sex crimes registry was first begun to be implemented. And from the perspective of someone who spent years defending folks who had been the victims of sexual assault, I have to say that any program such as the sex crimes registry is only as effective as the effectiveness of its implementation. And I think that we can all agree that to date Suffolk County's implementation has been less than stellar. And, certainly, with respect to that small percentage of the population that is the homeless percentage, I know it's just 4%, but for us, it's a huge burden and it's been there for many years. I think this is the third time that I've come before you on a solution that our Legislator, Jay Schneiderman, has championed over and over again.

And so I implore you at this point to go ahead and enact the legislation that's before you. Certainly, there is discretion built into the legislation.

*(\*Applause\*)*

Thank you. There is discretion built into the legislation so that the Police Department and the Department of Social Services can implement it. Certainly I would assume would be guided by this Legislative body; can implement policy that will address some of the concerns that you may be hearing today.

But the first thing to do from my perspective, from the perspective of the folks out east, at least those that I've spoken to and represent, who have shouldered much more than our fair share of the burden at this point with respect to that small percentage of homeless sex offenders, it's time to make a change. It's time to implement something that really works, and it's time to get those trailers out of Westhampton and out of Riverside.

So, to the extent that we can help you, guide you in terms of the policy and the discretionary calls that are going to be made after the implementation is put in place, we're certainly there to help. But, at this point, I just want to thank each and every one of you who has supported Legislator Schneiderman's proposals in the past and ask you to go ahead and do that again, and let's get started on a solution that really works. Thank you very much.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Ms. Fleming, Councilwoman. Vince Taldone, and on deck, I believe it's Mr. Bender. I can't read the first name. Irene, maybe.

**LEG. SCHNEIDERMAN:**

Brad.

**MR. NOLAN:**

Brad Bender.

**MR. TALDONE:**

Good afternoon, Legislators. My name is Vince Taldone. I'm an Executive Board member of the Flanders, Riverside and Northampton Community Association. I also live in Downtown Riverhead.

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And as a person with limited vision, I don't drive a car and walk to every place that I need to go to in downtown Riverhead and Riverside, passing the facility where the sex offenders are located constantly. So I can count the five minutes it would take to get to the library, the ten minutes it takes to get to the grade school playground. We have other grade schools, middle school, high school 10 to 12 minutes away. They're all right there.

We have the sex offenders from across this County on our backs, which is quite convenient for a lot of elected officials up-Island. It's not so great for us and it's unfair. It's unfair to us, it's also unfair to them. They don't get the services that they need there. It's extremely expensive. I'm sure you've heard over \$3,000 per person per month. You could rent a house for them on the East End for that price. Because it's a totally ill-conceived plan that was done because there was nothing else that could be done in this Legislature under the last County Executive. And I know some of you were not here. Certainly, my Legislator was not, so I can't blame you, but it's been done by this Legislature for six years. We still have them.

It's inappropriate, it's unjust to concentrate them in a minority area, I might add, that has to bear the entire burden of this County. It's wrong and it needs to be stopped. We hope, we really hope that you'll take action today. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Vince.

**LEG. CILMI:**

A question.

**D.P.O. HORSLEY:**

Sure. Vince, we have a question from one of our Legislators.

**LEG. CILMI:**

How are you?

**MR. TALDONE:**

Very well, thank you.

**LEG. CILMI:**

Just a question for you, and this is irrespective of my feelings towards this bill one way or the other. But I just wanted to ask you if you were aware of the current dispersion of sex offenders in general throughout Suffolk County? Are you aware how many are in the Town of Babylon, for example, the Town of Islip, the Town of Huntington?

**MR. TALDONE:**

The non-homeless sex offenders, is that what you're asking?

**LEG. CILMI:**

Homeless, non-homeless, yes.

**MR. TALDONE:**

Well, I do know homeless. The homeless ones are in a Southampton --

**LEG. CILMI:**

Okay.

**MR. TALDONE:**

-- right at the border of Riverhead.

**LEG. CILMI:**

But they're a small portion, they're a very small portion of the total number of sex offenders that are living in Suffolk County.

**MR. TALDONE:**

Well, they aren't to us, but, yes, I get that they're a small percentage of the total number.

**LEG. CILMI:**

Right.

**MR. TALDONE:**

Okay. And what is your question?

**LEG. CILMI:**

I just wanted to make sure that you are aware of how many -- for example, there are close to 300 sex offenders living in the Town of Islip. There are probably more than -- I'm doing a quick count here -- 150-or-so-plus maybe living in the Town of Babylon. So while I appreciate the need for some solution here, and nobody would want to live with trailers housing sex offenders in their community, and I completely empathize with that, I just wanted to make sure that we all understand that the sex offender population is impacting all of Suffolk County and not just -- not just the areas that you're talking about.

**MR. TALDONE:**

And I'm sorry if I implied otherwise.

**LEG. CILMI:**

Okay.

**MR. TALDONE:**

I wanted to focus only on the sex offender trailer, not on the general population. And, if I may, when another homeless person, who may not be or certainly not likely to be a sex offender, walks into the library, people are terrified. The librarian is terrified because there's now an assumption that someone who looks like a homeless person is likely to be a predator. And it's an awful experience, but we have good reason to fear when it's just down the block to the sex offender trailer. And we take the entire County's burden of homeless sex offenders, not in general.

**LEG. CILMI:**

Appreciate that, yes.

**MR. TALDONE:**

Okay.

**LEG. CILMI:**

Thank you.

**MR. TALDONE:**

Thank you.

*(\*Applause\*)*

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**D.P.O. HORSLEY:**

Okay. Thank you very much. Brad Bender, and on deck is Stephanie Canale.

**MR. BENDER:**

Good afternoon. My name is Brad Bender. I'm the President of the Flanders, Riverside and Northampton Community Association. I live less than a mile from the Riverside trailer. I'm a resident, community leader, and this trailer situation is appalling.

We transport, ship from western communities these men to corral them, only to let them loose in someone else's neighborhood within walking distance of schools, a library, and many occasion I see these men congregate. We have an opportunity to take responsibility. It has been easy to do nothing, but these men are your constituents. Western community men, like the days of the leper colony, shipped so that they -- excuse me. Like the leper colony, you have chose to push them away and ship them instead of stepping up to the challenge.

A year ago, a year to sweep a problem under -- excuse me, sorry about that. You're spending over two million dollars a year to sweep a problem under a rug. The proposal we have before us is -- and gives us, our constituents the peace of mind that they deserve, providing stability to these men whose lives are kept in a state of limbo, to be sure all sexual offenders are accounted for. This is the important part. We're accounting for all of them. We're stepping up enforcement, we're checking everybody, we're seeing where everybody lives.

*(\*Applause\*)*

That they get proper counseling and oversight. And notifications are in place. Again, these are your people. How long are you going to keep shipping them away? How long are you going to keep sweeping it under the rug? How long are you going to keep dumping it on somebody else? Step up to the plate.

**AUDIENCE MEMBER:**

Good for you.

**MR. BENDER:**

Grow some courage.

*(\*Applause\*)*

Don't take the easy way out. Share the responsibility. We'll take our share, but share the responsibility, it's time. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Mr. Bender. Stephanie Canale, and on deck is Thomas Maniuszko. Maniuszko.

**MS. CANALE:**

Good afternoon, everyone. I am a Board Member of Westhampton Pines, a senior community located off of Old County Road, consisting of 189 homes. Our properties are immediately adjacent to the property where the sex offender trailers are located, not a half a mile, not up the block, but just a few hundred feet, maybe not even. There's a fence, but the fence doesn't go to the end of the property.

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We all have family visiting us with our grandchildren who play and run about the property behind and around our homes. The number of grandchildren that are on the property are probably more than you will find in a schoolyard or a playground.

There have been these trailers for years. These trailers have been there for years, and we are in fear for the children who are visiting and even maybe provoking these sex offenders. Unfortunately, sex offenders will always be a part of our society, but today is the opportune time for all of you to come together and vote for a program that finally makes sense for everyone. The trailers for the homeless --

*(\*Applause\*)*

The trailers for the homeless never were a solution and never will be a solution. Legislators, please vote to pass the new legislation presented so that we can only -- so that we can finally lay this to rest. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much. Thomas Maniuszko.

**MR. MANIUSZKO:**

Good afternoon, everyone. My name is Thomas Maniuszko. I represent Westhampton Pines Association in the Town of Southampton, and we are, as Stephanie stated, directly adjacent to the trailer in Southampton.

This has been going on, as everyone here knows, for six to seven years. I've heard everything from a voucher program to the trailers that were going to be dismantled in our community, and the next morning we find a brand new trailer shows up in the middle of the night to be hooked up. The people in the Town of Southampton have been burdened with this for the last seven years, and these are the worst of the sex offenders within the community.

I urge you all, since this is a law that presently you're looking at, which supposedly is going to be the strict law of the United States, I wish that everyone here would look into it, make sure it is what we need to disband the trailers and put them throughout the community of the County of Suffolk. And, please, make this law pass, and let's adjust the whole reason of educating the children and other people how to see what these people are like. And, hopefully, these sex offenders would get an education and maybe a job, because with them all in one dwelling, what are they thinking about? Thank you, and please approve this bill.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Mr. Maniuszko. Chris Nuzzi from the Town of Southampton.

**MR. NUZZI:**

Thank you and good afternoon, Deputy Presiding Officer Horsley and members of the Legislature. Thank you for the opportunity to comment. I want to thank the Legislature for the continued dialogue here on this issue. I know it's a difficult one, but no matter what's said here by anyone, I think there's one thing that we're all aware of and that's that everyone here is concerned. But it is an inherent issue of fairness, it's an issue of finances.

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And if we've heard one thing I think in common, be it from the speakers or any member of this Legislature, it's the fact that everybody is concerned about clustering, about having them set and put in one area, having one community shoulder the entirety of the burden. I think that's a common theme. I think we all feel somewhat similarly.

And, as you all know, Southampton in particular for almost seven years has had to shoulder the burden in its entirety of the homeless sex offender population, and I say that just to underscore the point. I know everybody here recognizes that. I know that's why we're here today to discuss this. And I was one of the Town Board members of Southampton who stood with County Executive Bellone last May when he talked about closing permanently the trailers and implementing a more responsive program, a more responsible program in housing these sex offenders. And kind of the -- the call was the same then as it is now, and it's that seven years is just too long. And we agreed, please, and said to the County Executive at that time, "Please shut down the trailers." And I know he and his staff and members of the County Police Department, Laura Ahearn and members of this Legislature have worked on coming up with an alternative plan.

And I think it's worthwhile underscoring the fact that today it may be Southampton that shoulders the burden of the homeless sex offender population; tomorrow it could be Huntington or Islip or Brookhaven or Southold or East Hampton for that matter. You know, that's just reality.

So this does appear to be a good first step albeit an imperfect one. I know we all want to be responsive and deal with the root cause of the issue, and it certainly goes beyond just dealing with the issue of housing these individuals, it goes to what drives sexual predators. But, again, there are components of this bill that do appear to be relevant, and it's my hope, and I know the hope of all the speakers who spoke before, and I'm sure those who will come after, at least those in the Towns of Riverhead and Southampton in particular, that you proceed forward with, at the very least, components of what's going to be presented to you today. Thank you.

*(\*Applause\*)*

### **D.P.O. HORSLEY:**

Thank you very much, Mr. Nuzzi, Councilman. Donna Kukura, and on deck is Amol Sinha.

### **MS. KUKURA:**

Thank you very much for having me. I am a member of Brookhaven Township, and I actually volunteer with a number of organizations that advocate within the community; one of them is the National Organization of Parents of Murdered Children. I also am on the Board of Directors of Atlanta Community Activity Center, and I'm on the Board of Directors for New Beginnings, which is a traumatic brain injury facility. We are in the process of opening a home in Township of Riverhead, Brendan House. I'm here today to support the bill.

I feel that the bill, the point of the bill is increased enforcement. My paid job is as an employee of Brookhaven Hospital. I'm a mental health counselor. I see a number of sex offenders that come into our emergency room who not only are not homeless, they're putting down the wrong address. As an employee in a hospital, a health care professional, I have to respect HIPAA laws. However, at this point, when you call the police to report it, they don't have the enforcement powers that they need to go ahead and get these guys at this point. This bill is going to help with some of that, where with we can help to really enforce and protect our communities.

When we know that someone is not living somewhere, we can call and get it enforced. Right now there's not a whole lot of enforcement. I think all our communities do not want a cluster of sex offenders, but, personally, I would like my tax dollars spent not on housing people in trailers, but, rather, on educating children and parents on how do you protect and prevent yourself from being

affected by a predator.

*(\*Applause\*)*

Predators don't jump out of the street on a sidewalk and attack a child, that's not how this happens. This happens by people becoming coaches in our community. Even homeless predators have ways of getting to children of befriending them, of giving them something that the child wants, whether it's affection, attention. There are ways that they get to our children. That education and prevention is key.

This Community Protection Act is just the beginning of what needs to happen in our County proactively. And I think that today is the day that you need to start making a change as the people who make the laws in our County and give us some protection, some enforcement that at least these people are where they say they are, and that we can go after them when they're not and hold them accountable to live the kind of lives that you need to live if you're going to be within our society. And if you can't do that, well, then the police are going to put you in jail because you cannot be in society if you're not going to be where you say you are. That's all I have to say. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you, Ms. Kukura. Amol Sinha, and on deck is Andrea Spilka.

**MR. SINHA:**

Good afternoon, and thank you once again for allowing me to speak. My name is Amol Sinha. I'm the Director of the Suffolk County Chapter of the New York Civil Liberties Union.

First of all, we'd like to commend Suffolk County for taking steps to provide a permanent solution to fulfill its State --

*(\*Timer Sounded\*)*

That can't be my time. To fulfill its State Constitutional obligation to provide housing for the homeless sex offender registrants currently residing in trailers in Riverhead and Westhampton. Moving this population into a more permanent housing situation will enable them to have greater stability and access to treatment and services, which is a commendable goal. At the same time, the County is attempting to enact major revisions to its Sex Offender Management Plan in an unnecessarily hasty way, and is about to vote on a plan that does not pass through the County's normal committee process.

The County is unnecessarily sacrificing carefully-considered, evidence-based public policy-making by rushing this proposal to a vote through an undemocratic process. The proposed discussed or deliberated thoroughly, and there has been barely any notice and no meaningful opportunity for public comment. In fact, the proposal continues to be updated today, and we still don't know whether or not we have the final version.

This expedited process is disconcerting, especially when the County is enacting a law that implicates concerns as significant as protecting children and preventing future sexual assaults. As a result of the harried way that this law is being pushed through the Legislature, Suffolk County is on the verge of moving forward with an ill-conceived plan that will be ineffective, could result in expensive lawsuits challenging its constitutionality and will unnecessarily divert scarce public safety resources for more effective techniques.

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Now lawmakers have an important role to play in protecting their communities from all crimes, especially sexual violence. It's crucial that any laws that address how to expend limited law enforcement resources to protect Suffolk County's children and prevent future sexual assaults be preceded by ample time for deliberation, debate and input from experts. The County cannot simply -- can simply not afford to enact a bad law which will fail to protect the citizens of Suffolk County from future sexual assaults. The only way that we can know whether or not the proposal is likely to make the residents of Suffolk County any safer is by engaging in a meaningful discussion about the strengths and weaknesses of the proposed law. Unfortunately, the County Executive's Office is now seeking to use a procedural shortcut to bypass the traditional deliberative committee process.

Just five days ago, the proposed plan was presented to the public in a draft outline format with limited details and substance. The use of Certificate of Necessity to file the law and bring it to a vote the very same day leaves the public with only six hours to read, evaluate and consider the strengths of the full proposal. Equally troubling is the fact that no experts in sex offender management have had the opportunity to advise the County on whether or not this proposal is to promote public safety, nor has the County or the public had sufficient time to evaluate the serious constitutional questions raised by the plan, such as intensive home surveillance, and simply does not make sense to overhaul the County's current Sex Offender Management Plan in favor of a law that has not been sufficiently considered or evaluated in terms of its effectiveness or its legality.

New laws that aim to promote public safety should be grounded in practices that research and evidence show will actually protect communities from future crimes. Unfortunately, this proposal is unlikely to advance public safety because it's grounded in misinformation that sexual assault and the people -- about people --

### **D.P.O. HORSLEY:**

Mr. Sinha, at this time, you will have to start to wrap it up.

### **MR. SINHA:**

Okay. I'll end here. With all that I've said, I urge the County Legislature to table a vote on the Community Protection Act and provide the public with an opportunity to engage in a meaningful discussion of its strength and weaknesses.

The NYCLU is more than happy to work with lawmakers to ensure that any decisions about how to expend limited law enforcement resources will be toward policies that respect fundamental constitutional rights and actually promote public safety.

I'm available for comments. And I would like you to know that this memo has been sent around to the Legislature.

### **D.P.O. HORSLEY:**

Thank you very much.

### **MR. SINHA:**

Thank you.

### **D.P.O. HORSLEY:**

Andrea Spilka, and on deck, Bill O'Leary.

### **MS. SPILKA:**

Good afternoon. I'm Andrea Spilka, I'm the President of the Southampton Town Civic Coalition, a coalition of civics really running from Hampton Bays to Eastport in Southampton Town. I'm also speaking today as -- on behalf of Hank Beck. He's the Chairman of the CAC West, the civic that

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covers the Westhampton area, you know, home to, sadly, one of the trailers.

We definitely support this legislation and ask you to vote for. As Carl Iacone and many of the speakers before me mentioned, our civics have never said, "Not in our backyard." We've always said, "We'll take our fair share." But the time has come to make it happen so that they are spread throughout the County.

I was concerned, as you've heard many of the speakers before me say, that we don't want to overburden areas that already have those populations. To that end, I reached out to someone who just walked in, fellow Civic Leader John Sicignano from Brookhaven. He's President of the Mastic Civic Association, who just said he can't wait -- he wasn't sure he could be here. He can't wait for another half hour or so for the other speakers, so I am going to submit his letter to me for the record, but just a piece of what he said. And I think it's important to note that John's community does house a very large number of residential sex offenders.

He said, "Make the decision, keeping in mind the quantity each community has, and don't place in areas that already have their fair share. Each community should carry the burden of sex offenders throughout the Town -- throughout Suffolk" -- I'm adding my own. I can't believe I'm saying this. I would prefer they'd be in a jail setting of some sort, but when you have lemons, you make lemonade.

While we're making lemonade on the issues of sex offenders, I personally would like to see politicians at all levels doing more to increase mental health service and to establish better sentencing for the worst offenders, including more civil confinement. These are very complicated issues. I understand and appreciate the fiscal constraints that we're all under, but experience says we can spend money either in prevention or in fixing the after effects. And to that end, I'm asking pass this. And going forward, to the extent possible, I would rather see more money spent in trying to reduce the number of problems relating to sex offenders and homelessness before they start.

I thank County Executive Bellone for working to keep his promise to close the trailers, and I especially thank Jay Schneiderman, Ed Romaine and now Al Krupski, welcome, and all of our civics, many of whom took time off to be here today, for working all these years to help our communities.

Once again, please support the legislation. And I do ask you, as many others have said, to make sure that it will be successful for all residents. Thank you very much.

*(\*Applause\*)*

### **D.P.O. HORSLEY:**

Thank you, Ms. Spilka. Bill O'Leary, and on deck is Susie Schlomann.

### **MR. O'LEARY:**

Good afternoon, everyone. My name is Bill O'Leary. I'm a Forensic Therapist I work with victims of sexual crimes, I have for 20 years. I also work with perpetrators of sexual and violent crimes, so I get to do the whole inside the criminal mind thing. I also coach, Cub Scout leader, volunteer fireman, so I come here with multiple roles. I'm also the only therapist recognized by New York State for Suffolk County and for Nassau County for working with the worst of the worst. All the civil confinement cases I'm the therapist for, so I'm pretty equipped to speak on the issue.

For years we've been talking about the problem of sex offenders. The legislation has been guided in decisions based on information from one perspective, how to get rid of sex offenders. This was stated last week as a goal of getting sex offenders out of Suffolk County. We were told that this will protect our most vulnerable population. So are we? Where are the facts?

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The first step in informed decision-making is analyze the problem. This starts with looking at the scope of the problem. Without the answers to some of these questions, we don't know the scope, so how can we decide? How many sex crimes were committed last year in Suffolk County? We don't know. I Googled it, I Googled sex crimes for Suffolk County. There's pages and pages of sex offender registries, where sex offenders are in Suffolk County, but I couldn't actually find how many sex crimes have happened. How many of them were committed by registered sex offenders? In my experience, I've had two in 15 years of working with sex offenders that I've known of to reoffend.

The entity responsible for the management of Megan's Law is the New York State Sex Offender Registry. Their research and facts are accurate and up to date. They say there is a 5% recidivism rate nationally, and a 3.6% recidivism rate in New York State. They say 94% of sexual crimes are committed by someone not on the registry. This is just part of analyzing the problem. There's a lot more discussion to be had. It should not happen without the experts on sex offenders. It should not be based solely on the perspective of putting them on a boat and shooting them, as has been suggested by parties providing your solution. Why not get them out of Suffolk County, like Legislator Muratore suggested last week. Simple, it doesn't solve the problem. It doesn't protect our children. Educating parents and professionals who work with children does. Treatment after prison does. Letting the Police, Probation and Parole do their jobs does. Making laws that keep them from doing their jobs does not. Illegally forcing sex offenders to be homeless and wander our communities with no chance of housing or jobs does not. Paying private agencies of police citizens will not.

My hope is that you temporarily table the issue so you can actually analyze the problem with the experts and make an informed legal decision. Very quickly, we don't like sex offenders because we don't like what they did. Aside from murder, they actually have the lowest recidivism rates. Therefore, our children --

### **D.P.O. HORSLEY:**

Mr. O'Leary, you're going to have to start to wrap it up.

### **MR. O'LEARY:**

I will. Therefore, our children are more in danger of getting hurt from gang members, drug dealers, home invaders and drunk drivers. We have to stop lying to parents and telling them that their children are safe and start doing something to actually make them safe. Thank you.

*(\*Applause\*)*

### **D.P.O. HORSLEY:**

Susie Schломann, and Laura Ahearn is on deck.

### **MS. SCHLOMANN:**

Hi. I'm Susie Schломann from Smithtown. I was here about two years ago.

### **D.P.O. HORSLEY:**

I don't think it's on.

### **MS. SCHLOMANN:**

Okay. Hi. I'm Susie Schломann. I was here about two years ago when Sean Walter was speaking before you and I was really amazed at what the people out east are going through, and in those two years, nothing has changed, obviously. And I think that doing this five days, boom, boom, boom, is not the right way either. I do want to see change.

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And in the Community Protection Act papers I have here, you're asking us not to treat this 4% of sex offenders differently than the other 96%, but they are different, they're homeless, and they have a unique challenge that has to be dealt with. You must deal with them differently.

When I read about developing email alerts, well, how are you going to do that for somebody who registers at 11:30 at night in a shelter? How are you going to tell the community about that one? You write things that sort of make sense, unless you think about it a few minutes. And I've only see this for a couple of hours, and I wondered, yeah, how are they going to do that? I just imagine a group of 40 sex offenders wandering the County and nobody's going to really know where they are until it's 11:30 at night. That's not the answer either. It's not the answer, to throw them out of whatever facility they're in either. This is a different, unique group of homeless people and I don't see a plan that's dealing with them. You're trying to deny that they are separate and unique.

And I think one of the biggest problems is you're not involving the community in this. I don't want Riverhead and Flanders and out east to be stuck, and I don't think the men should be stuck out there either, and women, I guess. But I think it should be done in a thoughtful manner, and involving the communities is the best way to do a good job. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

All righty. Laura, I think you're the last card, it seems. Now, you know, you're going to be part of the presentation in answering questions from the Legislature, so this is --

**MS. AHEARN:**

So would you like me to just sit at the table, then, because I'm probably going to be here for a while or --

**D.P.O. HORSLEY:**

No, I don't think that's appropriate.

**MS. AHEARN:**

Okay.

**D.P.O. HORSLEY:**

You could hold off or you can -- or you can make a statement now and you can be back again.

**MS. AHEARN:**

Actually, I'll make a really quick statement now.

**D.P.O. HORSLEY:**

Good.

**MS. AHEARN:**

And then later on --

**D.P.O. HORSLEY:**

Yeah, you'll come back.

**MS. AHEARN:**

-- I'll step up. I'd like to just bring this back to what the issue is, and the issue is one in four girls and one in seven boys will be sexually abused before they reach the age of 18. I don't know how to characterize that epidemic as anything other than an emergency. This program is comprehensive.

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It's victim and community-based, and includes a significant component which relies on registration compliance. Statistics demonstrate that sex offenders that are compliant with their registration have a lower rate of recidivism. In fact, sex offenders who are compliant will be 54% less likely to commit another sex offense; 68% less likely when they're compliant to commit another felony sex offense.

There's no argument here. A CN is absolutely necessary. We're taking it out of the realm of what our objective is here. For seven years we have talked about this. I've worked with each of you in your districts to try to resolve issues related to sex offender management. This Community Protection Plan is the solution. It's not perfect and you can poke holes in anything, but it is the best in the nation. And I urge you to pass this legislation today.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Laura. Would anyone like to be heard on this bill? We're good?

**MR. NOLAN:**

Wait, wait.

**D.P.O. HORSLEY:**

All right.

**MR. NOLAN:**

Someone has their hand raised.

**D.P.O. HORSLEY:**

Oh, I'm sorry.

**MR. NOLAN:**

You got to come up.

**D.P.O. HORSLEY:**

Come on up.

**MR. NOLAN:**

Put his name on the record.

**D.P.O. HORSLEY:**

Your name for the record, sir.

**MR. BLAUSTEIN:**

My name is David Blaustein. I am a citizen of Southampton, a resident of the Westhampton Pines off of Old County Road.

And I don't mean to offend anyone, but I'd like to know which one of you people sitting right there has ever seen a woman raped. Well, I have when I was a teen-ager. Her fists were clenched, her body was contorted, her eyes rolled into her eyes -- rolled into her head. She closed them and the tears rolled down her face.

Now I live in Westhampton Pines. As I look at that flag, we have people who live 100 feet away from the distance between that flag and that door. Those trailers put fear into the hearts of every one of those ladies and every one of those men and ladies who have grandchildren. Every single

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day they live in fear. They should not, we should not. I feel you for certain have an obligation to remove that fear, to take away that ugly image that I've given you people, and to take away the trailers that now exist in Southampton. Thank you.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, sir. Okay. Would anyone else like to be heard on this matter? Would anyone else like to be heard? That being the case, I believe we have a motion to close. We have a motion to --

**LEG. SCHNEIDERMAN:**

Hold on. Supervisor --

**MR. NOLAN:**

Oh, we forgot the Supervisor.

**D.P.O. HORSLEY:**

We forgot about you. See, you've read your Blackberry.

**SUPERVISOR THRONE-HOLST:**

Out of the sight, out of the mind, right?

**D.P.O. HORSLEY:**

Never you, Anna.

**SUPERVISOR THRONE-HOLST:**

Thank you. No. And I want to start out by saying I appreciate -- I think this is government at its best. We have -- I know you all have worked very hard on this. And, as you know, in the Town of Southampton, it has been at the forefront of community and Legislative concern for many years.

So, first of all, I wanted to thank all of you. I want to thank the County Executive's Office, and I want to thank the County Attorney who did what we just did. We got our attorneys on the phone with him and worked to get some last minute reassurance on some of the provisions that we just wanted to make sure had some air-tight language in there just because of the experience that we've had in the last several years in the Town of Southampton. So, again, I want to thank the County Executive and his office for being government at its best here.

Namely, our one concern was to reassure ourselves that the trailers will, in fact, be decommissioned and leave the Town of Southampton, so that there is never an ability to fall back on them for any reason at all. And I understand that the bill cannot and does not address that, but I would like to know that we have everyone's assurance that that is, in fact, part of this plan here.

The other concern that we had is that Section 745-33 in this bill designates emergency shelters without clarifying the distinction, as does congregate emergency shelters, which refer to Chapter 438 of County Law and State Law, and where it is made clear that local zoning is protected, as well as a maximum occupancy. So the only thing I would ask is that that be clearly defined, that the definition of "emergency shelter" be subject to the provisions of Chapter 438. And I believe that's something that can be done on the floor. But, if not, if it could be amended later on, or however you're able to do that, I think that protects everyone, including the Town of Southampton.

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And what I'd like to say about the bill as a whole is that take away Southampton and take away our concerns out there, which as you know what they are. We feel that we have shouldered this burden for years. But I'd like to take that out of this equation and talk about what this does for the entire County and the area, and particularly the sex offender clientele that have very particular set of needs that have not been properly addressed with the law as it stands today and the program as it stands today, where they have not had access to the kind of oversight and assistance that they need. And we're congregating them and transporting them back and forth to the way end of the County has not served their needs at all, and this bill and the oversight of this clientele does address that. And I think for that reason, it is a program and an approach to this that serves the County as a whole much better, and where also the cost is better addressed than it was in terms of how our tax dollars are allocated here.

So let me go back to how I started by thanking all of you in advance for what I think will be a very important piece of legislation moving forward in support of the County as a whole. But we certainly thank you most of all from out on the East End and hope for your positive vote on this bill. Thanks so much.

*(\*Applause\*)*

**D.P.O. HORSLEY:**

Thank you very much, Supervisor. Okay. I believe the Supervisor -- oh.

**LEG. MONTANO:**

No, let her, let her go.

**D.P.O. HORSLEY:**

Let her go? I'm sorry.

**LEG. MONTANO:**

That's all right.

**D.P.O. HORSLEY:**

Okay. Supervisor. Are you sure? She's at the door.

**LEG. MONTANO:**

No.

**D.P.O. HORSLEY:**

Okay. Are we good?

**LEG. MONTANO:**

We're going to get to that later.

**D.P.O. HORSLEY:**

All right.

**LEG. MONTANO:**

We had a question, but --

**D.P.O. HORSLEY:**

We have -- I'll make a motion to close the public hearing.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

Seconded by --

**LEG. BARRAGA:**

Second.

**D.P.O. HORSLEY:**

By Legislator Barraga. All those in favor? Opposed? It has been closed. This is just the public hearing we're closing. We're going to have a presentation when the bill is put before us for a vote.

**LEG. D'AMARO:**

Excuse me. Mr. Deputy Presiding Officer, I would like to make a motion to take this particular bill out of order at this time, 1125. We just heard all the testimony, we had the public hearing. It probably is very appropriate to just move forward with it now.

**LEG. SCHNEIDERMAN:**

I'll second.

*(\*Applause\*)*

**MR. LAUBE:**

Seventeen on the vote.

**D.P.O. HORSLEY:**

I'll take a second to -- by Legislator Schneiderman to take it out of order. All those in favor?

**LEG. MONTANO:**

Wait, wait, wait.

**D.P.O. HORSLEY:**

Wait.

**LEG. MONTANO:**

If I may.

**D.P.O. HORSLEY:**

On the motion.

**LEG. MONTANO:**

Yeah, no. It's just I just want to remind --

**D.P.O. HORSLEY:**

I didn't forget, yours is still open.

**LEG. SCHNEIDERMAN:**

I think by law we actually have to wait an hour anyway.

**LEG. MONTANO:**

I think so, right, yeah.

**LEG. SCHNEIDERMAN:**

I could be wrong.

**D.P.O. HORSLEY:**

No, I don't --

**LEG. SCHNEIDERMAN:**

No? George, is there --

**D.P.O. HORSLEY:**

Counsel.

**LEG. SCHNEIDERMAN:**

-- a wait time after we close the hearing before we can vote?

**MR. NOLAN:**

We could, but we've already taken a matter out of order and we need to deal with that first.

**D.P.O. HORSLEY:**

Okay.

**MR. NOLAN:**

We need to deal with that.

**LEG. SCHNEIDERMAN:**

Okay. So this will, then, immediately follow the discussion of --

**LEG. MONTANO:**

Right.

**D.P.O. HORSLEY:**

That's correct.

**LEG. MONTANO:**

If I may, Mr. Besen is back. We told him to be here at 3:30 and he's been sitting here. There was a Procedural Motion taken out of order, and I think Legislator D'Amaro made a motion to go into executive session. So, if we can --

**D.P.O. HORSLEY:**

Yeah.

**LEG. MONTANO:**

-- move on that, we can resolve that item quickly.

**D.P.O. HORSLEY:**

Yeah, that is what I intended to do. We have a motion and a second to take this out of order.

**MR. NOLAN:**

To go into executive session.

**D.P.O. HORSLEY:**

No, I know, but I want to do is I wanted to get --

**LEG. SCHNEIDERMAN:**

Immediately following this other item.

**D.P.O. HORSLEY:**

Immediately following.

**LEG. MONTANO:**

We have the other issue, too.

**LEG. SCHNEIDERMAN:**

Your issue, yeah.

**LEG. MONTANO:**

No, we have two issues out of order.

**D.P.O. HORSLEY:**

All right, all right.

**LEG. D'AMARO:**

Mr. Chairman, I'll withdraw my motion to take this out of order.

**D.P.O. HORSLEY:**

We'll get back to it shortly.

**LEG. D'AMARO:**

We'll come back.

**D.P.O. HORSLEY:**

Okay, very good. Now, let me explain this to you, what we were just jaw-boning about up here. We are going to -- earlier, we took a motion out of order for a bill that is -- that has been brought forth by LEG. MONTANO. And so what we're going to do is we are going to go into executive session, which means that everyone's going to have to leave the room, but we won't be -- I don't anticipate it to be too long. Those that are interested, both not only the sex offender bill, but also the Wyandanch bill, we will be getting become to them right after the executive session and we deal with this matter.

**MR. NOLAN:**

You have to take the vote to go into executive session.

**D.P.O. HORSLEY:**

Okay. Now the vote to -- motion by Legislator Gregory, seconded by Legislator Barraga, to go into executive session.

**LEG. MONTANO:**

No, it was Legislator D'Amaro who made the motion.

**D.P.O. HORSLEY:**

Okay. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen. (Absent: P.O. Lindsay)

*(Executive Session Convened at 4:10 p.m.)*

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

*(\*Executive Session ended & the meeting was reconvened at 4:39 P.M. \*)*

**D.P.O. HORSLEY:**

Okay, we're back. And my apologies for, as one gentleman says, "Throwing us all out," but we won't do that again, to my knowledge; at least I don't anticipate it.

First of all, do we have a motion on the Procedural Motion?

**MR. LAUBE:**

For Procedural Motion 3, you have a motion and a second to approve.

**D.P.O. HORSLEY:**

That's what I thought. Okay, what we're going to do is go for a roll call vote.

**LEG. SPENCER:**

Which vote is this?

**D.P.O. HORSLEY:**

This is on the Procedural Motion that we just had Executive Session on. Okay? Do you want the -- how it reads? Do you want to do that, George? Are you good? Just to keep everybody up-to-date?

**MR. NOLAN:**

This is just the Procedural that would authorize an appeal on *Spota v. County of Suffolk*.

**D.P.O. HORSLEY:**

Roll call.

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

**LEG. MONTANO:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. SPENCER:**

No.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. GREGORY:**

No.

**LEG. NOWICK:**

No.

**LEG. BARRAGA:**  
No.

**LEG. CILMI:**  
No.

**LEG. CALARCO:**  
No.

**LEG. ANKER:**  
No.

**LEG. HAHN:**  
No.

**LEG. MURATORE:**  
No.

**LEG. BROWNING:**  
No.

**LEG. SCHNEIDERMAN:**  
No.

**LEG. KRUPSKI:**  
No.

**D.P.O. HORSLEY:**  
No.

**P.O. LINDSAY:**  
(Absent).

**MR. LAUBE:**  
Two.

**D.P.O. HORSLEY:**  
The motion fails.

**LEG. KENNEDY:**  
That's it.

**LEG. SCHNEIDERMAN:**  
Wayne, what's the next one we took out of order? There were three.

**D.P.O. HORSLEY:**  
Okay, we're going to go to the Wyandanch issue. Do we have a motion on -- first of all, what is the numbers on that?

**LEG. SCHNEIDERMAN:**  
IR 1123.

**D.P.O. HORSLEY:**

Okay, *1123 (Amending the 2013 Operating Budget and transferring funds from Wyandanch Youth Services to the Family Life Center (County Executive))*. Mr. Clerk, do we have a motion on this?

**MR. LAUBE:**

You have a motion and a second.

**D.P.O. HORSLEY:**

Okay. And that is to approve; correct?

**MR. LAUBE:**

To approve.

**D.P.O. HORSLEY:**

That's correct, okay. Where did we leave off?

**LEG. MONTANO:**

I think Reverend Pearson was going to make a presentation.

**D.P.O. HORSLEY:**

That's correct. We are leaving it to -- LEG. MONTANO was going to ask certain people to the floor.

**LEG. MONTANO:**

Through the Chair, I was under the impression that Reverend Pearson was going to make a presentation; is he here?

**D.P.O. HORSLEY:**

Reverend Pearson?

**UNKNOWN AUDIENCE MEMBER:**

He's outside.

**LEG. MONTANO:**

You want to sit in the middle? Reverend, you want to sit in the middle?

**D.P.O. HORSLEY:**

Is that his preference?

**LEG. MONTANO:**

I don't know, it's up to him.

**D.P.O. HORSLEY:**

Okay. Apparently LEG. MONTANO has a question of you, Reverend.

**LEG. MONTANO:**

Hi, Reverend. How are you?

**REVEREND PEARSON:**

Good, Sir.

**LEG. MONTANO:**

Reverend, were you going to make a presentation on this, or do you want me to just --

**REVEREND PEARSON:**

No, just shoot away.

**LEG. MONTANO:**

Okay. What are we doing here with this resolution?

**REVEREND PEARSON:**

We are in -- the Youth Bureau has been faced with this situation, and it is our opinion that the monies be transferred to the Family Life Center.

**LEG. MONTANO:**

All right. And what do you base that opinion on? I mean, first of all, how long have we -- who is the Family Life Service?

**REVEREND PEARSON:**

The Family Life Center is a 501(c)3 organization that has been operating in the Wyandanch area providing youth services in a location which is equivalent of a trailer, and they have been expanding their services and doing great work. And we feel that the Youth Bureau is fully in support of their proposal and we would like to see this go forward.

**LEG. MONTANO:**

Have we ever funded the Family Life Center?

**REVEREND PEARSON:**

We have not funded the Family Life Center, no.

**LEG. MONTANO:**

Okay. But we have funded the Wyandanch Youth Center.

**REVEREND PEARSON:**

That is correct.

**LEG. MONTANO:**

Okay. And for how long have we funded the Wyandanch Youth Center?

**REVEREND PEARSON:**

I'm not sure, but we've had them on the books for quite some time.

**LEG. MONTANO:**

All right. I'd say roughly 25 years; if you're not sure, I'm more or less sure.

**REVEREND PEARSON:**

Okay.

**LEG. MONTANO:**

And we funded them this year, did we not, in the operating budget?

**REVEREND PEARSON:**

Yes, we did.

**LEG. MONTANO:**

Okay. And now it's your opinion that they shouldn't get the money?

**REVEREND PEARSON:**

Yeah. We went out to visit this agency and made several recommendations formally, and we got a formal response to our recommendations basically that said, *"Well, give us more money and we'll consider those things that you're asking us to do."* The things that we asked them to do was a needs assessment for the community.

We asked them to look at expanding their programs and servicing so that it is a wholistic approach to young people and families. We asked them to look at partnerships that could assist them in helping with the funding for the building. And so three of those things do not -- they're not cost situations.

And this other organization, the Family Life Center, has done a needs assessment with no money, they have done the community survey with no money. They are operating serving now about 68 children with limited resources. They have a comprehensive program that they have talked about the things that they are going to offer to us. They have relationships with the Wyandanch School District as well as the EOC of Suffolk and others. And so those things that we asked Wyandanch Youth Services to consider, basically we were told, *"If we had more money we would consider them,"* but this is an organization with very limited resources who have done those things effectively.

**LEG. MONTANO:**

Do you know -- they're here today, so they'll speak for themselves. Do you know what kind of resources they have? I mean, are they a funded program?

**REVEREND PEARSON:**

They're not funded by the County, no.

**LEG. MONTANO:**

Are they funded by anyone, as far as you know?

**REVEREND PEARSON:**

They would be better able to answer that question for you.

**LEG. MONTANO:**

Okay, I will ask them that. Now, other than your visit, and I understand from testimony this morning that you went there to the Wyandanch Youth Center once; am I correct?

**REVEREND PEARSON:**

That's correct.

**LEG. MONTANO:**

Other than that visit, have you had any interaction with the agency?

**REVEREND PEARSON:**

Well, based on the written letter that I received that said basically, *"We're not interested in conforming to your ideas or suggestions unless you just give us more money,"* I did not return and go back.

**LEG. MONTANO:**

All right. So essentially -- and I'm not going to belabor this point. Essentially you asked them to do additional work and they said, *"If you fund us, we'll be able to do that work";* is that essentially where we're at?

**REVEREND PEARSON:**

Well, let me outline the things specifically that I made recommendations. I didn't -- no, they weren't demands, but these were recommendations.

**LEG. MONTANO:**

When's the letter dated? Because I have a copy of it, but just for the record.

**REVEREND PEARSON:**

July 16th, 2012.

**LEG. MONTANO:**

Okay.

**REVEREND PEARSON:**

And let me just also say, Legislator Montano, that this was in response to complaints that our office had gotten directly from the community; that there is a lack of use of the building, that outside -- others were not being allowed to use the building and that there were lack of services. So our response was to go out and visit the agency and see for myself and make --

**LEG. MONTANO:**

Has there ever been an audit done of the agency and its performance?

**REVEREND PEARSON:**

I'm not aware of it. I'm going to ask my colleague who has been there 22 years, he would know better than I do.

**LEG. MONTANO:**

He's been where?

**REVEREND PEARSON:**

Been at the Youth Bureau as an employee of the Youth Bureau --

**LEG. MONTANO:**

Oh, okay.

**REVEREND PEARSON:**

-- handling their contracts, he would know better.

**LEG. MONTANO:**

Put your name on the record, please.

**MR. POLICASTRO:**

My name is Pat Policastro.

**MS. MAHONEY:**

You have to hold the button down.

**MR. POLICASTRO:**

Oh, okay. Pat Policastro, Suffolk County Youth Bureau. In terms of an audit, the agency submits statistical reporting and we do an analysis of that -- of their stats in terms of how many kids they serve, the activities they're doing.

**REVEREND PEARSON:**

Okay?

**LEG. MONTANO:**

I'm just baffled as to why we would fund an agency in November and then turn around and take away all of their funding. Do they have staff?

**REVEREND PEARSON:**

Yeah. I think the -- to attempt to answer your question, it's so that the Wyandanch community would not totally lose those resources. We are -- we put that money geared towards Wyandanch back in the budget. These complaints and these things, so we've been reviewing the agency but we didn't want the Wyandanch community to lose that funding. And so we are prepared to offer the first two months of funding to Wyandanch Youth Services for any costs that they've incurred, and then the new organization, Family Life Center, would then get the funding that we're proposing for them for the rest of the ten months of this year.

**LEG. MONTANO:**

So what are you going to do with the existing staff that's working?  
And by the way, how many staff members are there?

**REVEREND PEARSON:**

Five, I believe.

**LEG. MONTANO:**

All right. So what do you intend to do with the five employees that are there now?

**REVEREND PEARSON:**

I don't intend to do anything.

**LEG. MONTANO:**

What is it -- well, I'll ask the Family Life Center.

These complaints that you say you received from the Wyandanch community; that's kind of a general amorphous kind of thing. We hear complaints all the time. You're from my community, you know that I've funded programs. We hear this all the time. Is there like any documentation or anything that you have, other than your letter and their response, that indicates that, you know, these complaints are documented and valid?

**REVEREND PEARSON:**

It is my belief and understanding that there are petitions from various segments of the community to support the complaints.

**LEG. MONTANO:**

You mean written petitions?

**REVEREND PEARSON:**

Yes.

**LEG. MONTANO:**

All right. Have those been given to the Wyandanch Youth Center; do they know about it?

**REVEREND PEARSON:**

I'm not aware of what they would know, sir.

**LEG. MONTANO:**

Okay. Is there anything else you want to add, Reverend?

**REVEREND PEARSON:**

Yeah, I just want to highlight again the survey that was done by the Mothers' Club of Wyandanch. In the survey notes, there were 477 high school students who were -- that were 218, I'm sorry -- there was 477 students surveyed; 218 of the survey denote that -- 43 out of the 218 had actually been in the Wyandanch Center. In the middle school, 261 surveyed, 168 children had not been in the Wyandanch Youth Services.

The survey also highlights some of the things that the young people would like to see in the area of performing arts, in the area of technology, in the areas of math and science, and of course in the areas of sports and fitness, as well as mentoring and leadership. The Family Life Center has demonstrated that they currently have programs addressing this area and that they certainly would partner with others to maintain a wholistic view.

I want to just note that when I did visit with the Wyandanch Youth Services and discussed these same issues, that I was met with a lot of resistance. And so the letter coming from the board stating that, *"We would consider your proposal if you give us more money,"* suggested to me that I would -- that I did not return.

**LEG. MONTANO:**

All right. We have representatives from the Family Life Center and we have representatives from the Wyandanch Youth Center. I don't want to belabor this on your part, obviously this is an issue that is intra-community. Why the C of N? Why was this brought forward in the fashion of a C of N?

**REVEREND PEARSON:**

I'm going to ask Tom Vaughn to come forward and he'll address that question.

**D.P.O. HORSLEY:**

Welcome, Mr. Vaughn.

**LEG. MONTANO:**

Hi, Tom. How are you?

**MR. VAUGHN:**

We agree with Reverend Pearson about the concerns that his office has with the way that the center is currently being run. We don't see the need to delay this. We have an organization that we think can do an outstanding job, an organization that has demonstrated by some of their proactive approaches to their survey to kind of reaching out to other organizations to see how they can partner. We don't see the need to delay, and that's why we brought it forward with a Certificate of Necessity.

**LEG. MONTANO:**

You know, what I find baffling is that the County Executive was the Supervisor of Babylon while -- and this program, Family Life Service -- I mean Wyandanch Youth Center, also gets town money, does it not?

**MR. VAUGHN:**

I'm going to pass on that one. I don't know the answer to that, sir.

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**LEG. MONTANO:**

All right, I'll let them answer that. And this program has been funded for so many years; I just find it baffling that all of a sudden they would be, from one day to the next, defunded. And best information, because I've heard both sides. I mean, there were people from -- supporting the Family Life Service, but there were many people supporting the Wyandanch Youth Center. So why don't we let you guys, you know, wait there. Let's hear from -- let's hear from the Family Life Center, I want to hear what their proposal is. Sammy, you want to say something? Go ahead, Sammy.

**MR. CHU:**

I just want to answer to a couple of the questions on the funding and on the CN.

The CN was driven because, one, there was a longstanding process, and this was not a new issue in terms of -- and I can speak to the situation. I know it was a situation even when the County Executive was Supervisor of the Town of Babylon, and as the Legislator indicated earlier, this was not a new issue. What brought the necessity of the CN and what brought it to a new urgency was the study that was done and the survey that was done by the Mothers' Club.

And to speak to the funding --

**LEG. MONTANO:**

Well, let's stick with the survey, Mr. Chu.

**MR. CHU:**

Sure.

**LEG. MONTANO:**

What is your new title, Sammy?

**MR. CHU:**

Director of Operations.

**LEG. MONTANO:**

Can I still call you Sammy?

**MR. CHU:**

You can call me whatever you'd like, Legislator.

*(\*Laughter\*)*

**LEG. MONTANO:**

Thank you. You may want to eat those words later. This random sampling, sample of population, you know, what -- this survey that was done, what's the empirical, you know, data? How were the respondents chosen, if it's not random -- you know, talk to me about that quickly. And by the way, is it a written study?

**MR. CHU:**

These are fair questions. It was a multiple choice survey that was -- and there were some fill-ins that were distributed to the community, and I can let -- I know the Family Life Center could speak to a little bit more of the detail of that, but, you know, these are valid questions. And in both cases, the numbers were way beyond what you would consider a representative polling that would give you a pretty fair degree of accuracy as to what the situation was.

**LEG. MONTANO:**

All right. But is there --

**MR. CHU:**

I think they were both near or both well above the 50% mark in terms of the numbers of students that they were able to reach.

**LEG. MONTANO:**

Was this a funded study?

**MR. CHU:**

This was -- no, I don't believe it required any funding, but it was in cooperation with the school district.

**LEG. MONTANO:**

Okay. And you have this report, this is an actual written report that came out with findings? I saw the summary.

**MR. CHU:**

Yep.

**LEG. MONTANO:**

But is there a report that documents what the study was and essentially supports the validity of the study?

**MR. CHU:**

I think that could be provided summarizing how the survey's conducted, but the survey is what we got.

**LEG. MONTANO:**

But it can't be provided now, and it can't be -- if we vote on this on a C of N, it can't be provided before the C of N vote; am I correct?

**MR. CHU:**

I don't have an answer for that. Do we have the survey?

**MR. VAUGHN:**

I can get it.

**MR. CHU:**

Okay. We're comfortable that we can provide that information.

**LEG. MONTANO:**

All right. I'd ask you to provide it to me and to the Family Youth Center. You know, I don't want to belabor this. We've had a long day, we've got some very important issues. Obviously I've got my position on this, I want to give both sides an opportunity to come forward on this. I recognize what the issues are, we have similar issues in my community. Thank you very much.

**MR. CHU:**

If I could, Legislator?

**LEG. MONTANO:**

Sure. Go ahead, Sammy.

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**MR. CHU:**

The urgency for the CN. Understanding the desire for a change from the Human Services Department, this has been done in consult with Legislator Gregory, that the CN not only helps facilitate getting a new provider and additional services and value to the community as quickly as possible, it also helps bring reconciliation to the existing provider.

In terms of the numbers of the funding, the substantial portion of the funding is from the County funding, as was discussed earlier. That center also receives funding from the United Way which is a smaller number, but also from the town. We have spoken to town representatives. They will be -- they've indicated that will be respectful of the decisions that the County makes on this. So I just wanted the opportunity --

**LEG. MONTANO:**

Right.

**MR. CHU:**

-- to answer some of those additional questions.

**LEG. MONTANO:**

My understanding is that the Town of Babylon has actually appropriated money for the Wyandanch Youth Center, has actually sent them a contract which they have executed and returned to the town but have not yet heard back from the town.

**MR. CHU:**

I can't speak as to whether or not that -- I don't believe that contract has been executed.

**LEG. MONTANO:**

Well, it's been executed by -- it's a fact because I have a copy of the contract. It's been executed by the Wyandanch Youth Center. It was sent to the town, but it hasn't been executed by the town.

**MR. CHU:**

Right. And again, I have -- I don't know if that contract has been fully executed, but it's my belief that it has not.

**LEG. MONTANO:**

Okay. And there's a Town Board meeting today; am I correct?

**MR. CHU:**

I don't work there anymore, so I could not speak to that.

**LEG. MONTANO:**

Well, I'm sure you got the calendar.

**MR. CHU:**

I used to pay very close attention to those, but --

**LEG. MONTANO:**

Well, I have the calendar. Thanks, Sam. I appreciate it.

**MR. CHU:**

Thank you, Legislator.

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**LEG. MONTANO:**

All right. Thank you, Reverend Pearson. Don't go far in case I have any further questions. And I'd like to ask the Family --

**D.P.O. HORSLEY:**

Mr. Montano, would you please reference through the Chair?

**LEG. MONTANO:**

Yes. I said that earlier, I would like to hear from all three, so I'd like the Family Life Center representative to come forward.

**D.P.O. HORSLEY:**

Through the Chair, I'd be happy to. Connie, are you coming up?

Welcome. Mr. Montano?

**LEG. MONTANO:**

Hi there. How are you? Okay. A couple of quick questions. Who is the Family Life Center and who are the board members?

**REVEREND DAVIS:**

The board members are Ms. Janice Tinsley, Mrs. Annette Casazza.

**LEG. MONTANO:**

Okay.

**REVEREND DAVIS:**

Mr. Kermit Wilson. I stood on the board.

**LEG. MONTANO:**

Well, when you say -- the other members sit on the board also, is that what you're saying?

**REVEREND DAVIS:**

No, not all of them.

**LEG. MONTANO:**

No, I just want to know the board. It's a 501(c)3; am I correct?

**REVEREND DAVIS:**

Yes.

**LEG. MONTANO:**

You said earlier you were incorporated in 2009, I think? It may be inaccurate, but --

**REVEREND DAVIS:**

Yes. Yeah, 2009.

**LEG. MONTANO:**

Okay. So I just want to know who your board members are. Who are your current board members?

**REVEREND DAVIS:**

The ones that I've given you so far; Ms. Annette Casazza, Mr. Kermit Wilson, Dr. Mason, Annette Casazza.

**UNKNOWN LEGISLATOR:**

Is this relevant?

**LEG. MONTANO:**

Yeah, it's relevant to me. Go ahead. Well, let me ask you this. We'll ignore that. You're a board member, are you not?

**REVEREND DAVIS:**

Yes.

**LEG. MONTANO:**

Now, do you receive -- does it receive any funding?

**REVEREND DAVIS:**

Absolutely not.

**LEG. MONTANO:**

You have no funding whatsoever right now?

**REVEREND DAVIS:**

No. The funding that we do get, and that was given this year, it's a spend-down of \$10,000 and that is presented to the parent enrichment program, the New Beginnings. That is the only program that we have that is funded, and it's a spend-down of \$10,000.

**LEG. MONTANO:**

All right. So you have no paid staff at the moment.

**REVEREND DAVIS:**

No. Everybody is volunteering.

**LEG. MONTANO:**

And where is the Family Life Center located then?

**REVEREND DAVIS:**

We're located in Wyandanch on Straight Path and we have the New Beginnings Program as well as the Homework Program, because it has increased so. We have that and the Wyandanch Senior Center.

**LEG. MONTANO:**

But your corporate office is -- someone handed me a department search. It says "*Family Life Center, Inc, Incorporated February, 2003, 96 Rockland Avenue, North Babylon, New York.*"

**REVEREND DAVIS:**

That is my home address.

**LEG. MONTANO:**

That's your home address. Okay. You don't have your meetings there, right?

**REVEREND DAVIS:**

No.

**LEG. MONTANO:**

Okay. And also, it doesn't make sense to me. First AME church, 96 Rockland Avenue, same

address?

**REVEREND DAVIS:**

That is where I get my mail for my church.

**LEG. MONTANO:**

And you're a Reverend there?

**REVEREND DAVIS:**

Yes, I am. I'm the pastor.

**LEG. MONTANO:**

Okay. Do you get any town money?

**REVEREND DAVIS:**

No, I do not.

**LEG. MONTANO:**

So this would be your first venture into a paid for-services program in the community; is that accurate?

**REVEREND DAVIS:**

The Family Life Center, yes.

**LEG. MONTANO:**

Do you have anything to add, Ms. Robinson, or Dr. Allen? How do you want me to call you? I'm sorry, what was that?

**DR. ALLEN:**

Either one is quite fine. Am I on?

**MR. LAUBE:**

You have to hold your button.

**DR. ALLEN:**

Oh. I don't get the modern one? (*Laughter*). Either one is fine, I'm proud of both.

**LEG. MONTANO:**

You should be.

**DR. ALLEN:**

Thank you.

**LEG. MONTANO:**

What do you intend to do with the employees that are working there now?

**DR. ALLEN:**

What do we intend to do?

**LEG. MONTANO:**

Yes.

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**DR. ALLEN:**

That really -- we're not -- we don't have any involvement in that.

**LEG. MONTANO:**

Well, if you get the \$90,000, I assume you're going to run programs; am I correct? I mean, I assume you're going to hire staff? Is that a fair assumption?

**DR. ALLEN:**

Yes, that's fair.

**LEG. MONTANO:**

Okay. So what's going to happen to the staff that's there now that has been working for the Wyandanch Youth Center? They're going to be let go is what you're saying.

**DR. ALLEN:**

They haven't been part of our planning.

**LEG. MONTANO:**

Right. So essentially, once this transfer, assuming this resolution goes through, they're out of business. You're taking over the building?

**DR. ALLEN:**

Yes.

**LEG. MONTANO:**

And who owns the building?

**DR. ALLEN:**

The town.

**LEG. MONTANO:**

The town owns the building?

**DR. ALLEN:**

Yes.

**LEG. MONTANO:**

So they're moving out and their program dies and you're coming in and you're going to just start up from scratch and run these programs that you outlined earlier; that's your game plan.

**DR. ALLEN:**

Well, we're bringing in existing programs to continue in the new location.

**LEG. MONTANO:**

Right. But the existing programs you're bringing in aren't funded, they're based on volunteers; am I correct?

**DR. ALLEN:**

That's right.

**LEG. MONTANO:**

So what are you going to do; you're going to put those people on staff to run these programs and experiment; is that your agenda?

**DR. ALLEN:**

Those people meaning?

**LEG. MONTANO:**

The people that are volunteering now.

**DR. ALLEN:**

The people that are volunteering now are committed to continue serving the community, yes.

**LEG. MONTANO:**

Right. But will they become your paid staff?

**DR. ALLEN:**

Most of them will continue to volunteer, some will be part of our paid staff, which is pretty minor.

**LEG. MONTANO:**

Okay. And forgive me for saying this. Is it Connie? Miss --

**REVEREND DAVIS:**

It's Reverend Constance England.

**LEG. MONTANO:**

Right. You'll forgive me for saying this, but are you related to Legislator Gregory's staff member?

**REVEREND DAVIS:**

Not at all.

**LEG. MONTANO:**

Not at all?

**REVEREND DAVIS:**

Oh, his staff member?

**LEG. MONTANO:**

Yes.

**REVEREND DAVIS:**

Oh, yes. My daughter works for Legislator Gregory.

**LEG. MONTANO:**

Okay. All right. Thank you very much. I don't have any questions. Do you have any questions of me?

**REVEREND DAVIS:**

No.

**LEG. MONTANO:**

Okay. Thank you.

**DR. ALLEN:**

Thank you.

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**LEG. MONTANO:**

Through the Chair, I would --

**D.P.O. HORSLEY:**

Through the Chair, thank you.

**LEG. MONTANO:**

I would like an opportunity to take a two minute break. Wayne, may I ask for a break while we bring them up; do you mind?

**D.P.O. HORSLEY:**

No.

**LEG. MONTANO:**

And I'd like to bring up the representatives from the Wyandanch Youth Center. Are they still here? Is the Director here? Come on up.

**MR. NOLAN:**

Take a five minute recess.

**D.P.O. HORSLEY:**

Okay. I'll --

**LEG. MONTANO:**

We'll take a five minute recess.

**D.P.O. HORSLEY:**

I will make that decision. We'll take a five minute recess.  
Thank you.

*(Brief Recess Taken: 5:07 P.M. - 5:11 P.M. \*)*

**D.P.O. HORSLEY:**

All right, will the Legislature please come back to order, please.  
Mr. Clerk, please call the roll.

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

**LEG. KRUPSKI:**

(Not Present).

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. MURATORE:**

(Not Present).

**LEG. HAHN:**

Present.

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**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Present.

**LEG. MONTANO:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

(Not Present).

**LEG. SPENCER:**

Here.

**D.P.O. HORSLEY:**

Here.

**LEG. D'AMARO:**

I'm here.

**P.O. LINDSAY:**

(Absent).

**MR. LAUBE:**

Fifteen (Not Present: Legislators Krupski & Muratore – Absent: Presiding Officer Lindsay).

**LEG. MONTANO:**

Are we back on?

**D.P.O. HORSLEY:**

Yes. Let us bring us back to order. LEG. MONTANO, I am asking you please to be expeditious.

**LEG. MONTANO:**

Make it brief and I will. Wyandanch Youth Center; would you come up, please? How are you?

**MR. CARROLL:**

I'm well.

**LEG. MONTANO:**

Good. I want to give you an opportunity because you're the program that's affected and I want to give you an opportunity to address any of the issues that were brought forward. Obviously, the resolution that's before us is to take the money that was appropriated to your agency and to transfer it to the Family Life Center. You've heard all of this. The Legislature is tired, I'm tired, we want to get -- you know, get your position on the record and then we'll have a vote on this. It's coming in as a C of N, so it will probably be voted on today. You want to meet -- you know, I'll leave it open. Tell me what's going on here from your perspective and make your case.

**MR. CARROLL:**

Well, from our perspective, we feel that --

**MS. MAHONEY:**

Please state your name.

**MR. CARROLL:**

I'm sorry, Dane Carroll, D-A-N-E, C-A-R-R-O-L-L. I would like to just briefly read in some points.

**LEG. MONTANO:**

Go ahead.

**MR. CARROLL:**

I, too, am a licensed teacher for 22 years. I never told Legislator Gregory no in reference to utilizing the building. We made requests for utilizing the building more convenient by placing the building use request link on our website and our Facebook page. Legislator Gregory is incorrect when he stated that the website is down earlier today and unavailable; I should know, I'm the web master.

We have never given notice in writing or otherwise -- we have never received notice in writing or otherwise from Suffolk County Youth Bureau that we did not meet the targets of the contract approved in 2012. We never received a response from Suffolk County Youth Bureau when the board responded to their suggestions in writing. I would like to just read into the record Wyandanch Youth Services' response:

*"Dear Reverend Pearson, on behalf of the Board of Directors of Wyandanch Youth Service, we are in receipt of your letter dated July 16th, 2012" -- this letter is dated July 18th -- "relative to our agency's operations. Wyandanch Youth Services, Inc., has been a contract agency since the establishment of the Suffolk County Youth Bureau in 1975. Mr. Dane Carroll has been an integral part of the programs at Wyandanch Youth Services, Inc. His mantra has always and will continue to be activities and events for youth that contain the common thread of education."*

*In 2011, Wyandanch Youth Services had submitted the Individual Program Application Agency Summary for 2012 and included a description of program services, activities and events, program budget and required documents prior to the execution of the contract and receipt of funds in 2012. The Deputy County Executive approved our contract on February 1st, 2012, with the aforementioned items approved."*

*"In regards to suggestions offered and the items not discussed per your letter, Wyandanch Youth Services would be willing to expand services should secured funding be available --" we weren't asking for additional funding, secured funding made available -- "which would allow us to enhance our existing programs and hire additional personnel."*

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If you have specific questions you would like to ask, I'd like to address them point by point, because I know time is of the essence.

**LEG. MONTANO:**

I'm just perturbed that this issue is here before us. Your track record is, what, one of -- you said since 1975?

**MR. CARROLL:**

Correct.

**LEG. MONTANO:**

Go ahead. You want to put your name on the record there, Susan?

**MS. WARREN:**

Hello. Can you hear me?

**LEG. MONTANO:**

Pull it towards you.

**MS. WARREN:**

Good afternoon. My name is Susan Warren, I'm the Office/Program Manager for Wyandanch Youth Services. I'm also a resident of the Town of Babylon for 41 years. I've been a resident of Wyandanch for 35 of those years. I'm also a graduate of Wyandanch High School. I've been an employee of the Wyandanch Youth Services for 26 and a half years. So by what I'm hearing today, I'm a little offended, first with the piece regarding the survey that was done by a supposedly Wyandanch Mothers' Club, which I understand is newly formed within the past four months maybe. I do have a niece in the Wyandanch School District and she did inform me and her mother that a survey was done in which she had to sign. My niece or my sister was not sent home a consent form to have a survey conducted on her child. I'm a little concerned about that. It's not like it was done through an outside agency.

This is really the first time that we've really seen the Family Life Center. However, I do have two visitors that came to us yesterday posing that they were looking for programs for their children, but they -- I see them here in the audience today, so I see they're with the Family Life Center; they didn't indicate that yesterday.

In reference to the Family Life Center also, we received an e-mail from them back in December requesting toys to help with their annual holiday party. We, the board members and the staff, donated 60 toys, holiday decorations and so forth and we hand delivered it to them.

**MR. CARROLL:**

I would just like to speak to that. I believe that was their third year and we've been doing it for 12 years, and each of those twelve years we've been distributing 1,000 toys each year.

**LEG. MONTANO:**

Have you guys -- have your agencies had a chance to meet and talk and talk about this issue, or is this something that you haven't spoken about?

**MR. CARROLL:**

We haven't spoken about it. But what's perplexing is that the revitalization committee, I think the person who read earlier today, Phyllis Henry, she's on that committee. And our Treasurer, who spoke earlier as well, Deltrice Thompson, they would be sitting next to each other as close as we are

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here now. So if there are some concerns, you would think that simply a conversation would do.

**LEG. MONTANO:**

We had an opportunity to have a very brief conversation earlier. You mentioned something to me about this is about football?

**MR. CARROLL:**

I think it comes to like collaborating or making availability the football field, and it's a myth because we had such a long history of utilizing the football field that two years ago, when we were requesting football field time, we would request the days of the week, Monday through Friday, and games would usually take place on Sunday. When it came to our attention that another organization wanted to use the football field, we actually requested from the town, we weren't able to just divvy up time ourselves, we requested or relinquished time so that the other organization could use the facility. We just simply stated that we have been given a fair shake as far as scheduling and that they would honor the time allotted to them, that was the first year or two years ago. And last year they were actually given more time. We are respectful of if you have additional numbers or you have additional time requests, you would be free to use it. We were more than happy with the time that we were allotted.

**LEG. MONTANO:**

Is there any way that you can work together and resolve some of these issues?

**MR. CARROLL:**

I think, going back to what Ms. Warren stated as far as a request from the Family Life Center asking for us to help them with their toy drive is an example, recent history, that we were more than willing to share, provide resources -- or this was in Christmas. Was it November?

**MS. WARREN:**

Yes, late November.

**MR. CARROLL:**

Late November, they were having a holiday drive. If we could share our vendors and give them what we had, we were more than willing to do that.

**LEG. MONTANO:**

All right, my colleagues are tired. I don't think that, you know, we need to continue with this. Is there anything you want to wrap up? We obviously know what's going on here.

**MR. CARROLL:**

Well, I would just like to wrap up as far as the --

**LEG. MONTANO:**

Go ahead.

**MR. CARROLL:**

-- the survey. The math doesn't add up. The numbers that they don't address are the -- well, I'll just read it, just very briefly.

*"The date is inaccurate and misleading because they arrive at conclusions based on an incomplete polling sample of 46% high school students; do the other 54% not count? Their data is inaccurate and misleading because they arrived at conclusions based on an incomplete polling sample of 56% of middle school students; do the other 44% not count? Their data is inaccurate and misleading*

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*because they arrived at conclusions based on the incomplete polling sample of Wyandanch children that participate in programs at our youth center." Our youth center is composed of students that may attend the high school, but we take anyone who is interested in utilizing the facility.*

None of our students, if there were, there might have been a very small sampling, two or three students, were polled. So I think the students that we -- or the children and the youth that we service, they're being dismissed in all of this.

**LEG. MONTANO:**

All right. And your aware very clearly that if this resolution passes today, which came in on a C of N which means we really can't discuss it more, you will be sort of evicted from the building; you're aware of that, right?

**MR. CARROLL:**

Well, the impact was on the families as recent as today. We had to notify families because we have five days a week of the after-school program. I'm dating myself but, you know, you can call it a latch-key program, but those parents, those families were affected today because we're basically operating under good faith. And we have seen from particular parties that there isn't good faith and they've been impacted because those parents have to scramble for after school accommodations and care.

**LEG. MONTANO:**

Okay. I'm going to yield. I think I've heard enough.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Montano. We appreciate your inquiries today. Okay. Thank you very much for providing us this information.

**MS. WARREN:**

Thank you.

**MR. CARROLL:**

Thank you.

**D.P.O. HORSLEY:**

All right. We have a -- would anyone else like to be heard? I think we're pretty good.

**LEG. CALARCO:**

I do have a question.

**D.P.O. HORSLEY:**

Oh, I'm sorry. Legislator Calarco?

**LEG. CALARCO:**

That's okay. And I think maybe Legislator Gregory can answer this, or maybe Reverend Pearson. Because I'm hearing talk about a building. We don't own the building, correct?

**LEG. GREGORY:**

No.

**LEG. CALARCO:**

Who owns that building?

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**LEG. GREGORY:**

It's a Town building. It was secured with State funding from Assemblyman Sweeney and the Town.

**LEG. CALARCO:**

Okay.

**LEG. GREGORY:**

It's a Town-owned building.

**LEG. CALARCO:**

Okay. So whoever is operating programs out of that facility, it's an agreement that that entity must have with the Town of Babylon, correct?

**LEG. GREGORY:**

Yes, they do have a contract with the Town of Babylon.

**LEG. CALARCO:**

Who has the contract right now to use the facility?

**LEG. GREGORY:**

Well, it hasn't been executed, but there would be a contract executed with the town through the Town Youth Bureau.

**LEG. CALARCO:**

Okay, so there's an expired contract. And is it the expectation that the Town of Babylon is going to utilize the facility --

**LEG. GREGORY:**

Yes.

**LEG. CALARCO:**

Family Life Center --

**LEG. GREGORY:**

Yeah. I think it was mentioned earlier that --

**LEG. CALARCO:**

-- as opposed to the Wyandanch Youth Center?

**LEG. GREGORY:**

I think it was mentioned earlier that the Town would go along with the wishes of the County.

**LEG. CALARCO:**

So they're going to follow our lead?

**LEG. GREGORY:**

Yep.

**LEG. CALARCO:**

Okay. Thank you.

**D.P.O. HORSLEY:**

Okay. Thank you. I think we have a motion to approve; is that correct? Is it on the --

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**LEG. MONTANO:**

She has a question. Do you want to address that? I'm sorry.

**MR. NOLAN:**

No.

**D.P.O. HORSLEY:**

No. Thank you, though. We have a motion to approve; is that correct, Mr. Clerk?

**MR. LAUBE:**

That's correct.

**D.P.O. HORSLEY:**

And a second; that's the only thing that's on the floor.

**MR. LAUBE:**

Yes.

**D.P.O. HORSLEY:**

Okay. Roll call vote.

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

**LEG. GREGORY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

(Not present).

**LEG. CILMI:**

Yes.

**LEG. MONTANO:**

No.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. HORSLEY:**

Yes.

**P.O. LINDSAY:**

(Absent).

**LEG. KENNEDY:**

Abstain.

**MR. LAUBE:**

Fifteen (Opposed: Legislator Montano - Abstention: Legislator Kennedy - Absent: Presiding Officer Lindsay).

**LEG. SCHNEIDERMAN:**

Motion to take --

**D.P.O. HORSLEY:**

All right, thank you very much on that matter. And thank you, everybody, for hanging around all day for that decision.

**LEG. D'AMARO:**

Mr. Chairman, just a point of order. Is there a motion pending now for 1125, or has that already been made to take that out of order?

**D.P.O. HORSLEY:**

No, I don't believe we finished that; did we?

**MR. LAUBE:**

You have a motion to take it out of order.

**D.P.O. HORSLEY:**

We have a motion to take it out of order.

**MR. NOLAN:**

We're going to set the public hearings.

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**D.P.O. HORSLEY:**

Let me just set the public hearings, I didn't get to it before, and then we'll get right to that. It will take two, one minute.

Okay. I'll make a motion -- I need a motion to -- I'll make a motion to set the date for the following public hearings, March 5th, 2013, at 2:30 P.M. at the Maxine Postal Auditorium, Riverhead, New York:

IR 1032, IR 1033, IR 1034, IR 1075, IR 1085, IR 1086, IR 1087.

Do I have second on that motion?

**LEG. CILMI:**

Second.

**D.P.O. HORSLEY:**

Seconded by Legislator Cilmi. All those in favor? Opposed? So moved. Those public hearings have been set.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

All right. We have a motion to take out order, is it 1025, is that the name of it?

**MR. NOLAN:**

1125.

**D.P.O. HORSLEY:**

1125.

**LEG. CALARCO:**

Second.

**LEG. SCHNEIDERMAN:**

I'll second that motion to take it out of order.

**D.P.O. HORSLEY:**

I think we've already got it, Jay. Okay. And that was -- and we voted on that, Mr. Clerk?

**MR. LAUBE:**

No, you haven't voted on it yet.

**D.P.O. HORSLEY:**

We voted to take it out of order.

**MR. LAUBE:**

No. I haven't called the vote for that yet.

**D.P.O. HORSLEY:**

We have not, okay. Okay, that's where we stopped. Okay. All those -- to take it out of order, all those in favor? Opposed? So moved, it has now been taken out of order.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Absent: Presiding Officer Lindsay).

***1125-13 - Adopting Local Law No. -2013, A Local Law to be known as the Community Protection Act.***

**LEG. SCHNEIDERMAN:**

I'll make a motion to approve.

**D.P.O. HORSLEY:**

Legislator Schneiderman makes a motion to approve. Do I have a second on the motion?

**LEG. D'AMARO:**

I'll second.

**D.P.O. HORSLEY:**

Seconded by Legislator D'Amaro. Okay, we have a motion to approve. We're good? All right, on that matter.

**LEG. SCHNEIDERMAN:**

On the motion?

**D.P.O. HORSLEY:**

Can I ask Chief Burke and Laura Ahearn to come up to the table to answer any questions?

**D.P.O. HORSLEY:**

Would you want the Chief as well?

**LEG. SCHNEIDERMAN:**

Yeah, Chief Burke as well as Laura Ahearn. Really in case there are any questions.

**D.P.O. HORSLEY:**

Right. Okay.

**LEG. SCHNEIDERMAN:**

So they've presented the plan in committee, Public Safety Committee, not all of us were there. Somewhere I got a copy of the transcript, so my questions have been asked and answered. I just wanted to thank them for the work in putting this together.

I know there was a lot of testimony earlier regarding the trailers. I just want to remind the body that, actually, we already approved the plan to close the trailers by October 15th of 2010, it's just that that plan was not implemented. But that is right now the current law, this would replace that. You know, instead of having mini-shelters with six individuals per area, this would disperse that population throughout the County with direct supervision as well as implementing the most intense monitoring and supervision of sex offenders perhaps in the country, and I just ask for you to support that. To the people of those communities, it certainly would be a relief after the six years that they've been enduring this, but I think this is good for the entire County. It's the right thing to do for our communities. Laura, did you want to comment before we vote, or Chief Burke?

**MS. AHEARN:**

If you'd like to call the vote, I'm certainly not objecting to that. I think that the plan is comprehensive, it is the best plan in the nation. It's victim and community-oriented, it steps up enforcement, it steps up sex offender address verification, proactive monitoring, increases compliance for sex offender registration, provides victim services, prevention education, and also includes a tremendous amount of collaboration between Parents for Megan's Law and the Suffolk County Police Department, Probation, Parole, U.S. Probation and Parole, law enforcement and

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supervisor agencies that have any kind of contract with our registered sex offenders. So I would urge you to vote for this plan because it is the best plan.

### **D.P.O. HORSLEY:**

Thank you very much for your comment. Chief, would you like to make a quick comment?

### **CHIEF BURKE:**

Yes. Again, we made a comprehensive presentation at Public Safety.

I know that the transcripts and/or the recordings were made available to the Legislators. I've met with many of you individually and I, along with Ms. Ahearn, urge you to vote in the affirmative for this plan.

### **D.P.O. HORSLEY:**

Thank you very much. You guys look good together. Legislator Kennedy.

### **LEG. KENNEDY:**

Thank you, Mr. Chair. And Chief, thank you for being here. I had a chance to hear both you and Laura at Public Safety. We've gotten a chance to speak about initial issues associated with this. As you know, I have said to both of you that -- actually, I applaud the County Executive for being willing to think outside of the box and talk about bringing to bear additional resources associated with stepped-up verification.

I've shared concerns that this is not going through our conventional, normal committee process in that we have the legislation before us today. We had your presentation on Thursday. In fact, actually, we didn't have what we're going to vote on right now until 12, about 12:30 today. So some of us around the horseshoe here have actually dealt with this issue all our time in office. I think since 2005 I've seen probably a half dozen iterations on this. And we've had limitations, we've had a whole variety of things. I know you've spoken about the fact that in all likelihood, our restrictions and limitations are going to go by the wayside. But I want you to speak a little bit -- and by the way, my preference would be to have it go through committee, if for no other reason to look at the things that we look at no matter what kind of service we deliver. Contracts are how we manifest services and there is no contract yet for any of this. We have a monetary amount in here and we have some intention, but that's it. We have your pledge as to how it's going to go forward. And the address verification piece, I believe, Chief, is something that we've got the general responsibility to do now, and from your perspective you'll be able to have that become more robust.

### **CHIEF BURKE:**

That's correct, sir.

### **LEG. KENNEDY:**

Okay.

### **D.P.O. HORSLEY:**

Chief, is your microphone on? You've got to speak into the mic.

### **CHIEF BURKE:**

This one's always on.

### **LEG. KENNEDY:**

Chief, how will you -- what's the interface with the Department of Social Services is going to be? Because I had some conversation with our Acting Commissioner there. How is that gonna -- how is it gonna operate?

**CHIEF BURKE:**

Well, the Department of Social Services is going to interact with the Police Department and consult on the placement of the 38 homeless sex offenders.

**LEG. KENNEDY:**

Okay.

**CHIEF BURKE:**

The Police Department will have input, considered input on placement of these individuals.

**LEG. KENNEDY:**

And is that piece new? Has that gone on up to this point?

**CHIEF BURKE:**

That piece is new.

**LEG. KENNEDY:**

Okay. So they'll consult with you. You'll have an opportunity to know, I guess, the general gist of where these individuals are, and then it's going to allow your people, your -- our police officers and such, to kind of keep a better handle or an idea on where these homeless offenders are.

**CHIEF BURKE:**

DSS is going to consult with the Police Department with our considered input, experience. What we'll do is we will decide upon the placement of these people with the paramount concern of public safety.

**LEG. KENNEDY:**

Okay. Talk a little bit about the address verification piece, if you will, as you envision it going forward from where it's at now.

**CHIEF BURKE:**

Ms. Ahearn's portion of it? It's comprehensive.

**LEG. KENNEDY:**

Well, you see, Chief, I see this as you being the tip of the spear with Parents for Megan's Law being one of the multiple resources that you're talking about bringing to bear here. So actually, I'd like you to speak about it first --

**CHIEF BURKE:**

Okay.

**LEG. KENNEDY:**

-- because your vision is what I believe Parents for Megan's Law is going to manifest and implement.

**CHIEF BURKE:**

Yeah, exactly. Here's the Police Department's piece on this. We are going to transmit to every sector within the County; sectors are how police coverage is maintained in the County. Where each sector car operator, when he comes on duty, he logs on his computer. Again, at Public Safety you saw what the computer screen looks like and he'll be required every day to check and click in on the sex offender mode in the computer. That will sex offender mode will list any sex offender, any of the sex offender that resides in that sector; click on the sex offender's name and up will pop a picture and pedigree about that sex offender. So every Police Officer will know where every sex offender resides within their patrol sector.

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In addition, we're going to create a permanent patrol check. Again, in the Public Safety Committee you saw what the patrol check is like, that's another thing that a Police Officer is required to check.

### **LEG. KENNEDY:**

Yes, but let me interrupt you for just one second so that I make sure I understand? So when -- the 415 car comes on duty, that officer comes on, racks up the screen, they get a flash on every registry resident within that sector?

### **CHIEF BURKE:**

No. What happens, they're required to check a lot of things -- crime patterns, crime updates -- in and among them are the sex offenders.

### **LEG. KENNEDY:**

Okay.

### **CHIEF BURKE:**

So cops will know where, who, what, what cars they're driving, where the sex offenders reside within their patrol sector. Then we're creating a permanent patrol check. Right now there's a patrol check plan; for instance, there's speeding vehicles on Woodlawn Avenue or there's disorderly youths in front of the 7-Eleven, some are temporary, some are permanent. Wherever criminal hazards may be or Police hazards may be, the Police Officer is required to pay special attention to those hazards. Sex offenders will become part of those hazards where the Police Officer will be required to make regular checks on the sex offenders that reside within their patrol sectors. So that's --

### **LEG. KENNEDY:**

Okay. All right.

## *Applause*

Then let me shift to Laura for a second, if I can, please, then, and just tell me again a little bit about the actual address verification process, and in particular the frequency with this new plan as opposed to where we're at now.

### **MS. AHEARN:**

We're going to recruit retired law enforcement individuals to do in-person address verification. It's going to be two teams of two and also a program manager, and also an additional person who will respond as an as-needed basis. So in other words, when we get tips from our sex offender registration tips program, which is another expanded effort with this, we will have that person available to verify addresses in the immediacy. So we're going to have these addresses verified twice a year, so semi-annually, and also we'll be verifying Level III sex offenders work addresses. In the Public Safety Committee I reviewed -- you know, we provided a presentation, but for those who weren't present, we took a look at the Level III sex offenders here in Suffolk County and what we found is that 60% of them were not providing work addresses, and it's highly unlikely that 60% of them are not employed, so we'll also be doing work address verification. And through the proactive monitoring that I discussed individually with Legislators, because of the confidential nature of that project, also we'll be doing overlays of public information that's available to verify the registration information that the agency has as well regarding particular offenders.

### **LEG. KENNEDY:**

How many -- approximately, how many Level III's do we have?

### **MS. AHEARN:**

A hundred and eighty-seven at last look.

**LEG. KENNEDY:**

Okay.

**MS. AHEARN:**

There's about a thousand total registered sex offenders in the County and we have about 38 who are considered homeless. But the beauty of this program is that the focus is on all 1,000 offenders and not all the resources, as we have gone through this for so many years and with me working individually and the agency staff working individually with all of you, this plan is a result of all of the work that we have done with each of you in your communities over -- you know, even before you, 17 years. So the organizational plan that fits under the plan of the Police Department is designed not only to step up enforcement, which is a direct -- that will be a direct result of everything that we've talked about in terms of address verification, but also we're providing victim services as well. And the various portals that you provide to the community to reach into an organization that is providing sex offender notifications via e-mail alert, which will be expanded, that has so many services available so that you can ask questions about sex offender information, because part of this is also -- and the help line is just so well-known and respected for this reason in that we really make an effort to ensure that the community uses this information responsibly.

**LEG. KENNEDY:**

No doubt, Laura. And as a matter of fact, as I started when I began to ask, I know of no person that I've dealt with that's a more zealous asset and responsive than yourself and your organization and, as a matter of fact, you do an outstanding job.

Chief, I'm just going to go one other question and then I'll yield.

My biggest concern at this point is family shelters. Without breaching confidentiality, I have reason to go ahead and be concerned about family shelters and probably upwards of almost 200 families. Will there be an individual homeless sex offender in a family shelter?

**CHIEF BURKE:**

No.

**LEG. KENNEDY:**

Okay. Thank you. I'll yield, Mr. Chair.

**MS. AHEARN:**

That's a no from me as well, and I know that was a concern. That's an absolutely no. We would not stand behind any plan that would put a registered sex offender with a family. And I respect that question and both Chief Burke and I are assuring you, that is not going to happen.

**LEG. KENNEDY:**

Well, I appreciate that. Because as you know, I sent a letter to Acting Commissioner O'Neil on Thursday, which I've yet to get a response to. I circulated it to most of my colleagues. So at this point, I have to rely on your testimony here. Because I don't even have a definition of family, but I'm told if there is an offender who is with a female, or vice versa, if there's a marriage in place they'll still separate them; if they're just cohabitating they'll absolutely separate them. And you're testifying to the fact they're not going to wind up in a family shelter. So I appreciate that. Thank you.

**MS. AHEARN:**

Thank you.

**D.P.O. HORSLEY:**

And again, that is something you testified to the other day, both of you. And I appreciate -- that is with an underscore from every member of this Legislature. Thank you. Legislator Browning.

**LEG. BROWNING:**

Well, I myself have, I have always felt the same way as far as CN's, that, you know, we should try and get it through the process. But I think we passed a bill today to create this task force about looking at schools and let's get this done. We have two people sitting here who are ready tomorrow to start doing the job.

And I think all of you know my record on this issue. And I listen to people talking about "*not my community*", "*not my community*", and "*those people*", and I think about the man who was arrested out in Southampton, a very wealthy person. So to say it's "*those people*", there is no specific economic background or a sex offender; they can be the wealthiest millionaire to the poorest. And yes, there are communities who are burdened more than any. Donna Cory was here, she lives in my zip code, and I look at how many sex offenders are in my zip code. And I look at Wheatley Heights who have three; my district, my zip code alone has 30, and I don't like it. And I think it's unfair, because we see that the domicile sex offenders are going where they can find affordable rentals.

So I like what we're doing here because of the fact that we're not just going to focus on the homeless, we're going to be focusing on all of them, and I think that's what's important. And initially I had apprehension about passing a CN and wanting it to go through committee, but I think that this is an issue that matters to all of us. I'd like to see the politics being taken out of it. I'd like to see a unanimous vote here today.

*Applause*

I don't want to see more campaigns beating up Legislators by putting sex offenders in their district and being responsible for it, I think that has to end also.

*Applause*

And we have to take -- you know, when I look at what Laura is doing and what our Chief is doing, all I can see is -- and I know the ACLU is here, but what I see is what you're going to do is you're going to make sure that these sex offenders are complying with the law that we're required to abide by. And that's all you're asking them to do, that's all you're going to do. You're not violating their laws. And I hate to say it, but my message to the ACLU is let them do what they're doing. You talk to a victim of sex offense and you ask them --

*Applause*

-- how they feel. ACLU, you look at the victims also and how do they feel about this issue and what these people have done to them. So that's all I can say.

**D.P.O. HORSLEY:**

Okay. Thank you. Well said, Legislator.

*Applause*

Legislator Krupski.

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**LEG. KRUPSKI:**

I would like to thank Laura Ahearn and Chief Burke for all their work and, you know, years of dedication, and my colleagues here who worked hard for this over the years. You know, I understand that there is no perfect solution here and I understand, having been an elected official in other arenas, that you do have to make votes that you're not always completely happy with because you're not going to make everyone happy. But I'm going to echo what my colleague Kate said, that I would like to see everyone support this, because although it's not perfect, it certainly is a much better solution than what's currently in place. Thank you.

*Applause*

**D.P.O. HORSLEY:**

Thank you, Legislator Krupski.

**CHIEF BURKE:**

If I may --

**D.P.O. HORSLEY:**

Oh, Chief, sure.

**CHIEF BURKE:**

I would just like to welcome you to this esteemed body. And on behalf of the administration of the Police Department, the men and women of the Police Department and labor union leaders of the Police Department, we're glad to have you on board.

*Applause*

**LEG. KRUPSKI:**

Thank you.

**D.P.O. HORSLEY:**

That was very nice. Legislator Gregory.

**LEG. GREGORY:**

Thank you, Mr. Chair. I am supportive of this plan. I mentioned during the briefing some concerns that I have. I've spoken to Laura, I've spoken to the Town of Babylon Supervisor about those concerns about this being a plan that may potentially cluster individuals in particular communities, those of low income and minority communities;

I was assured that that wouldn't be the case. The legislation addresses that, but I will be monitoring. I just spoke to the Supervisor today, we'll both be closely monitoring that to ensure that the intent of the bill is not violated in any way. I agree with my colleagues, that there is no perfect solution, but I think presented to us today is a comprehensive plan that, you know, can get this issue off the table that's been really a divisive and cruel, to some extent, I would say -- to a big extent, I would say, to the communities out east. No one wants to be burdened with a situation as they have been. I was threatened with a similar situation, so I appreciate your position. So I am supportive of this plan. I do have some reservations, but I will be voting for this plan.

*Applause*

**D.P.O. HORSLEY:**

Thank you very much, Mr. Gregory. Okay.

**LEG. MONTANO:**

Am I last?

**D.P.O. HORSLEY:**

You are last.

**LEG. MONTANO:**

Oh, thank you. I've heard all of this. You know, Laura, Chief Burke, my position is well-known with respect to C of N's. It's not something that's come up recently. It's been going on for years. I've read the statement from Amol from the ACLU, I happen to agree with him wholeheartedly. I think that all of these important issues should be vetted properly through committee, I've said that, but I have no doubts that this is going to pass. And we have -- I just don't like the manner in which it was presented. I think we should have had an opportunity to discuss this in committee. I know you made a presentation, I was not there, I didn't get my bill till 12:15. I've spoken to my colleagues, I think they're more or less unanimous on this. So I'm going to backtrack from my position on the C of N, let it go through with my support so that we are unanimous, because I think the reality is --

*Applause*

You know, the reality is that if I vote -- and Sandy's there and I apologized to Sandy for probably doing this vote because I agree with her that there are a lot of issues that remain unresolved. But my voting no is not going to stop this and I don't want to give the impression that somehow we are not sensitive to -- and I've been hearing Legislator Schneiderman for, what, three years now, Jay?

**LEG. SCHNEIDERMAN:**

*(Laughter)*

**LEG. MONTANO:**

I think he's worn me down on this. But I don't like doing it in the fashion that we're are doing it. I think that the arguments that were made by Amol are certainly articulate, well spoken. But people don't understand, this is too emotional an issue for most people to comprehend at the level of intellectual discourse. So I'm going to join with my colleagues on this, but I really resent -- and I'll say it publicly, I resent that the County Executive, having been here for 13 months, knowing that this issue was out there, would lay this upon the Legislature, and me in particular considering that I was away for a while, so I really haven't had a chance to digest this. We'll look to see how the program goes. I have a lot of faith in what you've done the last 15 years, you know, we've had contact. I've been here going on ten years now. Chief, I respect you immensely. You have my vote on this, but it's begrudgingly in the fashion that it was presented, but let's get this done.

*Applause*

**D.P.O. HORSLEY:**

Thank you very much, Legislator. Legislator Kennedy for one more quick statement.

**LEG. KENNEDY:**

Actually, this is --

**D.P.O. HORSLEY:**

Question.

**LEG. KENNEDY:**

-- a question for BRO. I was just trying to reconcile the numbers from what the fiscal impact statement associated with this Community Protection Act is and what was contained in the 2013

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Adopted Operating Budget regarding our efforts dealing with homeless sex offenders. How do we reconcile the numbers here, Robert? What's going on.

**MR. LIPP:**

Well, the fiscal impact's a little on the vague side.

**LEG. KENNEDY:**

I would say.

**MR. LIPP:**

I could give you some answers, it would be better if the Executive staff answered it. That being said --

**LEG. KENNEDY:**

Well, that's true. As a matter of fact, they wrote it, not you.

**MR. LIPP:**

Correct.

**LEG. KENNEDY:**

But I don't know if they're here.

**MR. LIPP:**

Well, the only thing I could say is the current program, as far as I understand, is under Safety Net. It's a small number; Safety Net is over \$60 million, this is a small number implicit in that, because most of the homeless sex offenders are -- receive Safety Net funding. That being said, it would be moved to the Police District. The resolution, the fiscal impact is not clear about the cost; it sort of implies that there wouldn't be much of a difference between the two, although it's hard to say.

**LEG. KENNEDY:**

So where will the contract for Parents for Megan's Law come from?

**MR. LIPP:**

That will go into -- from what I understand, it will go into the Police District General Fund portion or Headquarters portion of the budget. I'm not sure how they're going to reconcile moving it from mandated to discretionary and it's not part of the resolution, so that's a shoulder shrug to me.

**LEG. KENNEDY:**

So, Chief, then this is going to be something that's absorbed within the 2013 Operating for the department with Ms. Ahearn?

**CHIEF BURKE:**

Well, sadly I don't have my partner, Certified Public Accountant and Police Commissioner Webber here, so he's much better on the --

**LEG. KENNEDY:**

Who would be able to go ahead and --

**CHIEF BURKE:**

-- numbers than I am. But as I understand, the monies will be transferred to the Police Department and the Police Department will engage in a contract with Ms. Ahearn to provide these services.

**LEG. KENNEDY:**

Okay. And then I'm going to -- I apologize for the ping pong, but then I'm going to loop back to Robert just one more time. So it was two-and-a-half million, approximately, that was budgeted for this effort in total in 2013, and it's 900,000 with Laura. What happens with the rest? It just remains committed with --

**MR. LIPP:**

The funding relates to -- in Safety Net. It's hard to say because it's not -- you can't see in the budget the way it's structured, the funding. And much of the funding clearly is for the hotel rooms, for lack of a better term, of the trailer rooms, I guess, the cost of that. So my understanding from conversations with the Budget Office, Executive's Budget Office, is that the cost per night per sex offender, under this new proposed program, would be somewhat less than the existing program. I can't rectify -- I can't verify that, though.

**LEG. KENNEDY:**

I understand that, Robert, and you should not have to explain the Administration's fiscal impact statement. I appreciate you for making the effort.

Chief, I'm loathed to do this. I'll have a personal conversation with the Exec's representative. I'm going to echo what Legislator Montano said. Likewise, I believe firmly in our process. And as I started, I'll end; I believe this should have gone to committee, but nevertheless I will support this CN now. My likelihood of supporting CN's in the future is diminishing greatly, though, as I keep seeing each issue coming to us purportedly emergent when we've wrestled with this for seven years. Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Kennedy. I don't have any other requests to ask questions. I think we can go for a vote at this point in time. I don't think I need a roll vote -- roll call; is that true?

**LEG. SCHNEIDERMAN:**

Yes, roll call. It's a CN.

**D.P.O. HORSLEY:**

You want a roll call?

**LEG. CALARCO:**

Why do you want a roll call? We don't need a roll call.

**MR. NOLAN:**

You don't need it.

**D.P.O. HORSLEY:**

So I guess we're not having a roll call, as I originally thought. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Seventeen (Absent: Presiding Officer Lindsay).

*Applause*

**D.P.O. HORSLEY:**

Thank you.

**CHIEF BURKE:**

Mr. Presiding Officer?

**D.P.O. HORSLEY:**

Yes? Where did that come from?

**CHIEF BURKE:**

It's Chief Burke.

**D.P.O. HORSLEY:**

Oh, Chief Burke.

**CHIEF BURKE:**

If I may, it's the first time that I'm addressing the full Legislature here in 2013, and I want to express the support of the -- our gratitude on behalf of the Suffolk County Legislature for the support that you have shown this Police Department, this Administration, the men and women who are out there day-in and day-out over 2012. And as I reported to Public Safety, our intelligence-led policing combined with our enhanced community service, I know that all of you have been fully engaged with Detective Lieutenant Donohue from the Community Response Bureau. Our intelligence-led policing led us to the identification of 68 separate patterns and trends resulting in the arrest of 127 individuals and the clearance of 222 cases. Our violent crime is down nearly 5% and our overall crime is down nearly 10%. And not only is that a testament to the men and women of this department, but I want to thank you for your support without which none of this would be possible. Thank you.

**UNKNOWN AUDIENCE MEMBER:**

Amen.

**D.P.O. HORSLEY:**

Thank you very much, Chief.

**UNKNOWN AUDIENCE MEMBER:**

Amen on that.

*Applause*

**D.P.O. HORSLEY:**

Congratulations to all of Suffolk.

Okay. I'm going to move quickly. We're going to move to -- I've got quick items and I'll ask before the Consent Calendar, I'll make a motion to approve the Consent Calendar. Seconded by Legislator Cilmi. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Stern - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

All right, moving to Tabled Resolutions. If we could, why don't we just clear the room as quickly as possible and we'll move to the Tabled Resolutions. The first --

**LEG. ANKER:**

Can we take one out of order?

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**D.P.O. HORSLEY:**

Take which? For Ben? All right, where is it, Ben. I know, you did ask me earlier, but it just didn't seem to be important anymore (*laughter*). Just kidding, Ben.

All right. Do you want to make that motion, Sarah, to take it out of order?

**LEG. ANKER:**

Motion to take Resolution 1110 out of order.

**D.P.O. HORSLEY:**

Okay, I'll second the motion. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Schneiderman - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

This is -- I'm sorry, I should have told you what it was about first. This is a Certificate of Necessity ***1110-13, a resolution accepting and appropriating year one of a five-year grant sub-award from the National Institutes of Health passed through the Research Foundation of SUNY Stony Brook for a project entitled "IRACDA - the New York Consortium for the Advancement of Postdoctoral Scholars (CAPS)" 100% reimbursed by Federal funds at Suffolk County Community College (County Executive).***

**LEG. D'AMARO:**

Motion.

**D.P.O. HORSLEY:**

Okay, I think we've already got the motion. This is motion to approve?

**MR. NOLAN:**

Yes.

**D.P.O. HORSLEY:**

Okay, we've already got it out of order. The motion is by Legislator D'Amaro. Seconded by Legislator Stern. All those in favor? Opposed? So moved.

**MR. ZWIRN:**

Thank you very much.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Schneiderman - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Go home, Ben. I'd like to say that to all of us, right?

Okay, we're going to go to ***Resolutions Tabled to February 5th*** on page whatever it may be, three, four, whatever.

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

**LEG. STERN:**

Motion to table.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

Motion to table by Legislator Stern. Seconded by? I'm sorry, I missed the second.

**LEG. CILMI:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Krupski & Schneiderman - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thank you.

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

Mr. Kennedy?

**MR. NOLAN:**

Table it.

**LEG. KENNEDY:**

Yeah, motion to table.

**D.P.O. HORSLEY:**

Table it is. Second on that?

**LEG. CILMI:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Schneiderman & Montano - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1708-12 - Adopting Local Law No. -2013, A Charter Law requiring legislative approval of fee changes (Cilmi).*** Mr. Cilmi?

**LEG. CILMI:**

Motion to approve.

**LEG. BARRAGA:**

Second.

**D.P.O. HORSLEY:**

Seconded by Legislator Barraga. Do I have any other motions on the fee change issue? Anybody? All right, I'll make a motion to table.

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**LEG. CILMI:**

Come on, Wayne.

**D.P.O. HORSLEY:**

I'm sorry, Tom. We've got to resolve this, but I don't think they're there yet.

**LEG. CILMI:**

On the motion.

**D.P.O. HORSLEY:**

Okay. Wait a minute, I've got a motion to table. I need a second on the motion.

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

Legislator Calarco. Okay. On the motion.

**LEG. CILMI:**

No, on the motion. Right, so last time we met, we discussed and debated this bill and several of my colleagues here had some suggestions which I took to heart and thought were good suggestions and having incorporated those suggestions into the bill to the following extent.

We've made an exemption so that the provisions of this law will not apply to any rate changes that are mandated or required by the Federal or State government. We've made a provision to recognize that the powers of the County Executive to act during local state of emergency will not be impeded at all by this law. And we've made a provision to allow the Commissioner of the Department of Health Services to change or waive a fee imposed by the Suffolk County Sanitary Code during a local emergency without Legislative authorization -- authorization, rather, and that that change or waiver will be effective for the duration of the emergency.

So I've tried to comport with the suggestions of my colleagues and I'm really hoping that all of you will recognize this Legislature's stature as a coequal branch of government and that we should oversee any fee changes proposed here in Suffolk County. Thank you.

**D.P.O. HORSLEY:**

Are there any -- anything else on the motion? All right, the tabling motion comes first.

**LEG. CILMI:**

I made a motion.

**D.P.O. HORSLEY:**

We have a motion to approve, we have a motion to table. Okay, roll call on the tabling motion.

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

**D.P.O. HORSLEY:**

Yes to table.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

No.

**LEG. D'AMARO:**

What is the motion pending, please?

**MR. LAUBE:**

To table.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. NOWICK:**

No.

**LEG. KENNEDY:**

No to table.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MONTANO:**

(Not in room).

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

(Not in room).

**LEG. KRUPSKI:**

No.

**P.O. LINDSAY:**

(Absent).

**MR. LAUBE:**

Seven.

**D.P.O. HORSLEY:**

Okay. Roll call on the motion to approve.

**LEG. D'AMARO:**

On the motion, Mr. Chair, just very briefly, if I may. Just through the Chair, to the sponsor. We would retain -- we, the County and the Legislature, would retain the authority to undo or change or overrule any kind of administrative change or fee change made at an administrative level. And I'm not sure, do we really want to jam up and gum up the wheels here and oversee every single fee change that we're relying on departments to implement?

**LEG. CILMI:**

Yes.

**LEG. NOWICK:**

Yes.

*(\*Laughter\*)*

**LEG. D'AMARO:**

Okay. Well, I disagree with that. I am not going to support the motion. I think that, you know, at some point you have to delegate some authority to the folks in the field and the folks running the departments who understand the fee structures and the needs of the department. We have oversight, we're not in the first instance charged with the responsibility to set fees, but we certainly have oversight for that, and if something came to our attention that we disagreed with, then we could have a full and open debate about that. But I don't think we should be getting involved in the day-to-day operation or setting of fees.

**D.P.O. HORSLEY:**

Thank you very much, Legislator. Legislator Gregory?

**LEG. GREGORY:**

Thank you, Mr. Chair. Just to echo the points that my colleague just made, Legislator D'Amaro. You know, I understand the intent behind the legislation. When you see some fees, there have been some fees that we've found egregious and certainly didn't agree with, and the knee-jerk reaction is, well, we should oversee all fee increases, and I disagree with that. Government has to function, it's an administrative function. We don't meet on a regular basis, once a month, if that. To delay the operation of government to institute fees that they're statutorily able to do so that we can get our act together so that we can meet I don't think is appropriate. I think there is -- if there's a specific instance where this body chooses to weigh in or disagree with the fee increase, we certainly retain that right to do so. And I think if we do not pass this bill, which I will not be supporting, it won't affect us in the negative. We will have the ability to weigh in on any fee increase that we disagree with. Thank you.

**D.P.O. HORSLEY:**

Mr. Vaughn?

**MR. VAUGHN:**

Thank you very much, Legislator Horsley. We do appreciate the chance to just weigh in on this bill briefly.

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First of all, I would like to thank Legislators D'Amaro and Gregory. We agree with their position on this bill, that we think this is a power that you guys currently have and we believe that the system in place currently works.

That being said, I would also like to say that while we do disagree with Legislator Cilmi, we would like to thank him for making some of the changes that he did make to the bill. We appreciate you working with the County Attorney's Office on this, but fundamentally we remain opposed to the bill as it currently stands. Thank you.

**D.P.O. HORSLEY:**

Thank you. Anyone else? We're all good? Oh, Legislator Spencer.

**LEG. SPENCER:**

I had some concerns with the bill initially and my concern was that to inhibit the ability of the Commissioner to act in emergency circumstance, and Legislator Cilmi did make those changes for me and I do remember making a specific inquiry of our Health Commissioner who was okay with this bill.

I think that we're looking at the budgets that we have and making very difficult decisions for us to remain -- to have a precise control over fees. We meet often enough where we have the ability to do that and I think it doesn't interfere with the day-to-day, that the fees are set for a period of time. And I think that if they're changed, especially now when we looking at every cent, then we should have the ability to look at them. So I'm going to support this.

**D.P.O. HORSLEY:**

Very good. Okay, anybody else? All right, roll call vote. The motion to table was defeated, this is a vote to approve.

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

**LEG. CILMI:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. GREGORY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. MONTANO:**  
(Not Present).

**LEG. CALARCO:**  
No.

**LEG. ANKER:**  
No.

**LEG. HAHN:**  
No.

**LEG. MURATORE:**  
Yes.

**LEG. BROWNING:**  
Yes.

**LEG. SCHNEIDERMAN:**  
Yes.

**LEG. MONTANO:**  
Which bill?

**LEG. KRUPSKI:**  
Yes.

**D.P.O. HORSLEY:**  
No.

**P.O. LINDSAY:**  
(Absent).

**LEG. MONTANO:**  
Which vote is this?

**LEG. CILMI:**  
Fee changes, Rick.

**LEG. MONTANO:**  
Oh, I don't need to be here.

*(\*Laughter\*)*

**LEG. CILMI:**  
Thanks, Rick.

**LEG. MONTANO:**  
You're welcome. Any time.

**LEG. CILMI:**  
You do need to be here.

**LEG. MONTANO:**

If you need me, call.

**LEG. CILMI:**

We do need you.

**LEG. NOWICK:**

We do need you.

**LEG. D'AMARO:**

Mr. Chairman, I would ask that we --

**D.P.O. HORSLEY:**

This is out of order. This is out of order.

**LEG. D'AMARO:**

Call the vote.

**MR. LAUBE:**

Nine.

**D.P.O. HORSLEY:**

Okay. The next -- *1799-12 - Barring payment to DeGere Physical Therapy Services (Kennedy)*. John, what do you want to do with this?

**LEG. KENNEDY:**

I'll withdrawn the bill, as a matter of fact. Today it's the last day on a six-month expiration. Clerk, withdraw the bill.

**D.P.O. HORSLEY:**

The bill has been withdrawn. 1935 --

**LEG. SCHNEIDERMAN:**

I'm sorry, if I can interrupt. I would like to take one bill out of order, I've just got to pull the number, while Supervisor Throne-Holst is here from Southampton. She is -- the town is a partner on an acquisition and I know she'd like to be here for that vote. She's got a long drive ahead of her and she stayed here all day. Let me just find it. It's 2235; I'd like to make a motion to take that out of order. It's on page five.

**LEG. BROWNING:**

Economic Development?

**LEG. SCHNEIDERMAN:**

Under Environment, 2235 of 12.

**D.P.O. HORSLEY:**

Okay, has everybody seen it? 2235, you're making a motion to take it out of order. Is there a second on the motion?

**LEG. MURATORE:**

Second.

**D.P.O. HORSLEY:**

Second on the motion by Legislator Muratore. All those in favor? Opposed? So moved, it has been taken out of order.

*2235-12 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - Open Space component - for the 6 Pierrepont, LLC property - Beaverdam Creek - Town of Southampton (SCTM No. 0900-356.00-02.00-001.006 p/o and 0900-356.00-02.00-002.000) (County Executive).*

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Okay. Is there a motion on the --

**LEG. SCHNEIDERMAN:**

I will make the motion to approve.

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

There's a motion on the motion to approve. Seconded by Sarah Anker, by Legislator Anker. All those in --

**LEG. KENNEDY:**

Whoa, whoa, whoa, wait a minute.

**LEG. SPENCER:**

I don't know where we are. Please give me a moment, please. Thank you.

**D.P.O. HORSLEY:**

I'm sorry.

**LEG. KENNEDY:**

On the motion?

**LEG. SCHNEIDERMAN:**

This is an acquisition, it's been fully vetted, it's about 30 or so acres, 50% County, 50% Town of Southampton, deep groundwater recharge.

**LEG. KENNEDY:**

Through the Chair. Thank you, Mr. Sponsor. Through the Chair, can you -- what is the purchase price, I guess, if we can?

**LEG. SCHNEIDERMAN:**

Roughly -- six million dollars, roughly.

**LEG. KENNEDY:**

Total? And we have --

**LEG. SCHNEIDERMAN:**

No, three million to us, is our piece.

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**LEG. KENNEDY:**

And the Town -- Madam Supervisor, the Town of Southampton is contributing three million as well?

**SUPERVISOR THRONE-HOLST:**

*(Indicated thumbs up).*

**LEG. KENNEDY:**

Okay. And just tell me a little bit. I mean, is this inland, is this, you know, on the bay, is it on the ocean side; where is it?

**LEG. SCHNEIDERMAN:**

It adjoins Beaver Damn Creek and Pond, so there's woodlands and there are ponds on this property, wetlands, both title wetlands on this property.

**LEG. KENNEDY:**

One more question, through the Chair, to Madam Supervisor. Access; is there any access to get to this property?

**SUPERVISOR THRONE-HOLST:**

*(Nodded head yes).*

**LEG. KENNEDY:**

There is. People will have the ability to visit it, maybe take a walk on it, maybe fish it or something like that.

**LEG. SCHNEIDERMAN:**

Oh, yeah.

**LEG. KENNEDY:**

Okay.

**LEG. SCHNEIDERMAN:**

Absolutely.

**D.P.O. HORSLEY:**

Okay. Anyone else? We're all good? Okay. We have a motion to approve. I think that's the only motion on the floor; is that correct, Mr. Clerk?

**MR. LAUBE:**

That's correct.

**D.P.O. HORSLEY:**

Okay. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Absent: Presiding Officer Lindsay).

**LEG. SCHNEIDERMAN:**

Thank you.

**LEG. D'AMARO:**

Through the Chair. Mr. Chairman? If I may, I would also like to take a bill out of order. It was in the Economic Development & Energy Committee, it's Resolution 1018. Mr. Tonna has been here all

day, and I'd also like to --

**D.P.O. HORSLEY:**

He has, I agree.

**LEG. D'AMARO:**

-- extend him the courtesy as well.

**D.P.O. HORSLEY:**

Okay. You'll make the motion and I'll --

**LEG. STERN:**

Second.

**D.P.O. HORSLEY:**

Second by Legislator Stern. All those in favor to take 1018 out of order? This is page five, Economic Development & Energy, 1018.

Okay. We have a motion to approve. What is that motion? I don't think we have a motion as of yet. We just took it out of order. Did I call the vote on that?

**MR. LAUBE:**

No, you didn't.

**D.P.O. HORSLEY:**

Okay. We took it out of order.

**MR. LAUBE:**

Take it out of order --

**D.P.O. HORSLEY:**

We had a motion and a second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

It is now out of order.

***1018-13 - Appointing Paul J. Tonna as a member of the Suffolk County Industrial Development Agency (IDA).***

Moving forward, do we have -- would you like to --

**LEG. ANKER:**

Motion to table.

**D.P.O. HORSLEY:**

Motion to table by Legislator Anker.

**LEG. BROWNING:**

I'll second that.

**D.P.O. HORSLEY:**

Seconded by Legislator Hahn.

**LEG. D'AMARO:**

Motion to approve.

**D.P.O. HORSLEY:**

Motion to approve by Legislator D'Amaro.

**LEG. MONTANO:**

I'll second that.

**D.P.O. HORSLEY:**

Seconded by Legislator Barraga.

**LEG. D'AMARO:**

On the motion?

**D.P.O. HORSLEY:**

On the motion.

**LEG. D'AMARO:**

Mr. Chair, thank you very much. We had the opportunity to question Mr. Tonna when he came before the committee, which you Chair. But he is here, I'd like to ask him if he would come up and perhaps --

**D.P.O. HORSLEY:**

I think that's a great idea.

**LEG. D'AMARO:**

-- just briefly present himself to our Legislature.

*(\*The following testimony was taken by Lucia Braaten  
& transcribed by Alison Mahoney - Court Reporters\*)*

**D.P.O. HORSLEY:**

Mr. Tonna, please. And again, thank you for staying the day and --

**MR. TONNA:**

No problem.

**D.P.O. HORSLEY:**

Okay. And joining us --

**MR. TONNA:**

This isn't my first time here.

**D.P.O. HORSLEY:**

It's like old times, huh?

**MR. TONNA:**

Yeah (*laughter*).

**D.P.O. HORSLEY:**

Excuse me, Mr. Tonna, before you start, apparently I have trouble telling Ms. Hahn's voice from of Ms. Browning's. It was Ms. Browning that seconded that last -- Mr. Tonna's, and she wants to.

**MR. LAUBE:**

You got it.

**MR. TONNA:**

Yes, that's good. Great.

**LEG. CILMI:**

What, the tabling or the approval?

**MR. NOLAN:**

No, the approval.

**D.P.O. HORSLEY:**

The approval.

**LEG. CILMI:**

No.

**D.P.O. HORSLEY:**

To table. I'm sorry, table.

You're all set? Mr. Clerk, you're all set?

**MR. LAUBE:**

Yes, I am.

**D.P.O. HORSLEY:**

Mr. Tonna, I gladly hand it over to you.

**MR. TONNA:**

Thank you. First of all, it's great to be back, kind of. You know, in the last -- just to tell you quickly, I was asked by the County Executive, I think they talked with Presiding Officer Lindsay and said, *"Paul, we would like you to be part of the Suffolk County IDA."* I was privy to the fact that in the last four months, the Governor of Virginia has come up here twice to steel companies from Suffolk County. The Governor of North Carolina has paid for planes to bring CEOs of different companies, mainly publicly-traded companies which is very, very tough today. We have a publicly-traded company and they're looking for stock prices, they're looking for savings. It's very appealing. And so I was asked, *"Paul, would you like to help us out? Open up your Roladex and do the best that you can, first, to retain companies here on Long Island, in Suffolk County; and then secondly, to help us to attract companies. We have a great IDA. The Executive Director is young, but he's a hard worker, and we think that somebody with a little of the experience that you have, serving as a Legislator, as a Presiding Officer and working very, very hard with the business community, we think that you can add some value."* I have seven kids still to put through college. I have a number of responsibilities already on 12 different boards and commissions and I was asked to help Suffolk County, so I said yes. I asked clearly, I want to make sure that the Legislature is for this, and that's why we spoke with Presiding Officer Bill Lindsay. He assured me that this was something that the Legislature would be supportive of, and so we move ahead.

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I understand that there is, from my friends, some of my friends in the labor community, and they are my friends. All of you know, I think some of you I've served with in the Legislature, prevailing wage legislation is something that I sponsored, the apprenticeship language I sponsored, the living wage I cosponsored. The opportunities for every major construction project that Suffolk County was involved in, I either sponsored or cosponsored with my colleagues in the Legislature. And there is -- I feel very, very deeply about working men and women to have an opportunity to make sure that they have good benefits, that they have a good pension to retire to, especially here on Long Island, it's very expensive to live here. And have had always, up until, I guess, a certain period of time, the absolute support of all those in the labor movement.

So I'm here. I hear that there's a concern about Mr. Wolkoff and his \$4 billion project that he would like to -- he'd like to have advanced. To tell you quite honestly, it has nothing at all to do with the Suffolk IDA, and all of you know that already. Mr. Wolkoff is seeking IDA financing. He's had it in the Town of Islip and I think that he will continue to do that. If, for some unforeseen circumstance that Islip no longer exists as a municipality, and I think, you know, that would be very unlikely, and I -- they went to the Suffolk County IDA for financing, I would do what I did for the 12 years that I was on the Legislature, I would recuse myself because I'm an interested party. That's what you do if something like that happened. And I know, as a member for years of the Long Island Regional Planning Council, which this Legislature had no problems appointing me to and as serving as Vice-Chair up until a few months ago, August, I recused myself whenever there was something of the perceived conflict or a real conflict. And so I would say this: You're the ones who put this bill on the table. You and the County Executive and his economic development team thought that this was a good idea. It wasn't my idea, it was your idea.

Tabling this bill would be an absolute insult, and I'll tell you why. One is that you should have vetted this already, as the sponsors, cosponsors of this bill. To have an interest group, to say we're going to table a bill to allow a special interest group to conduct an interview when I've already spoken to many people in the labor movement, that would be a new precedent. I don't know if that's something that you want to set as a precedent, that you would be subject -- you would say to a special interest group, *"We would like you to table this until such a time that you could be interviewed or vetted by a group."* Now, it's a group that I love. I love the labor community, and I took some very, very difficult votes in supporting them throughout the years. But if you proceed with a tabling motion and succeed, understand that I will withdraw my name. And the reason is because I think ethically, to sit in front of a group and say, *"Your appointment is dependent on how an interview or how we work out whatever issues"* -- by the way, an issue that has nothing to do with the Suffolk County IDA -- I won't participate in that.

As the Presiding Officer of the Legislature, and some know, when I was Presiding Officer, I defended this body's independence. I would never allow something like that to happen. I made sure. So why not -- if it's not that special interest group, why not another special interest group? How about -- I don't know, how about a political party? Or maybe how about the IDA; I know they're in favor. How about the organization that I represent? Maybe we should ask the Suffolk County Village Officials Association, which I'm the Executive Director of; maybe we should screen in front of them and table the motion until they get to say an interview. Do you see the road that we would be going down?

And so you have every right to say whether you want to put me in as an IDA person or not. This is something I would like to do because I love Suffolk County, and because the business community here is important to keep. We need business. Thank you very much. And thank you, Legislator D'Amaro.

### **D.P.O. HORSLEY:**

Thank you very much, Mr. Tonna.

**MR. TONNA:**

I'd be glad to answer any questions if you have them.

**D.P.O. HORSLEY:**

I believe we have some questions for you.

**MR. TONNA:**

Sure.

**D.P.O. HORSLEY:**

Sarah, Legislator Anker.

**LEG. ANKER:**

You know, we appreciate you coming here and speaking on this issue. But I have to say, you were talking about special interests, the issues with our unions, which are real important to Suffolk County, and you know, you've worked with them.

**MR. TONNA:**

Yeah, and work with them, still now.

**LEG. ANKER:**

Yes, yes. And it concerns me that you're saying if we table this for one cycle you won't do it; now that's something my 16-year old son would say when he's angry and upset. And I'm concerned with that -- with your remark, because if you're going to make a snap judgment like that, then, you know, I'm concerned, if you go on the IDA, what makes you not going to make a snap judgment down the road? Because, you know -- again, we're all mature adults here. And I don't see any problems with tabling this for one cycle, talk to the issues as far as our labor situation, because Suffolk County supports our labor, you know. We wouldn't be where we are if it wasn't for our labor and making sure there's fairness within the work situation.

But again, I'm taken aback by your remark that, you know, we're going to lose you because we're not going to vote on this tonight? I think that would be a shame, because I've heard so many wonderful things about you and your leadership abilities. But, again, I'm very concerned about your remark about, you know, leaving if we don't do what you ask us to do tonight.

**MR. TONNA:**

So are you asking a question?

**LEG. ANKER:**

Yes. The question is will you leave -- will you not accept the IDA position if we table it tonight?

**MR. TONNA:**

Yeah, I think I've already said that, absolutely. And the reason is --

**LEG. ANKER:**

Why?

**MR. TONNA:**

-- as I said before, is because I think you set a very bad precedent. When this bill was put into the place, people should have done their homework and should have found out what they feel about that. A committee process? 6-0 in a committee. There was another opportunity. And so now because a labor leader calls and says, "We want this tabled to work out an issue that has nothing to do with the IDA"; how about an issue -- you know, I know what it's like to have 16 year-olds. I

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have five teenagers right now, five, and all I would say to you -- this is not a snap judgment. I know what a snap judgment is. This is not a snap judgment. This is -- what I'm saying to you is that I am not going to be interviewed, I'm not going to be interviewed by a special interest group, okay, to say somehow then they give permission and say, "*Oh, now they can vote.*" I'm not going to bound by conversations, okay, behind the scenes conversations in any way, shape or form. All right? I'm just not going to do that.

**LEG. ANKER:**

But my concern is if you can't work it out now --

**MR. TONNA:**

Work what out?

**LEG. ANKER:**

-- whatever it is that we've worked out --

**MR. TONNA:**

But that's my point, work out what, Legislator? What? There's nothing to work out. It has nothing to do with the Suffolk County IDA. So what are we working out? You feel uncomfortable about voting it because some of your friends said, "*Please stop this*"; that's what it is. You feel uncomfortable, and I understand that and you have a right to vote any way you want.

**LEG. ANKER:**

No, I don't feel uncomfortable about that situation. I know there's some issues between you and the unions, and there are many, many unions. But my concern is you're -- what you're saying that you're not going to -- you're going to pull out of being an IDA member if we don't vote tonight.

**MR. TONNA:**

Yes.

**LEG. ANKER:**

I would like you to rethink that and come back again.

**MR. TONNA:**

No, I'm not.

**LEG. ANKER:**

You know, I admire your ability to lead in your capacity. But again, my concern is if you can't work it out in a month, then what's going to happen in the future when you're on the IDA board and, you know, things don't get worked out? I'm asking and hoping that you will sit down and speak with our unions and work -- resolve whatever it is. I don't even know exactly what it is, but I know there are issues. And I just hate to have you lose the opportunity of being on the board because I hear you're a wonderful leader in understanding our business needs.

**MR. TONNA:**

Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Legislator. Legislator Montano?

**LEG. MONTANO:**

Thank you, Mr. Horsley. I'm going to, with your permission, deviate and not necessarily ask a question, make a statement.

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Legislator Anker, I don't think that you know Mr. Tonna, but I can say very clearly that what you've requested ain't happening. If this is not an up or down vote today, Mr. Tonna will not reconsider, and I don't blame him. You know, I've served on this Legislature, Paul, as you know, I got elected in 2003, and you and I served together for your last term. I've got to say -- and I have friends in labor, don't get me wrong. I mean, you know, I'm the same -- hear the same information and all that. But I've got to say, and I don't mean this as disrespect to anyone past and present, but of all the Legislators that I've served with, you are one of the -- at the top in terms of being a class act. It was a pleasure serving with you. You are a gentleman, you are extremely knowledgeable, dedicated.

I think I remember when they were protesting your house on an issue that was important to me, and every Saturday they would come and protest and Mr. Tonna would go out there and buy donuts and coffee and give it to the protestors; is that not true? I know about your family and, you know, the undertaking and there's no way -- and I share that. If I was in your position, you know, and they wanted to table my resolution, I'd say, "*You know what? I'm not into it.*" You are a colleague. You were a colleague back in 2003, I consider you a colleague for life. I know that your integrity is above reproach.

And I normally don't make statements, I ask questions, but you have my full support and I just, you know, hope that my colleagues understand that and approve this. And it may bring some displeasure with some of my other supporters, but I think at the end of the day they'll get over that, too, because you are to me a unique individual. It was a pleasure serving with you and I hope that you get confirmed.

**MR. TONNA:**

Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Montano. Legislator Browning.

**LEG. BROWNING:**

Sure, thank you. I have to say, Mr. Tonna, this is nothing personal, because my voting to table is really, I don't know you. I have heard a lot of good things about you, however, when you were a Legislator.

And the story that Rick talked about, I heard about and I commend you for what you stand up for.

However, there was a request to table it so that you could have that conversation with the representatives from labor and resolve that issue. And it's my understanding that, you know, there is some differences of opinion. Let it come back and, you know, I'm sure that it will be confirmed next time. However, there is one issue. I know that you're affiliated with -- your Director for the Empire National Bank.

**MR. TONNA:**

Yes.

**LEG. BROWNING:**

And I'd like to know, will there be any business dealings with the IDA and the Empire National Bank?

**MR. TONNA:**

It's a great question, Legislator, and thank you. It's good to talk about IDA issues. So I would say if there was, I don't -- I'm not aware, as a Director I'm not responsible for the day-to-day operation of the bank. I'm not aware of any IDA lending that Empire National Bank did or has done. But if there is, I would do the same exact thing that I've done everywhere else; it would be an absolute conflict

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of interest and I would recuse myself. And so I actually hope to recuse myself numerous times by bringing every single group that I can off the Island, on the Island or whatever else, and let the rest of the Board vote on the merits. That's why we have recusals.

### **LEG. BROWNING:**

And I respect that. However, I can tell you I know of school boards where certain school board members have had affiliations with certain businesses and recuse themselves, however it was that buddy system. And I hate to say it, eventually it caught up with them.

### **MR. TONNA:**

That's right. And guess what?

### **LEG. BROWNING:**

But --

### **MR. TONNA:**

That's why for the 12 years I was in the Legislature, when people would give me a wink and say, *"Well, you recused yourself but, you know, what's going on?"* I would say, *"What's going on is I recused myself. I'm an interested party. Don't ask me a question."* There is not one person in the history of my public service that could ever say when I've recused myself that I've in any way, shape or form worked behind the scenes. I can't speak for school districts.

### **LEG. BROWNING:**

No, I think you've got that wrong in what I'm trying to say. And I'm not going to go further with that one, because I'm not going to get into details with it, I'll explain to you later.

And the one thing and one of the other reasons why I've requested the tabling motion is Mr. Tonna came and said that he was asked by the County Executive. That's one thing I have a problem with because this is not a County Executive appointment, this is a Legislative appointment. And I know in the past when we have had positions open on various boards, we as Legislators have caucused, we have had a number of people who have come to interview for the positions on those boards. And I don't remember being called and asked if I'd like to meet and interview with anyone who was being appointed to this board or any recommendations for this board.

And I clearly see that while it's supposedly a Legislative appointment, it's not, it's a County Executive appointment. And I think out of respect for this Legislature, if it is a Legislative appointment, let's open it up, have some interviews and pick the right person, and possibly Mr. Tonna would be the right person and I think he's got the credentials. But out of respect of the process that we've used in the seven years I've been here, this wasn't done this time and I think -- I am offended by that and I think it's improper what you're doing today.

### **D.P.O. HORSLEY:**

Okay. Let me address that one, Mr. Tonna, if I may. First of all, Kate, you're absolutely right. I addressed this in the caucus the other day, that any future appointment that's going to be -- that is a Legislative appointment will go through exactly that process in which you -- which you just detailed.

The reason -- and I don't want to get into making excuses here, but what happened was that there was a board member that left the Board, we didn't -- we didn't even know the Board member left when the County Executive approached him, but he also approached Bill Lindsay at the same time and Bill was -- Bill put it forward and that's the -- and I did that for him because Bill asked. So, that is the reason. But you're absolutely right, and in the future, that is the way it's going to happen. I promise.

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**LEG. BROWNING:**

Well, I don't see why this should not be done this time, because we've had many board positions open in the past that have been open for quite some time. And we have actually taken the time out to interview and to fill them, and I don't think we should be changing that policy today or any time and moving forward, that's what we should be doing, yes. So, I'm sorry.

**D.P.O. HORSLEY:**

Thank you for your comments. I just -- just know that I agree with you on that; for all future appointments, that will be the procedure.

**LEG. SPENCER:**

Wayne, who's next?

**D.P.O. HORSLEY:**

Oh, I'm sorry. Legislator Muratore.

**LEG. MURATORE:**

Thank you, Mr. Chairman. You know, for a lot of my colleagues here on the horseshoe, I worked with Paul on a totally different side of the horseshoe, you know, as a union leader here in Suffolk County for almost 20 years. And while Paul was on the Legislature, he helped out tremendously in labor. I know he's a labor person, he cares about labor, he cares about his community, he cares about his family.

You know, it befuddles me why sometimes Legislators attack people that come here to do good for the community or do good for the County.

And to compare them to their 16-year old children I think is terrible.

I mean, you know, Paul is a man; Paul has the right to stand up and say, "Well, you know what? I'm tired of being abused and you're either going to do it or not do it to me." And to compare you to a 16-year old I think is -- that's not the right thing to do. It's not like you sit here and not pay attention to what's really going on. And I'm not attacking any of my colleagues, but I see this not only with you, Paul. You know, you do deserve and the men and women who come before this board don't deserve that kind of treatment. And, you know, I hope my colleagues see what you're able to bring to this board, what you're going to do for the County. You are an ethical person; you tell them you're going to recuse yourself, I've seen you do that. So, you know, I hope they listen to what you've said, to some of what my other colleagues have said and not listen to what some of my other colleagues have said. So good luck, Paul. Thank you.

**MR. TONNA:**

Thank you. I will say this, Legislator Anker, my wife has accused me of the same thing over the 25 years that we've been married. So I just want you to know, I feel the love.

**LEG. ANKER:**

Okay. And again, no disrespect. I do apologize. I do have a 16-year old son and it's frustrating because, you know, these decisions, you know, these snap decisions, again, I just hate to lose you as a candidate because I know how highly qualified you are. And again, I just -- I hope there's room for reevaluating your decision.

**D.P.O. HORSLEY:**

Okay. Thank you very much. Legislator Nowick.

**LEG. NOWICK:**

I can't believe how calm you have been --

(\*Laughter\*)

-- having worked with you for so many years, because I did see a lot of temper tantrums over those years. But you have been calm, you've taken out a lot of time of your busy day. But I have to tell you something, having said that, and you know I'm a pretty calm, quiet person, but I've waited 12 years to tell this story.

When I was new and first running -- and this is why I know Paul Tonna is a labor person. I -- Paul was a Presiding Officer at the time and talked to me many times, and I was new, about the importance of labor and the importance of using labor, and you did educate me. Well, one time I guess I did something wrong, and I will never forget, I was in my car on the way to Queens or somewhere and he called me up and I was foolish enough to answer that phone call. And the words that came out of his mouth, you have no idea. And I listened and I listened. But I'm telling you this for a reason, because he cared about labor and I made a mistake. I was calm for a while and then I finally said, "Hey, I'm Sicilian, leave me alone." Well, we talked about it, it was important to him. I know -- I worked with you probably longer than anybody else on this Legislature. I do know the importance of labor to you. I assume, and you have told me, that that would be important to you into the future --

**MR. TONNA:**

Absolutely.

**LEG. NOWICK:**

-- in the IDA. I've heard the words Jerry Wolkoff, I assume you have something else in your life besides that one person?

**MR. TONNA:**

To tell you quite honestly, it's the smallest part of my work week, the smallest.

**LEG. NOWICK:**

I'm sure of that.

**MR. TONNA:**

And I developed a relationship because I thought that I would be able to help labor with somebody who didn't want to talk about labor at the time, and I think there has been a lot of progress made; maybe not enough for some people, and I can understand that. But I don't speak for Jerry Wolkoff; I speak to him, I don't speak for him.

**LEG. NOWICK:**

And I do understand and I wanted to talk to you about that at the committee meeting the other day. I don't want you to not be a part of the IDA. I know, you've also told me that you will sit down with labor, with building trades.

**MR. TONNA:**

We did yesterday.

**LEG. NOWICK:**

And make it work for Suffolk County.

**MR. TONNA:**

I did yesterday. I sat down with the head of the Building Trades, the new head that's coming in, and the head of Local 66. We had a meeting right in Sammy Chu's office. It's not like I'm afraid or wouldn't want to meet with them, I met with them. All right?

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**LEG. NOWICK:**

Well, again, thank you for your patience.

**MR. TONNA:**

And I'll have conversation after conversation.

**D.P.O. HORSLEY:**

Okay? Thank you, Legislator Nowick. Legislator Barraga.

**LEG. BARRAGA:**

Mr. Tonna, you and I have been in public life for quite a number of years.

**MR. TONNA:**

Yes.

**LEG. BARRAGA:**

But we really don't know each other, other than a handshake every once in a while. And frankly, you're better off with that kind of relationship.

*(\*Laughter\*)*

**MR. TONNA:**

I like your haircut, though. I like your haircut.

**LEG. BARRAGA:**

I have no choice any longer.

*(\*Laughter\*)*

Let me just change the format a little bit. My colleague, Sarah Anker, was talking about the question of this labor relationship, and I certainly understand your point of view and I agree with it. If we vote to approve you today, do you have any reservations whatsoever of sitting down with the labor people who want to discuss an issue with you?

**MR. TONNA:**

Absolutely not. I welcome it, which I have always welcomed.

**LEG. BARRAGA:**

All right. It's just that your position is that, you know, your name's been out there, we have to make a decision and you want us to make an up or down choice, you want it to be favorable. And if it is favorable, you're telling me right now you'll sit with whatever labor group has a problem or wants to have discussions with you to work things out.

**MR. TONNA:**

Absolutely.

**LEG. BARRAGA:**

Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Mr. Barraga. Legislator Spencer.

**LEG. SPENCER:**

Thank you. Thank you, Paul. I'm one of the newest members, now I have AI who is following me. But when I was becoming familiar with common -- the lay of the land to do my homework so that I could do this job effectively, a big part of it was to find out about labor. And my introduction to labor came from Paul Tonna. He sat down with me and had a cup of coffee in Mondays Restaurant in my district, and it was very important in terms of his history and the detail. And some of the advice that he gave me was to always be a friend and to make sure that we work and support it with our friends in labor.

I know Paul on a personal level in terms of just some of the things that he has done. He has just an amazing heart and capacity for public service. And we -- each of us here have different terms, so if I'm fortunate enough to be around, some of you will leave, hopefully due to term limits and not anything else, and you'll come back before this Legislature. And I would hope that it would be hours that you've spent here working on this Legislative board would afford you a certain amount of respect and professional courtesy that is due to Paul who is a former leader of this body. He has the credentials, he has the relationships, he has the reputation, and I respect the fact that he says, "*I want an up or down vote.*" So I will not be supporting the tabling motion. And Paul, thank you for being here and thank you for introducing me to labor.

**MR. TONNA:**

Thank you, Dr. Spencer.

**D.P.O. HORSLEY:**

Thank you very much, Legislator Spencer. Legislator Kennedy.

**LEG. KENNEDY:**

Paul.

**MR. TONNA:**

Hey, John.

**LEG. KENNEDY:**

How are you?

**MR. TONNA:**

Good.

**LEG. KENNEDY:**

When I got to serve with you, we were in the majority.

*(\*Laughter\*)*

**MR. TONNA:**

Yeah, and loving it.

**LEG. KENNEDY:**

What a long, strange road it's been.

**MR. TONNA:**

Yeah.

**LEG. NOWICK:**

I don't remember that.

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**LEG. KENNEDY:**

Yeah, you remember that. Yeah, you do. Go look it up in a book someplace.

**D.P.O. HORSLEY:**

The good life.

**LEG. KENNEDY:**

You know, I have to tell you, I know directly from what I learned from you, but much more so what I heard about what a true friend to labor you are and what the collaborations, you know, you went through with my father. And so I sense some of your frustration, but I'm also going to say to you that it's hard for me to make a decision right now, because part of what I have to do is listen to the groups that come before me. And you've offered yourself, and there's no question in my mind. As a matter of fact, the time you spend on behalf of the County is the time that you take away from all the other many things that you do, including teaching at St. Johns, which I have a fond place in my heart for. But I don't know if I can sit here and say I know better than labor, because the person that speaks on the behalf of the Nassau Suffolk Building Trades Council asks us -- asks us to facilitate the tabling. I had the highest hopes for that meeting yesterday, I really did, I knew it was going on. And what I sincerely and finally hoped at the end of it was that everybody was going to be together.

**MR. TONNA:**

But --

**LEG. KENNEDY:**

Well --

**MR. TONNA:**

Legislator Kennedy.

**LEG. KENNEDY:**

Go ahead, go ahead.

**MR. TONNA:**

But for what? I still don't understand. So all I can tell you is this, that I met with them, I will meet with anybody.

**LEG. KENNEDY:**

Yes.

**MR. TONNA:**

All right? It's ghosts and goblins. You have the carpenters, you have Local 138, you have the electrical workers, you have Local 282, you have Local 1298.

**LEG. KENNEDY:**

I know them all.

**MR. TONNA:**

You have local -- you have all of these locals coming out and saying, "*Please move this ahead, please.*" Okay?

**LEG. KENNEDY:**

Paul, it --

**MR. TONNA:**

Who -- what part of labor do you need to hear from? So one person, another person. You have to make that decision, I understand that.

**LEG. KENNEDY:**

Yes.

**MR. TONNA:**

And I respect your opportunity or your ability to make that decision. For me, though, so what's going to happen in 14 days? What is it going to be? So they're going to say, "*Oh, now we just want to show you we're powerful enough to be able to stop and table a motion? See? See who's in charge?*" Is that what the conversation is going to be?

I have no idea. I think --

**LEG. KENNEDY:**

I don't think so. Go ahead.

**MR. TONNA:**

I think up or down. If it's up, I'll meet with them at any time to address any issue. I will give them my honesty, I will not tell them something just because they want to hear it. I will follow the statute of the IDA. We had a Legislator the other day ask, could you guarantee all of these things; I went back, I asked the lawyer. You can't guarantee anything. We already have protections in the IDA, you have prevailing wage, you have prevailing wage language, you have apprenticeship language, okay, things that I put into this Legislative body for Suffolk County.

**LEG. KENNEDY:**

Approved apprenticeship language and projects above the \$5 million threshold, right.

**MR. TONNA:**

Right. Right. So all I'm saying to you is what's going to change today from tomorrow? What -- so that they could say something about Jerry Wolkoff? I stopped talking to Jerry Wolkoff a year ago about labor issues. Why? Because that's what they requested. They lost a voice. They lost a voice in being able to speak to Jerry about the importance of labor. All right? But that has nothing to do with the IDA. Why are we talking about astrology? Well, how about -- you know, how about Hurricane Sandy?

**LEG. KENNEDY:**

Paul, it's not my role to articulate on behalf of labor at all, at all. But I will tell you in the conversations that I've had with many of them, there's a basic and fundamental concern, I guess, with the process of the PLA. And that's not for you or me, that's for labor leaders to articulate, negotiate and attempt to put in place.

**MR. TONNA:**

So have you -- Legislator Kennedy, I know there's six other appointments on the IDA. Did we let labor interview those people beforehand? I don't think so.

**LEG. KENNEDY:**

Well, actually, to be candid with you, Paul, the ones that I've had most recently actually come directly from labor. As you know, Kevin Harvey, who I spoke to --

**MR. TONNA:**

Absolutely.

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**LEG. KENNEDY:**

Who is the business manager from 25 --

**MR. TONNA:**

Who, by the way, supports my nomination. Okay? So --

**LEG. KENNEDY:**

Who I had the conversation with.

**MR. TONNA:**

Right. So all I can tell you is I don't understand -- well, listen, one plus one doesn't equal two here. Okay? Let's just be honest. That's why I'm insisting from your standpoint. Table it, it's your right, but I will withdraw.

I am not going to sit there and wait for any group. Maybe next week it will be another special interest group, maybe the LIA wants to kick in. I think they sent me a letter that says supportive, I think Kevin Law said people that I'm supported, but maybe somebody's going to come up there and then we're going to table again? And then how about somebody else? This is a process in my mind that comes very close to being crazy, crazy, which, by the way, for 12 years, I had the most fun being crazy.

**LEG. KENNEDY:**

There you go. Thank you, Paul. Thank you.

**D.P.O. HORSLEY:**

Mr. Kennedy, just so you know, just for your information, that Mr. Hervey as well as Mr. {Zarcone} both are from labor, as you know, and they are on the IDA board.

**LEG. KENNEDY:**

Go figure.

**D.P.O. HORSLEY:**

It's because of the wisdom of this board.

**MR. TONNA:**

There you go.

**LEG. KENNEDY:**

Which goes to my point, Wayne, which I know Legislator Browning brought to you before. Mr. Tonna, despite the fact that he is one of us, came from one of us, did not come to us from us, he came to us from the County Executive.

**D.P.O. HORSLEY:**

Point well taken and I absolutely agree. And we will -- that shall not happen again. Let us -- Jay Schneiderman.

**LEG. SCHNEIDERMAN:**

I'll be brief.

**MR. TONNA:**

Thanks, Jay.

**LEG. SCHNEIDERMAN:**

Paul, it's good to see you. Thanks for volunteering (*laughter*).

**MR. TONNA:**

Great to be here.

**LEG. SCHNEIDERMAN:**

You know, without compensation. I appreciate that you'd be even willing to serve. You know, from this vantage point, I've got you in the foreground, I've got you in the background as well on the wall, from your time as Presiding Officer; same smile.

**MR. TONNA:**

Same hair, same hair.

**LEG. SCHNEIDERMAN:**

Same hair, the same hair. You haven't aged, time has served you well. And I know you will serve the County well in this capacity.

You know, this really -- this vote should be an up or down vote on the merits. Many of us know you. I served with you. I found that you always voted based on your conscience, what you thought was the right thing for the people you represented and for the County as a whole, and I have nothing but respect for you. I think you'll do a great job. And, you know, it's unfortunate that we're even battling this out because I would think labor would be a big fan, and in most cases it sounds like they are a fan of your candidacy for the IDA.

I think really the only pertinent question is, you know, what will you bring to the IDA? What's your vision for the IDA? Are there new directions you're planning to move it in? How will you bring your expertise and your wealth of knowledge in a way that will benefit the County?

**MR. TONNA:**

So -- and thank you, Legislator. You know, I spend a lot of time with a lot of different companies. I spend a lot of time networking. I spend a lot of time speaking on behalf of Suffolk County and Long Island as a region. It concerns me very much that we're losing our young people. It concerns me very much that we're losing companies. We saw Broad Ridge Financial Solutions, 3,000 employees in Brentwood, almost left. The Governor of Virginia went up, came up and said, "*We're going to give you such a great deal. Why would you want to pay the energy costs that you're paying*", you know, when we're stuck with nine -- \$6.9 billion worth of energy debt? "*Why would you want to do this? We could have available workforce.*" That was the thing that really spoke to me. When Rich Daly, the CEO of Broad Ridge Financial Solutions, came to me, he said, "*Paul, we need help or we're going. We're going. And we need people -- we need people like you to be our eyes and ears. Help me with Suffolk County,*" which I think I was. We got to Bellone's economic development team and I think they had a good result, keeping 3,000 jobs here.

That was the start of, I think, a conversation to say how can I help? So that's -- this is about retaining jobs and bringing new jobs so that labor could work, so that men and women could work, so that they can get good pay and good benefits. This is what -- this is what it's about. We've hit an iceberg. Long Island has hit an iceberg. Sometimes I feel like we're rearranging deck chairs on the Titanic and we're talking about things. We are, right now, our people, as you know in your own districts, you see it. It used to be the bottom quarter of Long Island, now it's the bottom third; and after Hurricane Sandy, it might even be more. We need people to advocate for business on Long Island.

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So all I can tell you is there's great passion there for this. I'm willing to take time out of my schedule. And again, just like Legislator Anker, I know what it's like to have a 16-year old, so -- and a few of them, actually. So, you know, to take away time from them, it puts that much more burden on their mother, all I can tell you is I'm willing to do that to make sure that Suffolk County, that maybe some of these kids will actually stay here and live and work here instead of me catching frequent flier miles to find my children a couple of years from now. That's why I'm doing this. Thank you.

### **D.P.O. HORSLEY:**

Thank you very much. Legislator Gregory.

### **LEG. GREGORY:**

Thank you, Mr. Chair. When I first saw the appointment of the former Presiding Officer and County Legislator, Paul Tonna, I have to admit, I was really excited. I think Paul is very intelligent, affable, gregarious, funny and an extremely capable appointment. But I have to admit that I do have some concerns, and some of them have been mentioned before.

This is technically a Legislative appointment. We had foregone our interview process -- which my predecessor used to put in place, if not the Presiding Officer -- of screening and interviewing Legislative appointments, we didn't do that. We did address that in the caucus last Friday, so I don't have any concerns going forward. But even after that, I had concerns with the building trades. I spoke to Jim Castellane myself, I spoke to Roger Clayman, they had concerns. I don't know exactly, I know part of it has to do with his -- with Mr. Tonna's affiliation with Wolkoff and there's some other concerns;

I don't know, that's between them. But I trust -- I have a good relationship with the Building Trades and the Long Island Fed, and if they tell me that we have an issue with Mr. Tonna, I respect that, as I respect, you know, what they tell me. I have no reason, with the history I have with them, to question that. It's unfortunate that, as Legislators, we're put in this position, whatever the issue actually really is.

### **MR. TONNA:**

Good to find out. I don't know either.

### **LEG. GREGORY:**

But lastly, I know, Paul, you had said that, you know, you will withdraw your name if the bill would be tabled.

### **MR. TONNA:**

Absolutely.

### **LEG. GREGORY:**

You would be offended. Quite frankly, I'm offended. I'm offended that as a former County Legislator, as a former Presiding Officer, you are fully aware of the proper protocols of any appointment. I've spoken to several of my colleagues, I've spoken to several people outside of my colleagues that are familiar with this appointment, that you have reached out for their support, and they have intimated to me that, you know, that you brought up my name. So I'm sure that you're aware of who I am, and I know you know that.

### **MR. TONNA:**

Well, I think we ran against each other.

**LEG. GREGORY:**

Right, and you know that. So as a Legislative appointment and as a former Presiding Officer, and as a current County Legislator and the Majority Leader, I would have expected a phone call from you, I didn't get that. So I can't support your appointment simply for that reason. No personal disrespect, but I'm offended that I feel like you felt, *"Well, I have the votes. I don't need his support."* So how can I give you something that you didn't ask for?

**MR. TONNA:**

Well, I find that very hard to believe that -- why didn't you reach out to me? It's your -- it's your body's appointment.

**LEG. GREGORY:**

That's exactly my -- see, that's the wrong attitude. You're the appointment; why should I contact you for a position that you're seeking? That's not how it --

**MR. TONNA:**

No, no, no, no.

**LEG. GREGORY:**

That's not how it's done.

**MR. TONNA:**

So we'll see it two different ways. I think I was asked to do this job. Okay? I was asked to do this job. And so to tell you quite honestly, Legislator Gregory, there is never any disrespect. I have respect for you. I think you're a great guy. I thought you were a great guy when you ran against me.

**LEG. GREGORY:**

Right.

**MR. TONNA:**

Right? And that's what I told everybody when I was running. The truth is is that I don't know how -- I don't know what -- first of all, the Long Island Fed never talked to me, not once. Nobody from the Long Island Federation ever had a conversation with me and said, "We have a problem." I heard Roger Clayman today talking to people, my friend Roger Clayman who I love. And Roger, we'll disagree about a thousand things, but I still love ya, even though you're a Cincinnati fan. I love his Executive Director, John {Durso}. I would consider him one of my very good friends. We might disagree. It's a tough time right now. Labor is in a tough situation. You know, things are changing. The economy is retooling in different ways. There needs to be change. Work rules are changing. The way that they consider themselves and to stay competitive, the way that they're asking about their value proposition on construction jobs and in municipalities and everywhere else; it's a tough time for labor, there is no doubt about that.

And so sometimes very good friends might have disagreements. But literally, the Long Island Federation, nobody from the Long Island Federation ever said that they had a problem with me. None of them called me. So if you would like me to call you in the future, I'd be glad to call you in the future. I thought if you had a problem, you would call me; you're telling me that's not the right attitude. I don't know, I'm told I'm a 16-year old, I'm told I don't have the right attitude. I'm going to take it home, talk to my wife about it; I might -- I still have psych benefits, I might go for some counseling.

*(\*Laughter\*)*

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Okay? Clearly that might be the best thing. But with that all said --

**LEG. GREGORY:**

But my point is you've made the effort to reach out to other Legislators. I would think, as the Majority Leader and also as a Legislator, you would make the same effort to reach out to me.

**MR. TONNA:**

Well, I thought that the --

**LEG. GREGORY:**

You didn't do that.

**MR. TONNA:**

I thought the Presiding Officer told me that he was reaching out; and to tell you quite honestly, that was good enough for me. If I have a personal relationship with other Legislators, I guess, you know, I don't know, I guess there was some breach in protocol that way. I'm sorry that you see it that way, but there was no disrespect meant.

**D.P.O. HORSLEY:**

Okay? All right. Thank you, Legislator. Legislator Stern.

**LEG. STERN:**

Thank you, and welcome.

**MR. TONNA:**

Thank you. I feel welcome (*Laughter*).

**LEG. STERN:**

Yeah. I just wanted, Paul, to say thank you. Thank you for what is clearly a continued commitment to our community, to your community, for all that you continue to do on so many different levels, whether it's a business perspective, whether it's a charitable perspective, a true leader that you remain within our community. You do not hold an official title, but you remain the Honorable Paul Tonna. And so I appreciate you being with us today. I appreciate your comments and your assurances that you'll continue to work with labor.

**MR. TONNA:**

Absolutely.

**LEG. STERN:**

I don't think that any of us have any reason to doubt that. And I also respect your request to us this evening for up or down.

**MR. TONNA:**

Thank you, Sir.

**D.P.O. HORSLEY:**

Legislator Hahn.

**LEG. HAHN:**

Hello, Paul.

**MR. TONNA:**

Hey, Kara.

**LEG. HAHN:**

And I, too, want to thank you for being here. Thank you for wanting to do this for Long Island, for Suffolk County. Again, as a social worker, I appreciate all of your work for various constituencies over the years. The issues you've championed are important to me, I respect you for that.

You know, you talked about the Governor of Virginia coming up here to steal our companies and our businesses and take them back to Virginia, and every single one of us is devastated by the thought of that happening and it is of great concern to us. But I would think of equal importance is when workers from Virginia and North Carolina come up here and send the paychecks home and they steal our jobs --

**MR. TONNA:**

Absolutely.

**LEG. HAHN:**

-- that should be going to our local residents and our local workforce.

**MR. TONNA:**

Absolutely. I couldn't agree with you more.

**LEG. HAHN:**

And so the question -- you referred to the question that I believe I asked in committee, and I think what I was getting at was, you know, what can you do as a member of the IDA to assure me -- I don't know if I said guarantee, but if I did, you know -- that we won't be spending taxpayer dollars on jobs to workers from North Carolina or Virginia or wherever they're coming from, getting paid, you know, ways to the bottom, getting paid -- our middle class is suffering, our workforce, our labor movement is what brought the middle class to where it should be and it needs to grow. So I'm really just frustrated by where we're at and I look forward to your answer.

**MR. TONNA:**

Great. So, Legislator Hahn, there is not a week that goes by that somebody in the labor community, a labor contractor, a labor union, that's why there was were many out in support, that doesn't come to me and say, *"Paul, could you help us out? We can't believe it. There's a van-full of guys from Connecticut who are showing up on a job site. Can you talk to a local municipality? Can you see what's going on here or there?"* *"Hey, Paul, I need to meet the head of this construction company. They won't return my call because we've had some history of disagreements, but I know you know them. Could you talk to them?"* *"Absolutely, no problem."* I sit at a diner and I say, *"Guys, this union, this union wants to work. They've found a thousand different ways to up their value proposition. You need to look at them,"* and we strategize. I've been doing that for years. I do it more than any other time.

Many of -- many of the stuff, many of the things that I do is exactly that. I have no interest in seeing a worker off of Long Island coming here. Now, can I legally do that? I'm not a lawyer. I would ask, there are two labor people on the IDA; if they can't figure out how to obligate somebody, clearly there's a reason. So what I would say to you is I'm against it 100%.

Look, when we did financial impact statements on all building projects, you always go back and say, *"Well, if you're working in the area, you're going to spend your sales tax and you're going to get it back."* Who would want somebody from Virginia to be able to -- or Connecticut or New Jersey? I fought that with two college buildings in the last year. I said, *"Why are you hiring a GC off of Long Island when union construction companies, E.W. Howell, okay, {Seeman} Electric, DeFazio Electric, Parr Plumbing. When they all come to me and say, "Paul," all union, 100% union. When they come to me and they say, "Paul, could you talk to the head of that college and say why are they picking*

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somebody -- and by the way, they're bringing subs from New Jersey. That's not right.

And so I can tell you this. I've always advocated for it, I will continue to advocate for Long Island labor, for the Long Island Building Trades, for the Long Island Federation of Labor, for every working man and woman and every single -- I haven't changed. I haven't changed. I have the same amount of hair that I had there and I have the same moral fiber, the same passion for working people that I did then.

**LEG. HAHN:**

So what do you know -- when the vote comes before the IDA, what do you know about the project and how it will be built? I mean, you know --

**MR. TONNA:**

Well, I'm told --

**LEG. HAHN:**

How much do you know about, you know, what trades are they using or not using or da, da, da, da? The point of the IDA approval.

**MR. TONNA:**

Right. From what I'm told, from what I'm told is that there are -- there are certain things that give an advantage for union labor. Those things -- again, there are issues with apprenticeship language. By the way, the IDA has apprenticeship language. They took the language that I put in place in this body years ago, first municipality on -- or the second, Oyster Bay did it and then we did it, okay. So there are protections. But more importantly, it is the opportunity to be able to set up meetings to say, "*Hey, look.*" I work with a lot of unions that say, "Paul, I need is an opportunity to come in and to sell -- to resell our value proposition." We don't have these work rules anymore. We don't have this anymore. Now we're able to play with the journeymen apprenticeship mix and whatever else. Now, you know what? We don't have the extra half hour here or the hour there. We don't have the guy anymore, those days are gone, with the guy sitting in the lawn chair ready to pull something, those things are gone. We need to tell these people that and we need to show them that we can bring a job on time with quality. And we talked about pace of project. Sometimes you're willing to pay a little more on a dollar wage. Why? Because you know it's going to get done faster and more professionally in a higher quality; that's what labor brings to the table. And so I will be an advocate of that, as I have always been an advocate. And if I go up or down, I'd still be an advocate of that because the calls will still be coming to me.

**D.P.O. HORSLEY:**

Okay. Kara? All right, I think we're done. I just --

**LEG. D'AMARO:**

Wait a minute.

**D.P.O. HORSLEY:**

Ah, I knew you'd weigh in sometime, Lou. All right, Lou D'Amaro.

**LEG. D'AMARO:**

Yeah. Paul, I didn't serve with you, but I succeeded you, and now I'm proud to have you as my constituent. However, I just want to tell my colleagues in the Legislature here that to this day, when I talk to our constituents, they rave about your representation, your integrity, your honesty, your ability, your business expertise, your experience, your background, your character. Not one negative comment in the seven, going on eight years that I've been representing your district and my district. That to me speaks volumes about you, because those are the folks, the middle class

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folks out in that district who are working day-to-day, working hard, getting up every morning, going to work trying to raise their kids, put them through college, put food on the table, and they know your character and know who you are. So when you come in here and say to this body that you are always going to give labor the access, the seat at the table and the cooperation, I believe you 100%, and I have no reason to ever doubt that.

With that said, I just wanted to ask you a little bit more about the IDA and, you know, what tools do we have at our disposal, what arguments are we going to be making to businesses to bring them here, but it's all been asked and answered. It's already been done, we don't need to go through it again. You also spoke at length about this in the committee, and you were extremely meticulous and detailed in exactly how, as a member of the IDA, you would be advocating for Suffolk County, you would be bringing business here.

Now, I just want to say, also, I know that this whole issue is floating out there with labor, and I agree with you that it is not specific to the Suffolk County IDA. But what I will say is that I know you're a friend of labor, I know I'm a friend of labor. I know that they are our workforce, I know they represent our middle class, the backbone of every single community that all of us represent here. And I am completely confident that you are going to meet with them and work out what you need to work out. And for that, I am truly proud to support you today.

**MR. TONNA:**

Thank you. Thank you, Lou.

**LEG. D'AMARO:**

Thank you.

**D.P.O. HORSLEY:**

Thank you very much, Mr. D'Amaro. And let me just -- one more comment. It is absolutely refreshing, Paul, refreshing to hear somebody talk about economic development the way you talk about economic development.

**MR. TONNA:**

Thank you.

**D.P.O. HORSLEY:**

It's the way sometimes I wind myself up, and I appreciate your essence.

**MR. TONNA:**

Thank you.

**D.P.O. HORSLEY:**

It's good for all of us and good for Long Island, and that kind of talk is smart talk.

**MR. TONNA:**

Thank you.

**D.P.O. HORSLEY:**

Anyway. So let us -- I think that's all the requests I have to ask questions of Mr. Tonna. I have two motions; I have a motion to table and a motion to approve. The motion to table comes first. Mr. Clerk, roll call on the table motion.

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

**LEG. ANKER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SPENCER:**

No.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. GREGORY:**

Yes.

**LEG. NOWICK:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MONTANO:**

Absolutely not.

**LEG. CALARCO:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

No.

**LEG. SCHNEIDERMAN:**

No to table.

**LEG. KRUPSKI:**

Yes.

**D.P.O. HORSLEY:**

No.

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**P.O. LINDSAY:**

(Absent).

**MR. LAUBE:**

Seven (In favor: Legislators Anker, Browning, Gregory, Kennedy, Calarco, Hahn & Krupski - Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Okay. The motion to table fails. The motion to approve, roll call.

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

**LEG. D'AMARO:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. STERN:**

Yes.

**LEG. GREGORY:**

Abstain.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Abstain.

**LEG. CILMI:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. CALARCO:**

Pass.

**LEG. ANKER:**

No.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

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**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. HORSLEY:**

Yes.

**P.O. LINDSAY:**

(Absent).

**LEG. CALARCO:**

Abstain.

**MR. LAUBE:**

Twelve (Opposed: Legislators Anker & Browning - Abstention: Legislators Gregory, Kennedy & Calarco - Absent: Presiding Officer Lindsay).

**MR. TONNA:**

Thank you very much.

**D.P.O. HORSLEY:**

It passes.

**MR. TONNA:**

And every single Legislator, if you ever have any question about the IDA, give me a call. Thank you.

**D.P.O. HORSLEY:**

All righty. We can all sigh a breath.

*(\*The following testimony was taken & transcribed by  
Lucia Braaten - Court Reporter\*)*

*I'm sorry. I believe we are on the Resolutions that were tabled to February 5th, 2013:*

We're about halfway down the page; 1935, is that correct?

**MR. LAUBE:**

That's what I have.

**D.P.O. HORSLEY:**

Very good.

All right, *1935-12 - Adopting Local Law No. -2013, A Local Law to safeguard employees displaced by privatization (Browning).*

Legislator Browning?

**LEG. BROWNING:**

Still working on some new language and I'll table it at this time.

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**D.P.O. HORSLEY:**

Okay, there's a motion to table. Is there a second on the table?

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1952-12 - Approving the reappointment of David K. Parkinson as a member of the Suffolk County Board of Health (Presiding Officer Lindsay).***

**LEG. SPENCER:**

Motion to table.

**D.P.O. HORSLEY:**

Motion to table by Doc Spencer.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***2108-12 - Studying the preservation of sensitive properties damaged by Hurricane Sandy (Browning).*** Legislator Browning? Where did she go?

**LEG. CALARCO:**

Legislator Browning?

**D.P.O. HORSLEY:**

Oh, studying the preservation of sensitive properties damaged by hurricane --

**LEG. BROWNING:**

Table.

**D.P.O. HORSLEY:**

Table?

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

Motion to table. Seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Muratore/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thank you.

***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).***

**LEG. ANKER:**

Motion to approve.

**D.P.O. HORSLEY:**

Motion to approve by Legislator Anker. Second by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Muratore/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***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).***

**LEG. ANKER:**

Motion to approve.

**D.P.O. HORSLEY:**

Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Muratore/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

**Introductory Resolutions:**

***2227-12 - Resolution of the Legislature of the County of Suffolk, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, commercial solar energy systems equipment and installation services from State sales and compensating use taxes pursuant to Subdivision (hh) of Section 1115 of the New York Tax Law, pursuant to Article 29 of the Tax Law of the State of New York (Anker).***

**LEG. ANKER:**

Motion to approve.

**D.P.O. HORSLEY:**

Motion to approve by Legislator Anker. Is there a second on the motion?

**LEG. KRUPSKI:**

*(Raised hand).*

**D.P.O. HORSLEY:**

Legislator Krupski seconds the motion. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Muratore/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*1007-13 - Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer.*

**LEG. SCHNEIDERMAN:**

Tim, add me as a cosponsor.

**MS. ORTIZ:**

Gotcha.

**D.P.O. HORSLEY:**

Okay. We're good? Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer.

**LEG. D'AMARO:**

Motion.

**D.P.O. HORSLEY:**

I'm sorry, who said that?

**MR. NOLAN:**

D'Amaro.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Muratore/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

We have done 1018.

We're now down to 10 -- *1841-13* on *Environment, Planning & Agriculture*. *Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Tuccio property – Town of Southampton) (SCTM No. 0900-248.00-01.00-110.003) (County Executive).*

**LEG. HAHN:**

Motion to table.

**D.P.O. HORSLEY:**

Motion to table by Legislator Hahn. Seconded by Legislator Gregory. All those in favor? Opposed? So moved, it has been tabled.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*2234-12 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - Open Space component - for the Janet W. Krudop and Myron Kaplan property - North Fork Preserve III Town of Riverhead - (SCTM Nos. 0600-021.00-01.00-004.002, 0600-021.00-01.00-004.003 and 0600-021.00-01.00-004.004) (County Executive).*

**LEG. KRUPSKI:**

So moved.

**D.P.O. HORSLEY:**

Legislator Krupski motions to approve. Is there a second on it?

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thank you.

2235 has already been handled.

*1008-13 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - open space component - for the Kramer property - Mastic/Shirley conservation area - Town of Brookhaven - Village of Mastic Beach – (SCTM No. 0209-036.00-03.00-037.000) (County Executive).*

**LEG. BROWNING:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Browning.

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*1009-13 - Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program and appropriating funds in connection with an evaluation of innovative/alternative sewage disposal systems to remediate water quality in Suffolk County (CP 8710) (County Executive).*

**LEG. HAHN:**

Motion to approve.

**D.P.O. HORSLEY:**

Motion to approve by Legislator Hahn. I'll second the motion.

**LEG. KENNEDY:**

On the motion.

**D.P.O. HORSLEY:**

Yes. On the motion, we have Mr. Kennedy.

**LEG. KENNEDY:**

Two questions. One, did this get approved by the Water Quality Review Committee?

**LEG. HAHN:**

Yes.

**LEG. KENNEDY:**

And how much do we have? What's at stake on this one?

**LEG. HAHN:**

This was approved in the committee, and this is part of our, you know, annual project group.

**LEG. KENNEDY:**

But how much? What's the --

**MR. NOLAN:**

Three hundred and three thousand.

**LEG. KENNEDY:**

Three hundred and three?

**MR. NOLAN:**

(Nodded yes).

**LEG. KENNEDY:**

And this is to study alternative sewage disposal systems?

**D.P.O. HORSLEY:**

That's correct we have Mr. Dawydiak here, if you'd like to speak to him, John.

**LEG. KENNEDY:**

Well, I --

**D.P.O. HORSLEY:**

He's been here all day waiting for this, his moment in the sun.

**LEG. KENNEDY:**

Walter, what is this going to do? Is this the small stuff?

**D.P.O. HORSLEY:**

You've got to come up, Walter, to say yes or no.

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**LEG. KENNEDY:**

Is this those small systems we've been talking about?

**MR. DAWYDIAK:**

Yes, Legislator Kennedy. The primary technology that we're going to be looking at here are the small systems for individual single-family residences.

**LEG. KENNEDY:**

Where there's clusters of single-family residences?

**MR. DAWYDIAK:**

The goal at the end of this project is to have a map of the County, pulling together the various information sources and studies from the Department of Public Works, large sewerage to cluster, decentralize to small systems to come up with a strategy to protect environmental health, while promoting economic development.

**LEG. KENNEDY:**

Are we doing the work in-house or are we putting it out?

**MR. DAWYDIAK:**

This will likely go out through a request for proposal for a contract.

**LEG. KENNEDY:**

Okay, fine. All right. Thank you.

**D.P.O. HORSLEY:**

Okay? Are we good? We have a motion to approve. All those -- and seconded. All those in favor? Opposed? So moved. Fourteen, amending --

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thirteen, amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with the Village of Sag Harbor Havens Beach stormwater remediation.

**LEG. SCHNEIDERMAN:**

Motion to approve.

**LEG. KRUPSKI:**

Second.

**MR. NOLAN:**

You're mixing them. You're mixing them.

**LEG. CILMI:**

He read the wrong one.

**MR. NOLAN:**

You ended wrong. 1013 we're doing.

**D.P.O. HORSLEY:**

Oh, I'm sorry. All right. Let me retract. I apparently screwed up, I'm sorry. Amending the adopted -- this is **1013**. I thought I already had that approved. ***Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with a Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary (CP 8710) (Co. Exec.)***

**LEG. SCHNEIDERMAN:**

Motion.

**D.P.O. HORSLEY:**

That is different. I have a motion by Legislator Schneiderman. Seconded by?

**LEG. KRUPSKI:**

(Raised hand).

**D.P.O. HORSLEY:**

Legislator Krupski.

**LEG. KENNEDY:**

On the motion with this one.

**D.P.O. HORSLEY:**

On the motion.

**LEG. KENNEDY:**

And through the Chair to Walter Dawydiak again. How much and how does this differ from the previous one? I mean, waste water is waste water. Why does it make a difference if we're proximate to the Peconic or, you know, in the Pine Barrens?

**MR. DAWYDIAK:**

Walter Dawydiak, Acting Director of Environmental Quality. Thank you, Legislator Kennedy.

This project was actually sponsored by Peconic Green Growth, which is a nonprofit. They're matching 50% of the Quarter Percent Grant to do an Early Action Pilot Demonstration Project. This project works in cooperation with our Regional Planning Study. At the end of the day, the Health Department is going to have a report that outlines the costs and benefits of these different alternatives. This project is designed to identify suitable communities with the focus on the Peconic Estuary watershed, where cluster decentralized systems can be installed to retrofit existing development, as well as potentially accommodate new growth.

**LEG. KENNEDY:**

How much do we have in it?

**MR. DAWYDIAK:**

I don't have this one in front of me.

**MR. NOLAN:**

Ninety thousand.

**MR. DAWYDIAK:**

I believe it was around --

**LEG. KENNEDY:**

We're 90, and they're matching for a total of 180.

**MR. DAWYDIAK:**

Correct.

**LEG. KENNEDY:**

And it was approved by the Water Quality Committee?

**MR. DAWYDIAK:**

Correct.

**MR. NOLAN:**

It was.

**LEG. KENNEDY:**

All right. Thank you.

**D.P.O. HORSLEY:**

Sarah, is there anything else you want to add?

**MS. LANSDALE:**

I think the question was answered, it's 90,000, which was -- and it was approved by the Water Quality Committee.

**LEG. KENNEDY:**

Thank you.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1014 - Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with Village of Sag Harbor Havens Beach stormwater remediation (CP 8240) Co. Exec.***. I am back to that one. Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion to approve.

**D.P.O. HORSLEY:**

Still good on that one, huh? Okay. Legislator Krupski, you're good as well. He seconds the motion. All those favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1015 - Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and***

*appropriating funds in connection with the project for Monitoring Tidal Water Elevation and Water Quality to Assess the Tidal Wetland Loss in Flax Pond and embayments of the Long Island Sound, New York (CP 8710) (Co. Exec.).*

**LEG. HAHN:**

Motion.

**D.P.O. HORSLEY:**

I'm sorry. Kara, did you say that? Legislator Hahn makes the motion.

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**GOVERNMENT OPERATIONS, PERSONNEL, HOUSING AND CONSUMER PROTECTION**

**D.P.O. HORSLEY:**

Thank you. *2248, Government Operations, Updating standard work day and reporting for elected officials (Presiding Officer).*

**LEG. SPENCER:**

Motion to table, please.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

Legislator Spencer makes a motion to table, seconded by -- I'm sorry, Mr. D'Amaro.

**LEG. SPENCER:**

On the motion.

**D.P.O. HORSLEY:**

Okay. On the motion.

**LEG. SPENCER:**

There's some miscalculations in terms of the understanding of my office calculating the numbers that were submitted, and we are resubmitting them to address that. So I just need a cycle to address that issue.

**D.P.O. HORSLEY:**

Okay. We have the motion to table. All those in favor? Opposed?

**LEG. SPENCER:**

Thank you.

**D.P.O. HORSLEY:**

So moved, it has been tabled.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1000 - Reappointing Joseph S. Dujmic as a member of the Suffolk County Vanderbilt Museum Commission, Trustee (No. 13) (Spencer).***

**LEG. SPENCER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**D.P.O. HORSLEY:**

Legislator Spencer makes the motion to approve; Legislator D'Amaro seconds the motion. He was at the committee. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**PUBLIC WORKS AND TRANSPORTATION**

**D.P.O. HORSLEY:**

Public Works: ***2238 - Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 182.00 Block 01.00 Lot 011.004 for sewage pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h (Co. Exec.).*** Motion by Legislator Nowick, and seconded by Legislator Kennedy. Are we good? All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

All right. ***2239 - Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 185.00 Block 01.00 Lot 041.000 for sewage pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h (Co. Exec.).*** It Sounded like the same thing.

**LEG. KENNEDY:**

Same motion.

**D.P.O. HORSLEY:**

Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***1011 - Rescinding Adopted Resolution No. 768-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the***

*acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road from Ruch Lane to Chapel Lane, Town of Southold (Suffolk County, New York) (CP 5526, Phase II) (Co. Exec.). Mr. Krupski?*

**LEG. KRUPSKI:**

Approve.

**LEG. SCHNEIDERMAN:**

Second.

**D.P.O. HORSLEY:**

Makes a motion to approve, second by -- I'm sorry. Legislator Hahn, was that? Legislator Schneiderman. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thank you. *1012 - Rescinding Adopted Resolution No. 765-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold (Suffolk County, New York) (CP 5526, Phase III) (Co. Exec.).*

**LEG. KRUPSKI:**

So moved.

**D.P.O. HORSLEY:**

So moved by Legislator Krupski.

**LEG. SCHNEIDERMAN:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*1017 - to create a task force to enhance the County's Procurement Process (Gregory).*

**LEG. GREGORY:**

Motion.

**LEG. SPENCER:**

Second.

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**D.P.O. HORSLEY:**

Motion to approve by Legislator Gregory, seconded by Legislator Spencer. Are we good? All those in --

**LEG. CILMI:**

On the motion.

**D.P.O. HORSLEY:**

On the motion.

**LEG. CILMI:**

I just was wondering what the County Executive's opinion on this bill is.

**MR. NOLAN:**

Double thumbs up, Tom.

**LEG. D'AMARO:**

Say I don't know.

(\*Laughter\*)

**LEG. KENNEDY:**

Yo no sabe.

**MR. VAUGHN:**

No. We would support this bill.

**LEG. CILMI:**

That's all I need. Thanks.

(\*Laughter\*)

**D.P.O. HORSLEY:**

I'm glad we got that straight. Okay. We have a motion to approve. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**WAYS AND MEANS**

**D.P.O. HORSLEY:**

All right. Ways and Means. That's funny, Tom. ***2181 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert I. Toussie (SCTM No. 0200-167.00-03.00-020.000) (Co. Exec.).***

**LEG. D'AMARO:**

Motion.

**D.P.O. HORSLEY:**

I'm sorry. Who said that? Legislator D'Amaro, second by Legislator Stern.

**LEG. BROWNING:**

On the motion.

**D.P.O. HORSLEY:**

On the motion.

**LEG. BROWNING:**

Can -- is there anybody here to tell us where this piece of property is?

**LEG. KENNEDY:**

Somewhere in Brookhaven.

**LEG. BROWNING:**

Yeah, I know, that's why I'm asking.

**LEG. ANKER:**

Miller Place.

**D.P.O. HORSLEY:**

You guys all right?

**LEG. BROWNING:**

No. I'd like to know where this piece of property is.

**D.P.O. HORSLEY:**

Mr. Vaughn, do you have any idea where this property is?

**MR. VAUGHN:**

Yes, sir, I do.

**D.P.O. HORSLEY:**

Okay.

**MR. VAUGHN:**

This property is part of the Delea Sod Farm. It is actually part -- it is actually similar to two of the earlier parcels that were approved tonight. There are many, many parcels that actually make up the Delea Sod Farm. And in anticipation of these questions, I actually have a map, if you'd like to see it, Legislator Browning.

**LEG. BROWNING:**

Yeah. Delea Sod Farm where, in Mount Sinai? Well, it's the name. It's in the name. I can make it easy and just vote no.

**LEG. CALARCO:**

All of the other resolutions are to the same individual and it's the Delea Sod Farm ownership, and this one is not, and I guess that's what's rising the question here.

**MR. VAUGHN:**

Sure. So, if we wouldn't mind, the maps show that there are approximately 75 owners that make up the Delea Sod Farm, which is why Mr. Toussie is eligible to purchase this property, because it's a Local Law 13 and he's an adjacent owner. There are planning steps that were adopted in 2008 to have one owner eventually purchase all of this, and if that does ever happen, we will -- there's a possibility that we would move to try and acquire it. But we are getting -- we want these properties

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back on the tax rolls. The properties are being utilized right now, they're being farmed right now. We are not going to go out and put a snow fence around on the property and say, "You can't farm on this property," but we would like it -- we would like it back on the tax rolls.

**LEG. BROWNING:**

Okay. But I guess having the Gordon Heights community in my -- not for much longer. Call the vote and I'll take my vote.

**D.P.O. HORSLEY:**

Okay. We have a motion to approve; is that correct, Mr. Clerk?

**MR. LAUBE:**

That's correct.

**D.P.O. HORSLEY:**

Okay. All those in favor? Opposed?

**LEG. BROWNING:**

Opposed.

**LEG. CALARCO:**

(Raised hand).

**D.P.O. HORSLEY:**

Okay. We're good?

**MR. LAUBE:**

Thirteen.

**D.P.O. HORSLEY:**

Thank you. The motion is approved.

***2182 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Lawrence C. Schulz, Jr. (SCTM No. 0209-030.00-02.00-022.000).*** Do I have a motion on this?

**LEG. BROWNING:**

I'll make the motion.

**D.P.O. HORSLEY:**

Okay. Motion by Legislator Browning. Seconded by?

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

All right. *2185 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Myron A. Hauptman and Ralph Delea, Trustees (SCTM No. 0200-188.00-03.00-029.000) (Co. Exec.).*

**LEG. ANKER:**

Motion to approve.

**D.P.O. HORSLEY:**

Motion to approve by Legislator Anker, seconded by Legislator Hahn. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

All right. Last page. *2186 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Myron A. Hauptman and Ralph Delea, Trustees (SCTM No. 0200-167.00-04.00-025.000) (Co. Exec.).*

**LEG. KRUPSKI:**

So moved.

**D.P.O. HORSLEY:**

So moved by Legislator Krupski.

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*2236 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 William J. Duffy and Elizabeth T. Duffy, his wife (SCTM No. 0100-041.00-01.00-018.000) (Co. Exec.).* Anybody?

**LEG. ANKER:**

Motion to approved.

**D.P.O. HORSLEY:**

Motion to approve by Legislator Anker, seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*2237 - Authorizing the transfer of certain property to Suffolk County Department of Public Works (Co. Exec.).* Motion on this?

**LEG. CALARCO:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Calarco, seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***2240 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-047.00-05.00-005.000). (Co. Exec.).***

**LEG. CALARCO:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Calarco, second by Legislator Anker. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

Thank you. ***2241 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Waterways Development Corporation (SCTM No. 200-854.00-04.00-002.089) (Co. Exec.).***

**LEG. CALARCO:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Calarco, seconded by Legislator Browning. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***2245 - Sale of County-owned real estate pursuant to Local Law 13-1976 Craig Savino and Annette Savino, husband and wife (SCTM No. 0500-030.00-01.00-008.000) (Co. Exec.).***

You guys good? Legislator Krupski makes the motion, seconded by Legislator Anker. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

***2247 - Authorizing the sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law to the Town of East Hampton (SCTM Nos. 0300-058.00-08.00-005.000, 0300-058.00-08.00-006.001 and 0300-058.00-08.00-006.002) (Schneiderman).***

**LEG. SCHNEIDERMAN:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Schneiderman, second by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Muratore and Montano/Absent: Presiding Officer Lindsay).

**D.P.O. HORSLEY:**

*2254 - Accepting the donation of certain underwater land and transferring such land to the Suffolk County Department of Economic Development and Planning for aquaculture purposes (Schneiderman).* Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

I need to table this actually one cycle, there's some title issues.

**LEG. CALARCO:**

Second.

**D.P.O. HORSLEY:**

Okay. Second by Legislator Calarco. All those in favor to table? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Muratore/Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Thank you. *1010 - Authorizing execution of Intermunicipal Agreements pursuant to §§ 119-o with the Towns, Villages and Municipal Corporations and Districts of Suffolk County for mutual aid as a result of Hurricane Sandy (Co. Exec.).*

**LEG. D'AMARO:**

Motion to approve.

**D.P.O. HORSLEY:**

Legislator D'Amaro makes the motion to approve.

**LEG. ANKER:**

Second.

**D.P.O. HORSLEY:**

Second by Legislator Anker.

**LEG. MONTANO:**

Quick question.

**D.P.O. HORSLEY:**

On the motion.

**LEG. MONTANO:**

Yeah. What towns are we talking about, villages, all of them? Who said that?

**D.P.O. HORSLEY:**

I didn't hear it. Anyone know?

**LEG. D'AMARO:**

In committee, when this came up, through the Chair, Legislator Montano, we did not get specifics as to which towns or villages. But my understanding is that to the extent the County has extended any assistance or aid, in order to get the Federal FEMA reimbursement, we need to have this agreement in place.

**LEG. MONTANO:**

Right, okay.

**LEG. D'AMARO:**

But I don't know the specifics.

**LEG. MONTANO:**

But it probably includes the Town of Islip also, right?

**D.P.O. HORSLEY:**

I'm sure.

**MR. NOLAN:**

Yeah.

**LEG. D'AMARO:**

I was told that it was for any and all municipalities that we -- or jurisdictions that we had extended aid to.

**LEG. MONTANO:**

Thank you.

**LEG. D'AMARO:**

So I would assume so, yes.

**LEG. MONTANO:**

Thank you.

**D.P.O. HORSLEY:**

Very good. Okay. We have a motion to approve. All those in favor? Opposed? So moved. **1019** --

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Muratore/Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Thank you. **(1019) Appointing member to the Judicial Facilities Agency, Joseph Sawicki, Jr. (Kennedy).**

**LEG. STERN:**

Motion.

**D.P.O. HORSLEY:**

Motion by Legislator Stern, seconded by Legislator Krupski. All those in favor? Opposed? On the motion?

**LEG. MONTANO:**

No, I'll let it go.

**D.P.O. HORSLEY:**

All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Muratore/Absent: P.O. Lindsay).

**D.P.O. HORSLEY:**

All right. Back to the Manilla folder. All right. We have only one Procedural Motion left in the folder, which is ***2-2013 - Authorizing public hearing for approval of ferry license for Davis Park Ferry Company.***

**LEG. CALARCO:**

Motion.

**D.P.O. HORSLEY:**

You guys all got it, we're good? Legislator Calarco makes the motion.

**LEG. SPENCER:**

Second.

**D.P.O. HORSLEY:**

Second on the motion by Legislator Spencer. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Muratore/Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Okay. We have a CN in the pink folder. ***1124 - Resolution authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act August J.A. D'Alessandro and Arlene S. Hauser (SCTM No. 0500-165.00-11.00-005.000).***

**LEG. MONTANO:**

All right. I'm going to make a motion to approve. We need a second, and I'd like to address the motion.

**D.P.O. HORSLEY:**

Okay. I need a second. I'll make the second. Legislator Montano.

**LEG. MONTANO:**

Yeah. What this is is it's a C of N, and it says that it's introduced by Legislator Ricardo Montano. I actually -- you know my positions on C of N. I don't know how my name got on this resolution. However, I think I know why it's on the resolution.

What this is, is that this is a 46 -- no, I'm sorry, it's a 16. It's a redemption as-of-right. And what apparently happened here is that the Real Estate Department, in my absence, was working with the owner. The owner is going to redeem the property as of right and they're going to do a simultaneous closing with the purchaser, so it is time sensitive. But I guess they assumed because it's in my Legislative District that I would ask for a C of N. Probably would have because it is an emergency. As I understand, that if we don't close by a certain -- the attorneys worked this out,

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and if they don't close by a certain date, the deal is going to fall through. But I just wanted to clarify. You know, I don't like C of Ns and I generally don't do it, but this is one that really is an emergency. Any questions?

**LEG. D'AMARO:**

Roll call.

**LEG. MONTANO:**

Let's get out of here.

**D.P.O. HORSLEY:**

All those -- we need a motion to approve. All those in favor?

**LEG. MONTANO:**

At least I'm consistent.

**D.P.O. HORSLEY:**

Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

Okay. Hang on, gang, I've got the late-starters. All right. Motion to waive the rules and lay on the table the following late starters: All right. Let's see, let's start. 1116 to Education and I.T. 1118. Where's 17? Oh, I missed it, it got stuck. Okay. 1117 is to Budget and Finance; 1118 to EPA; 1119 to EPA; 1120 to Ways and Means; 1121 to Public Safety; 1126 to -- okay. 1122 to Budget and Finance. Apparently, there's a question that came up. 1126 to Ways and Means; 1127 to Budget and Finance; 1128 to Economic Development and Energy; 1129 to Education and I.T; 1130 to Ways and Means. And what did we do with that --

**MR. NOLAN:**

Just keep going. Just get a second and --

**D.P.O. HORSLEY:**

Okay. I'll take a second on laying those on the table; Legislator D'Amaro does that. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Muratore/Absent: P.O. Lindsay)

**D.P.O. HORSLEY:**

And I think that's the last thing on the agenda. The meeting is adjourned.

**(\*THE MEETING WAS ADJOURNED AT 7:40 P.M. \*)**