

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

TENTH DAY

July 30, 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

Minutes Taken By

Alison Mahoney & Lucia Braaten - Court Reporters

Minutes Transcribed By

***Alison Mahoney, Lucia Braaten
& Kim Castiglione – Legislative Secretary***

*(*The meeting was called to order at 9:35 A.M. *)*

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

P.O. LINDSAY:

Mr. Clerk, did we do the roll?

MR. LAUBE:

No. Good morning, Mr. Presiding Officer.

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

LEG. KRUPSKI:

Here.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

(Not Present).

LEG. MURATORE:

(Absent).

LEG. HAHN:

(Not Present).

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. MONTANO:

Present.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Here.

LEG. NOWICK:

Here.

LEG. GREGORY:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. SPENCER:

(Not Present).

D.P.O. HORSLEY:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

Fourteen (Not Present: Legislators Browning, Hahn & Spencer - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay. We have Presentation of the Colors. We'll now have a flag ceremony by the Suffolk County Police Department's 4th Precinct Explorers led by Officer Guy Gourley. Please stand.

Presentation of the Colors by the 4th Precinct Explorers

Salutation

P.O. LINDSAY:

Detail dismissed.

Okay. Would everybody remain standing for the Invocation by our visiting clergy. The introduction will be done by Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Presiding Officer. And just a note of thanks to our Explorer Post from the 4th Precinct who did our flag ceremony this morning. They've been very helpful. They're a group of bright, young men and women. They are out with our blood drives and many other activities and they epitomize the good things about our youth.

Today it's my great pleasure to ask Monsignor Elsworth Walden to pray for us. He is the Pastor for St. Patrick's here in Smithtown, the largest parish in the 12th Legislative District, a parish at which two of my children were baptized, and someone who hopefully can give us inspiration and guidance.

Monsignor Walden, actually, is a lifelong Suffolk County resident; grew up out in Greenport, served in St. Thomas More here in Hauppauge before becoming a Pastor for St. Patrick's, and we welcome his words.

Thank you, Monsignor.

MONSIGNOR WALDEN:

Let us pray. God of all creation, God of all life, God of all goodness, God of all love and mercy, send your spirit of wisdom on these Legislators. We have elected them to serve us and to strengthen the foundation for those who will come after us. May they continue to foster our need for justice, our need for housing, our need for jobs, our need for encouragement. When you take the words of scripture to heart, the greatest among you is the one who serves the rest. And to use our choice of them and our trust in them to realize hope for those who need encouragement and assistance, to bring light to those who attempted to think no one cares, and to strengthen the bond we have as residents of Suffolk County and citizens of the United States of America. Near their union with us and one another, we are living with sons of power, we have to do more together. We can do more

together for the common good than we could do alone. As we ask a blessing upon these Legislators, we thank you for the gift of life, division of faith, the power of love and the ingenuity we have as concerned citizens doing together for the good of all. Amen.

"Amen" said in unison

P.O. LINDSAY:

If we could remain standing for a moment of silence to remember all those men and women who put themselves in harm's way every day to protect our country.

Moment of Silence Observed

Please be seated. First up on our agenda is proclamations and I have Legislator Kennedy for the purpose of presenting a proclamation to the Police Explorer Award Winners, Amanda Rivera and Jessica Passarella.

LEG. KENNEDY:

Thank you, Mr. Presiding Officer. And as I had mentioned in my opening comments, the Explorer Post here with the 4th Precinct has done outstanding work under the leadership of Guy Gourley. They have really made exponential increases in their competition and various activities that they perform.

They have been a post that's been in existence for some 30 years. And as a matter of fact, earlier this year there was a reunion breakfast, and many of the members of the 4th Precinct Explorer Post have gone on to very prominent careers in law enforcement across all agencies; City Police, DEA, FBI, many different categories. They really epitomize commitment and dedication on behalf of young men and women to serve the public and to perfect and hone some of the important traits for a successful career in law enforcement.

Two of those young people who actually wound up being recognized in the most recent competitions were Jessica and -- bear with me for a second -- Amanda. In both cases, both of these Cadet Explorers competed in various physical agility tests and scored very highly and represented the Post and Suffolk County quite well. So I'm going to ask them if they would please step to the podium so that we can go ahead and recognize the important spirit, if you will, and actually very highly successful representation of Suffolk County, the commitment on behalf of our officers, Officer Gourley, Officer Hendricksen, to spend the time with these distinguished youth in representing Suffolk County in a wonderful way. Ladies, why don't you step forward, please. Amanda, there you go.

MISS RIVERA:

Thank you.

LEG. KENNEDY:

Jessica.

MISS PASSARELLA:

Thank you.

LEG. KENNEDY:

You're welcome. You ladies want to speak? No. All righty. Thank you all for giving them the recognition that they so deserve.

Applause

Thank you, Mr. Presiding Officer.

P.O. LINDSAY:

Okay. Thank you, Legislator Kennedy.

Next up we have Legislator Spencer; are you in the room yet, Legislator?

D.P.O. HORSLEY:

I think we have -- did we do the Smithtown Swimmers at Robert Moses?

P.O. LINDSAY:

Oh, no. Okay. Legislators Kennedy and Nowick will present a proclamation to Ryan Mathie.

LEG. KENNEDY:

Thank you so much. Continuing with the theme of recognizing youth here, particularly from the Smithtown area, but all youth throughout Suffolk County, we have a young man who you may have read of in the newspaper recently, Ryan Mathie. I'm going to ask Ryan to please step forward to the podium with his Mom and Dad.

I got to meet Ryan for the first time, actually, in January as one of five Eagle Scouts that I had the privilege to go ahead and attend for the recognition ceremony. As a matter of fact, in my career as a Legislator, I've never been to a ceremony with five Eagles. Any Eagle Ceremony is significant, as we all know; five Eagles at one time is truly an historic event, but it's indicative of the good work that an Eagle and the work that Moms and Dads do as Scout parents.

Ryan has gone on to distinguish himself with several heroic and actually life-saving actions. Most recently he was directly responsible for rescuing a young woman who was in distress and drowning, and he also took it upon himself to go out with a group to Oklahoma to assist following the tornadoes out there. So when we talk about Suffolk County's best and brightest, and when we talk about the brain drain, I think we have just the opposite here. I think we have young people and young individuals who are the best that Suffolk County has to offer and truly worthy of recognition. Let me bring Legislator Nowick up to talk about the specifics.

LEG. NOWICK:

I am so, so honored to be here with your family to congratulate you. Just for the Legislators to know, may I just tell the story quickly of what you did, and how when I read it in the paper I said, *"This is an incredible young man."*

During the afternoon of May 31st, a nearby commotion in the water caught the attention of young Ryan Mathie who was at Robert Moses State Park relaxing with friends. He was realizing there was no lifeguards on duty, Ryan raced into the freezing cold water when he heard the commotion, he raced into the water beyond the breaking waves to help a struggling swimmer. He identified himself as an off-duty lifeguard and pulled the struggling swimmer to shore. But at that point, the swimmer said to Ryan, her friend was still in the water missing; correct?

MR. MATHIE:

Uh-huh.

LEG. NOWICK:

So Ryan immediately began searching for any sight of the second female swimmer and spotted her head bobbing much further out. You then raced in, pulled her out, she was unconscious but still breathing. You pulled her out and saved her life. You found her there. I mean, all the things I hear about you, all the things that Legislator Kennedy said, I have to say to you, this proclamation should be for your parents because you did some job. Congratulations.

Applause

D.P.O. HORSLEY:
Legislator Kennedy.

LEG. KENNEDY:
Thank you.

D.P.O. HORSLEY:
Just one second. May I just also add that to thank Ryan for keeping our State Parks safe.

*(*Laughter*)*

LEG. KENNEDY:
Well, and you'll be seeing Legislator Horsley there, Ryan. We'll make the connection. Thank you
(laughter).

(Photograph Taken)

Applause

P.O. LINDSAY:
Talk about perfect timing; I was about to introduce Legislator Spencer who I think just walked in the room this moment. He's our local TV personality, he just came off, what, Today America?

LEG. SPENCER:
Yes, thank you.

P.O. LINDSAY:
Today in New York, he was talking about energy drinks and the legislation he sponsored here. So the next proclamation is by Legislator Spencer.

LEG. SPENCER:
Thank you. Good morning. Good morning, everyone. It's ironic, the proclamation that I'm giving this morning is for two very outstanding young men. I'd like to invite them to come forward at this time. William and Benjamin -- William Benjamin and Alexander Oruci; right, I pronounced that correctly?

P.O. LINDSAY:
Legislator Spencer, speak into the mic.

LEG. SPENCER:
I sure will. Okay, thank you. So I have the privilege by working here on the issue of the energy drinks, and tomorrow I'm testifying in front of the Senate Commerce Committee. And it's appropriate today that I recognize these two young men who participated in the Long Island Science & Engineering Fair which is a two-day competition for the most advanced middle school and high school projects.

Under the guidance of teachers and students, they have a chance in the fair to present the results of their experiments to professionals from local universities and scientific institutions. So this year, William and Alexander, students at Eastwood, had several lengthy debates on whether or not energy drinks were beneficial or detrimental to your health. Aware that mice are commonly used in science experiments because of their genetic and biological behavioral characteristics closely resembles humans, the boys chose to use them for their research and titled the project "*Mad Mice*".

A mouse was given caffeine, taurine, ginseng supplements one at a time. The mouse with the caffeine ran significantly faster than the mouse without it, and there were numerous side effects including hyperactivity, excessive grooming and memory loss.

*(*Laughter*)*

Taurine administered to the mouse appeared to have no noteworthy effects, and Ginseng caused the mouse to be very calm.

As a result of their research and presentation, William and Alexander were named 1st Place Winners of the Long Island Science & Engineering Fair in the Middle School Category. As Legislator of the 18th District, it gives me great pride to present these proclamations to William and Alexander on behalf of the Suffolk County Legislature. Congratulations.

Applause

Are your parents here? I invite their -- as always, we know behind every good student there's strong parents, so I'd like to ask their parents to come up, if they would, also. And I would like to again thank you.

*(*Photograph Taken*)*

With the Presiding Officer's indulgence, I have one more proclamation, if I could.

We are also proud to recognize heroes in our community, and on May 18th, 2013, while driving on West Shore Road, Peter Keller and Michael Fodera saw that an out of control vehicle had skidded through the guardrail and flipped upside down into Huntington Harbor. Each of these gentlemen pulled their car over and without hesitation jumped into the chest-deep water to see if they could rescue anyone inside the vehicle. With all the doors locked and the water too murky to see inside, they and the {LaMona} brothers, who could not be with us today but we'll recognize them at another time, were able to break the window of the SUV with a rock and rescue a 20-year old young man who was conscious but dazed. After the rescue of the young man, Peter, Michael and the {LaMona's} valiantly attempted to save the driver numerous times, but despite their heroic effort, unfortunately the driver did not survive. But I would like to invite at this time, I think that only one was able to make it.

MS. GELLERSTEIN:

Peter.

LEG. SPENCER:

Peter, will you please come forward? On behalf of just a grateful County, and as Legislator of the 18th District, I want to recognize you as a hero and present you with this proclamation. Thank you.

Applause

Thank you, Mr. Presiding Officer.

P.O. LINDSAY:

Okay. Next up for the purpose of a proclamation is Legislator Cilmi.

LEG. CILMI:

Thank you very much, Mr. Presiding Officer. It's a pleasure to be here again this morning with all of you as we recognize and honor some folks within our communities that have done great things. You know, I've often wondered why the news spends so much time, night after night, looking at and

talking about all of the bad things that happen in society. You know, we have the fires and the crashes and the deaths and the killings and all of that and, you know, it's really such a small part of the news, but it makes the biggest headlines. The big part of the news is all of the good things that happen that folks in our communities throughout our nation do, and Long Island and Suffolk County certainly has no shortage of those heroic efforts.

Legislators Kennedy and Nowick and I didn't plan this, but coincidentally there are two other young men who were involved in the rescue that took place at Robert Moses Beach that fateful afternoon in May. So I'd like to ask [Anthony Ferrezza](#) and [Stephen Rosenvold](#) to join me here at the podium.

Applause

Please, sure. And certainly my congratulations go to Ryan Mathie and his family for his role in this rescue. But Anthony and Stephen here were coincidentally playing ball on a sandbar at the beach that afternoon, after all of the on-duty lifeguards had gone, and they noticed the commotion in the water as well. And while I'm not sure of the coordination between young Mr. Mathie and these two young fellows, I know that both of them swam out as well to try and help and I know it was Stephen who ran to get a Park Ranger to get to the situation. And I don't know, was that person Brian that you found when --

MR. ROSENVOLD:

No, it was the Park Ranger.

LEG. CILMI:

No? Okay. In any event, so basically these three young men, were it not for them, we would have had four deceased young people in our community. And as a result of their heroic efforts, we have four healthy, young people who I'm sure will go on to do great things and I'm sure are very, very thankful that all of these young people were on the beach that day in May.

So it is my privilege and honor to congratulate Anthony Ferrezza; Anthony, congratulations to you, sir.

Applause

And Stephen Rosenvold, congratulations to you.

Applause

For your efforts in saving lives, and congratulations to your parents as well. Great job. Thank you.

(*Photograph Taken*)

Applause

P.O. LINDSAY:

Okay. Next up is [Legislator Anker](#) for the purpose of proclamation.

LEG. ANKER:

I'm here today to present [Chris Pendergast](#) with a proclamation from Suffolk County for his amazing work that he's done in creating awareness for ALS, also known as Lou Gehrig's Disease.

Fifteen years ago you started an organization and it's called Ride to Life -- Ride For Life, excuse me. And it has been such an inspiration to so many people involved in creating awareness for this disease. You know, there's so much that can be said for people who advocate for the good. You

know, a proclamation is just a piece of paper, but what's most important is the deeds that you do and that has been so important in creating the awareness.

I was having a staff meeting recently and I looked out my window on 25A in Mount Sinai and I saw the police and I saw a group of people and I look out and I see you and your wheelchair and you're going down Route 25A. And I stopped my staff meeting and I said, "*I have to go say hi. I have to go catch up;*" I jumped in my car, I couldn't get past the crowds. But I just wanted to say thank you for what you're doing. And again, this proclamation, again, it's just a piece of paper, but the meaning behind it is just the award to your heart, to your soul, to those people that are trying so hard.

You were diagnosed almost 20 years ago and you were given two to three years to live, and at that point I think you had a 13-year old -- you have a 13-year old son. And you beat the odds, and that's why you're here, to encourage other people to beat those odds. So it is with great honor -- I'd like for you to come up, and also Christine, your wife. You would like to say a few words, or actually, Chris, would you be able to say a few words in describing your experience and your advocacy?

LEG. SCHNEIDERMAN:

Sarah, I would like to join you, too, if I may.

LEG. ANKER:

Oh, please. Okay, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I'd like to join Legislator Anker cause, Chris, you just are a remarkable spirit. And being the Legislator from Montauk, when you get to Montauk, which is the end of the walk, it's always just a joy for me to greet you. What you have done to raise awareness and raise money for ALS is extraordinary. You're a brave soldier and we are all very grateful for your work here.

LEG. ANKER:

Four point five million.

LEG. SCHNEIDERMAN:

Four point five million dollars Chris has raised.

Applause

You know, one of the things that struck me, the second time I greeted Chris and all the walkers, he came up and he remembered my name. And he must have met a hundred thousand people along the way, and the fact that you said, "*Hi, Jay,*" I was like, oh my God, this guy is just a remarkable person. So, Chris.

MS. PENDERGAST:

I'm going to hold the microphone for Chris. Chris, who is probably the least able to speak, is the one that wants to say something (*laughter*).

MR. PENDERGAST:

I want to thank the Legislator for the kindness and for all the efforts to help find a cure for this horrible and fatal disease. But in my only accepting the award, I would be remiss because it is I that should thank the people of Suffolk County for all they have done to assist me, beginning with the extraordinary men and women of the Police Department who have escorted me safely throughout the County. And I also want to thank the towns and villages of the County who have opened up their communities to us, and to schools who have joined me along the way. And there's a mission

for all of us and I am able to play a small part. Lastly, I want to thank my wife and my family, because without them, I literally would not be here today. Thank you.

Applause & Standing Ovation

MS. PENDERGAST:

It's rarely we get a standing ovation. It's rarely. Thank you.

LEG. SCHNEIDERMAN:

Chris, you're truly an inspiration to all of us. Thank you.

P.O. LINDSAY:

The last proclamation of the day is Legislator Hahn.

MR. LAUBE:

She's not here.

MS. TINNIRELLO:

They didn't show up.

P.O. LINDSAY:

They didn't show up, so we'll skip over Legislator Hahn's proclamation. If someone should show up in the next few minutes, we'll put it on then. Thank you.

With that, we're going to go to the ***Public Portion***. And we have a number of public officials that want to speak, and as our tradition has it here, we let the public officials go first. First up is Anna Throne-Holst, the Town Supervisor of Southampton. Anna, are you in the audience? Anna? Marge, is she in the audience?

MS. ACEVEDO:

I think so.

P.O. LINDSAY:

She is? No?

LEG. SCHNEIDERMAN:

Go to the next one.

P.O. LINDSAY:

Okay. Steve Flotteron is the Councilman from Islip.

MS. ACEVEDO:

She's not here yet, Bill.

P.O. LINDSAY:

All right.

COUNCILMAN FLOTTERON:

Good morning. I'm here about the vote you're having today, to my understanding, on the abolishment of the Department of the County Treasurer. First, I have a prepared letter from a colleague of mine who wasn't able to make it today, Joe Poerio who was once the Chief Deputy County Comptroller and he served here for over 20 years under Joseph Caputo. His statement was;

"This proposal has come up over the last 20 years a number of times, sponsored by the County Legislature and, later, County Executive Steve Levy. Never once did he submit a proposed cost savings and only the reduction of elected official salaries and some of the Executive staff. The Legislature has always saw through this and never passed it. Now, in 2013, it rears its ugly head once again, only this time with a twist; the Comptroller is term-limited and cannot run another term. County Executive Bellone is looking to eliminate a challenger and a political deal is struck. Angie Carpenter and her staff are eliminated and Sawicki would get a new title for 12 more years, despite the will of the voters mandating 12 years and no more."

"The greed and selfishness could not be more apparent. Angie Carpenter has been an outstanding Treasurer whom I had the pleasure of working with before my retirement. She is an outstanding public official who is now the victim of Sawicki's greed and ambition, as well of that of Bellone. This selfish proposal should not go ahead and good government, with proper checks and balances, should be protected. Angie should continue to serve if elected this year, and Sawicki should retire and look for something else to do. Thank you." This is from Chief County Comptroller Joseph Poerio, former.

From myself --

Applause

From myself, this is -- in simple words. This is against general accounting, general accounting principles, checks and balances. If this is the direction that you want to go, I suggest you -- if this is your concern about real budget savings, you don't care about the good government in checks and balances. Let's abolish the Legislature and go back to the Board of Supervisors. Thank you.

Applause

P.O. LINDSAY:

Okay. Next up is Town Councilwoman Trish Bergin.

COUNCILWOMAN BERGIN:

Hello, everybody. Thank you again for having me here today. Trish Bergin, 42 The Helm, East Islip.

I'm here for the same reason that I spoke last week as well. When all of you took office, you promised the public fiscal responsibility and good government. Eliminating the Treasurer's Department is not good government. The person who takes in the money should not be the same person who counts the money. This reeks of political politics. I am disappointed in Mr. Sawicki who has maintained for years that this is not a good idea.

Applause

I encourage all of you to vote in good conscience, not by way of political party affiliation. This is not a good idea and I know that many of you already know that. Thank you.

Applause

P.O. LINDSAY:

Next up is Sal Algeri.

MR. ALGERI:

Sorry, I can't see without my glasses, I had to go back for it. I just want to say a couple of things. I went to work for GE and the first thing we got as Supervisors is something from Jack Welsh, he was the CEO of the Century. And basically it was that GE leaders will always, with unyielding

integrity, and then he went on to tell us what his expectations were, and I hope that your votes will have that value.

In the law that created the Legislative Budget Office, I think it was 1979, it states, "The primary purpose of budget analysis is to appraise proposed County operations and review effectiveness of County programs." The officer of the Legislature -- "*The Office of Legislative Review is non-partisan in nature,*" and I think that's important.

It goes on to talk about why there's a four-year term and why the law was designed to make the Legislative Budget Office apolitical. Robert Lipp, as I understand it, holds a PhD in Economics and is uniquely qualified for his position, so much so that I think the Legislature voted either 17 to 1 or 18 to nothing to appoint him to his job, so I have to believe he's probably pretty qualified. And he has rendered an opinion, okay, and his opinion was that the County Executive's performance review documentation of savings is not quantifiable, which means there's no fact to basis that you are having a million dollars in savings, and in fact you reduced it to 700,000 last I heard.

So there's no cost savings that can be verified, yet you go out and still make believe it's fact. I think Mr. Lipp knows that there are certain facts that were left out of the County Executive's report, like the cost of the IT platform that you have to either buy, lease, bond, however you're going to pay for it, and that has to be added as an expense. Cash flows in, cash flows out, and we can talk about the economic theory, but a part of that -- and considering that the County's Treasurer Department has a very large database of information that it has to go through, it would be more than its pro rata share. And, you know, for a business the size of Suffolk County, \$3.4 billion in the budget, I think to say that an IT platform, a new IT platform that cost 20, \$30 million is not unusual.

So I'm trying to get a hold of why you're even considering this, considering that the savings that would be a million dollars at most if it were accurate, and it's not, and you have to spend 30 million of which part of that pro rata share belongs to the Treasurer Department. So I ask that you vote with your integrity, you vote with the mission of savings dollars, and I appreciate your time. Thank you.

Applause

P.O. LINDSAY:

Gail Gordon. Gail Gordon?

MS. GORDON:

Hi. My name is Gail Gordon, I live in West Islip, 36 Skookwams Court. This question about whether or not to merge the Comptroller's and the Treasurer's Office has been around for a long time now, and it pretty much goes to a basic function of how our County government is going to function.

A little over 200 years ago, my great, great, great, great grandfather stood behind a stone wall with a musket to defend -- at a place called Bunker Hill, to defend the right of our people to have a voice and the decisions that were being made on how their -- how they were going to be governed.

When my mother was born, her mother, my grandmother, did not have the right to vote in this country. My grandmother's sister was marching on the streets as a suffragette seeking that right, which was eventually granted. This is something that goes to the basic form of our government. The question's been being argued back and forth for a long time; it's something on which I feel the people of Suffolk deserve the right to make the ultimate decision. I would like to see this put up to a vote of the voters so that we can have a complete airing of all the issues, including the cost savings or lack thereof or possible cost expansion, and the processes and so forth. I do know that I worked for years for two different companies, both of which the Chief Financial Officer was also the Treasurer. So I don't know that good governance necessarily requires separating the offices.

And that's basically what I had to say. I think it's an important enough issue that the voters deserve the right to have their say and I would like the Legislature to put it to a referendum. Thank you.

P.O. LINDSAY:

Thank you, Ms. Gordon. Ken Williamson?

MR. WILLIAMSON:

My name is Ken Williamson, I'm a resident of Hauppauge for 48 years.

I am an engineer, retired airline pilot for Pan Am and Delta and I'm speaking for myself as a private citizen.

It's time now for a perspective on this issue. It's time for this Legislator -- Legislature to be severely scolded for allowing this message to -- measure to survive this long on the table. It violates the foundations of our Constitution. It violates established principles of accounting, it violates accountability and it violates common sense. Each one of you knows that this proposal is bogus, that it has no real merit whatsoever, that it yields no true improvement in governmental effectiveness, that the economies claimed are at great risk of fraud and despotism. And that previous Legislatures, in their great wisdom, have repeatedly rejected this scheme. It is time for this Legislature to rise up in protest and summarily dismiss the proposal. Shame on you for dragging this out so long as though you really believed in it. Thank you.

Applause

P.O. LINDSAY:

It looks like Tom Humphrey. Thomas Humphrey?

MR. HUMPHREY:

Good morning. My name is Thomas Humphrey, I am the President of the Long Island Mens' Center and I'm also the Vice-President of the Men of God, Inc.

I stand in support of County Executive Steve Bellone. County Executive Steve Bellone has proposed the County merge the Treasurer and Comptroller's Office into a single department, the Office of an elected Chief Financial Official, a consolidation that will save the taxpayers a million dollars yearly. The merger is part of an effort to increase government efficiency in Suffolk County. The taxpayers -- the taxpayers save about \$1 million by eliminating duplicity in positions.

Bellone said he wanted to let the voters decide on the move with a referendum in November, and I'm asking this body to vote to put the referendum on the ballot. Let the residents approve or disapprove this proposal that would consolidate the Treasurer and the Comptroller's Office. This is going to be beneficial to the taxpayers, this is about efficient government. Let the taxpayers decide who collects the taxes. Suffolk County is currently the only one in the State with both elected Treasurers and Comptrollers.

I believe the consolidation will lead to a more streamlined and efficient structure. Suffolk County Treasurer Angie Carpenter's position is understandable. The Comptroller does issue bonds and all the County spending while the Treasurer collects the money such as delinquent taxes. But at what cost to the taxpayers? Consolidation is a way to cut taxes in town and County government. Ms. Carpenter, Mr. Sawicki can run for the new Chief Financial Officer position if the voters approval the proposal; therefore, removing politics and let the voters decide this action.

I thank you for your time. I hope you consider saving the taxpayers this money because it's about how we spend the taxpayers' money that's most important to us as the residents. Thank you very much.

Applause

P.O. LINDSAY:

Thank you very much, Thomas. Okay. Matthew Curtis. Matthew Curtis?

MR. CURTIS:

Good morning. My name is Matthew Curtis, I'm the District Manager for the Smithtown Fire District, one of your secondary PSAPs. I'm standing before you today in support of an override of IR 1250 which the County Exec has vetoed. I know when I last spoke we had 14 of the 18 Legislators support the funding for the secondary PSAPs. I'm going to commend this legislation -- Legislators right now for the simple reason that over the last three weeks, we've had more contact with the County Executive, the 9/11 Commission and others than we have in the last 52 weeks. We did have a meeting on the 12th floor with the County Executive. He basically promised us if the veto stayed, he would put the money in the 2014 budget, and I believe he would do that. But that does not correct the problem of funding for the long-term. He basically said to us that he's not going to support an unfunded mandate and put the burden on the residents.

If you look at the IR 1250, it covers all of the recommendations from his own Comptroller, Mr. Sawicki, that the County Exec had no knowledge of. The County Executive had no knowledge of who his 9/11 Commissioner was until we mentioned his name. So it's nice that over the last three weeks we've had conversations. I do believe he is a man of his word, but I'm going to stand here before you again and ask you to override his veto, IR 1250. This will give the funding to the secondary PSAPs so that they can go forward with their budgets in 2014 and onward. And if we do get this done and then the County Exec still has the energy and really wants to take care of the other issues that were brought up to him over the last couple of weeks, then we can actually enhance the proposal we have or the legislation that's going to be adopted and correct the misfunding and misappropriation of money to the secondary PSAPs.

And what I mean by misappropriation is that I know you're discussing right now between the Comptroller and the Treasurer. Even in Mr. Sawicki's report, they have no idea where the money's even going, what account it's going to, where it's going, who's taking it in, how many nine -- how many cell phones are in Suffolk County, how many land-lines there are. It is bizarre and that our own Comptroller and our Treasurer has no knowledge of this. So we write laws and rules to collect money, but at the end of the day, is it just a paper tiger? There's no way to find out how many cell phones we have, how much money is being collected?

The last meeting we had at FRES, and now they have Commissioner Williams involved, we had a meeting out at FRES last Friday at ten o'clock, he asked me to give a decision for the Smithtown PSAP. I'm an employee; I had to go back to my board to get an answer. They came up with the decision yesterday of our position. I did send a copy out to Legislator Kennedy, I don't know if it's been forwarded to the rest, if you had a chance to read it. I hope you have read your own Comptroller's report, and you'll see that the legislation that was approved by this body actually addresses 90% of the problems in his own report.

The only good thing right now is after the last vote that took place is that I saw -- it doesn't make a difference if you're a Democrat, Republican, Conservative or Liberal, it's all about the public's safety. And I can guarantee you your secondary PSAPs spend not one penny of this money towards salary or benefits or even uniforms, but only for the enhancement of this program.

P.O. LINDSAY:

Matt, you're out of time.

MR. CURTIS:

Well, I would wish that if someone else has three minutes to spare me, I could finish off. But I really would suggest that you guys go down deep.

P.O. LINDSAY:

Everybody gets three minutes.

MR. CURTIS:

Thank you, sir.

Applause

P.O. LINDSAY:

I've been informed that the Supervisor from Southampton is with us; Anna Holst.

SUPERVISOR THRONE-HOLST:

Hi.

P.O. LINDSAY:

Hi, Anna. Nice to see you.

MS. THRONE-HOLST:

Good morning. I understand that I was called to the podium before I even got here, so I apologize for that. I'm not sure who signed me in.

*(*Laughter*)*

But thank you for the opportunity. I'd like to address you on three different issues, if I may, and in no particular order.

You have before you a resolution that would allow for the County to enter into an IMA with the Town of Southampton to provide veterans services in the Town of Southampton. One of your officers would take up an office there one day a week. We feel that this is a much needed service for our local veterans for whom traveling this far west is often beyond their ability. We will pick up, as part of our budget, the cost of travel, et cetera. So I ask you to please vote positively on that with support for our local veterans, of which there are many in mind.

Secondly, you have the resolution that would support the foot bridge that would cross the Peconic River between Riverside and Riverhead. And as some of you know, Legislator Schneiderman has been working very closely with the Town's Economic Development Task Force for the Riverside/Flanders area that I started a couple of years ago, and we've had a great partnership working on that and really moving forward with some very good and much needed development plans there.

The County sponsored a sewer study that has been very helpful to us in mapping that out. And this, too, would just be a great addition to the kind of economic development and facelift that we're looking to bring to that area. It's somewhat unique, I think, and it would be a great attraction that would help both Riverhead and the Town of Southampton, and particularly the area of Riverside and Flanders, that is in some economic distress. So again, I would encourage you to look at that positively.

Thirdly, following the discussion on the merging of the Comptroller and the Treasurer's Office, and the job of seeking efficiencies and shared services is one that I think weighs heavily on all of us as Legislators, and looking for those cost efficiencies. I don't know enough about this particular

proposal to opine on it, but I will say this, that I encourage it going to a public referendum as a tool for the public to weigh in on this. And I thank you for your time.

Applause

P.O. LINDSAY:

Thank you very much. Next we have Tom Humphrey. No, we did Tom already. Constance England.

MS. ENGLAND:

Hello, everyone. It is my pleasure to speak to you on behalf of Supervisor Steve -- County Executive Steven Bellone this morning. And I stand this morning to express my support for the resolution that puts the future of County government and structure and finance in the hands of the people. I ask you this morning to please allow the Suffolk County residents to decide on their own future, our own future. Having the right to vote is extremely important, and as a woman and especially as an African-American woman, I believe that voting is something that we could all relate to and understand why it is important.

This country is based on being able to express our desire for our lives and community throughout this process, and it is a wonderful process and it has served us and it has served us well. This process is in place to give the people the voice that this country is based on. Please give the people a vote. We deserve the right to vote on this issue. Thank you.

Applause

P.O. LINDSAY:

Okay. Next up is Lenore Hyde? Hayde? Lenore Hayde.

MS. HAYDE:

Good morning. My name is Lenore Hayde and I'm a former retired State employee. And all I want to say is that the merging of the Comptroller and the Treasurer is a very important issue and I believe that the people of Suffolk County have the right to vote on it, and this referendum should be on the ballot in November. Thank you.

Applause

P.O. LINDSAY:

Okay, I missed another public official Esther Bivona, the collector of taxes for Huntington is here. Esther? It's nice to see you, Esther.

MS. BIVONA:

Good morning.

P.O. LINDSAY:

I'm glad you're not here about the tax bill.

MS. BIVONA:

(Laughter) It's a pleasure to see you, too, Mr. Lindsay.

P.O. LINDSAY:

Thank you.

MS. BIVONA:

And the members of the Legislature, and I thank you again for this opportunity to speak out on Resolution 1567.

One of the things that I've learned over my 30 years in local government is that you cannot read the Suffolk County Tax Act without reading the Real Property Tax Law; they go together. And as a result of that, I feel that this resolution is inappropriate. The County Executive is attempting to take a wide step over the State Legislature and the Governor who control the legislation that create the Office of Treasurer, and Comptroller for the State -- for the counties in the State of New York. These two documents, the Suffolk County Tax Act and the County -- I'm sorry, and the Real Property Tax Law work together. And I respectfully disagree with the County Attorney when he says that the Suffolk County Tax Act is local government; it is State law. And as a result, the Legis -- the State Legislature and the Governor have the authority and should be consulted before a resolution of this type is presented. I thank you for your time.

Applause

P.O. LINDSAY:

Joan Batchelor. Joan Batchelor?

MS. BATCHELOR:

Good morning. My name is Joan Batchelor. I've lived in Smithtown a very long time, more decades than I care to recount. But I take my role as a voting citizen extremely seriously, so I'm speaking on behalf of myself. And this issue of the Comptroller and the Treasurer, it's apparently very important, and the more I learn about it the more I see that the people, in my estimation, really need to be involved. And I think that the electorate has to have the opportunity to vote yes or no. Whichever way I'm going to go, that's my personal vote, but I think we need the opportunity to do so. Thank you very much.

Applause

P.O. LINDSAY:

Next up is Vincent Taldone. Vincent?

MR. TALDONE:

Good morning, Presiding Officer Lindsay, members of the County Legislature. I'm here today as President of the Flanders, Riverside and Northhampton Community Association located in the northwest corner of Southampton, adjacent to downtown Riverhead.

I'm here to ask for your support today on the authorizing resolution which supports an application by the Town of Southampton to the State of New York for funding of the pedestrian foot bridge which is -- would cross the Peconic River at approximately the location of the Long Island Aquarium and connect with a 14-acre parcel that the County purchased roughly two years ago as open space. That parcel would be utilized, of course, as passive recreation, providing for the maritime trail, which has been anticipated since the comprehensive plan amendment of 1999 in Southampton had been adopted, and in Riverhead under several, I should say failed development proposals on the south side and the north side of the river, most notably the catwalk hotel complex, which was not built, so this has been anticipated, contemplated as a concept. No specific design yet seen by either Town or the County for approval, but the concept has been around a very long time. And as was mentioned earlier by Supervisor Throne-Holst, we believe as part of that economic revitalization committee that bringing Riverhead and Riverside together, providing a natural amenity to the downtown Riverhead area and providing access to the commercial properties on Route 24 in Riverside is a win/win for both towns.

And lastly, I want to mention to you that this is coming to you in record speed for one reason and one reason only. As we look through 20 or 30 different grant programs, we finally found one that met our specific target performance and also allowed the County's acquisition money, spent two years ago, to serve as the local grant -- the local match requiring no further money by the County or

the two towns for the bridge itself. Having found that, we rushed, we rushed to Ray -- sorry, Jay Schneiderman, others, frantic, last minute to try to apply for this and meet the deadline which is August 12th. So again, I apologize that this is coming to you without a lot of advanced notice, but I wanted you to understand exactly what our situation was and why we were coming to you at the last minute for you to authorize what is basically a concept that will come back to you when there is an actual design. Because both towns and the County must sign an inter-municipal agreement for the operations and management of that bridge, so the design has to be approved by everyone.

I want to thank you for letting me speak on this matter and I hope you will all support it. I'll be here later if you have any questions regarding the community association and its work. Thank you.

P.O. LINDSAY:

Okay. Thank you, Vincent.

Applause

Robert Souto.

MR. SOUTO:

Hello. I'm a Nesconset resident and I'm in favor of the referendum, I think it should go through. Please get it done. Let's remember, New York City does just fine without a Treasurer. Thank you.

Applause

P.O. LINDSAY:

Susan Scheideler.

MS. SCHEIDELER:

Thank you for letting me speak. My name is Susan Scheideler, I am a lifelong resident of Suffolk County as well and I also take my duty to vote very seriously and I am here to urge you to place the referendum in front of the people for the opportunity to vote and make the decision on the consolidation of the two offices. I've heard various people say that it is not good fiscal control and I beg to differ and so does most of corporate America.

A CEO, a CFO, various checks and balances. We have a CEO. A CFO is not going to take that away. The Legislature is not going to disappear with this referendum, you are the check and balance. So again, I urge you to allow the people of Suffolk County to make the decision about the size of the government. Thank you.

Applause

P.O. LINDSAY:

Okay. We have Sharon Fattorus? Fattolorus? It sounds like I messed it up. Sharon.

MS. FATTORUSO:

(Laughter) It's been messed up before. My name is Sharon Fattoruso, I'm a resident of the Town of Babylon and I've been a resident of the Town of Babylon for most of my life. I am here to express my strong support of Suffolk County Executive Steve Bellone's recommendations to merge the Offices of County Treasurer and Comptroller. In this economy, we need to be fiscally responsible and I feel that restructuring our local County government to run more efficiently and effectively by eliminating a duplicate management position is one step towards that goal. It is reported that this one action would save the County approximately \$1 million a year. This \$1 million a year of funds could be put to better use here in Suffolk County supporting our local residents.

I have total faith in the County Executive's recommendations based on his previous track record. His accomplishments within the Town of Babylon as Supervisor included fiscal responsibility and is one of the many reasons why the Town of Babylon is a wonderful place to work and to live in. I will trust Steve Bellone to do the same for Suffolk County, and I thank you all.

Applause

P.O. LINDSAY:

Grace Colucci.

MS. COLUCCI:

Hi. Thank you for allowing me the opportunity to speak today. I've heard several people mention how they have their history in this country go back to the Revolution; I, too, actually have family that fought in the Revolution, but that doesn't really matter whether I'm a new citizen or one that's been here since the creation of the country. Our country and our Constitution serve all of us equally, as they should.

I have been a lifetime resident of Suffolk County. And as a single mother, I take my voting responsibilities extremely serious. I think what we elect our Suffolk County Legislators for is as a representative government is to represent us. So when we go to the polls, we vote then to have you look out for our best interests.

I think that when you take away the accountability of government, you're taking away our rights. You are also been -- I'm sorry, I'm not used to speaking publicly. I feel that when we have no accountability in government, when we have one branch that cannot have any say over the other, then we don't have a government that works for us. We have a representative government and that's the way that our Constitution has been built.

We have our voting rights when we go to vote for our Legislators. So if you're not doing the job that looks out for the taxpayer, we have the opportunity then to vote to replace you. So everyone does have a voice in this matter. When I go to fill up my gas tank and I hear -- you know, and the tax dollars that are rolling into my gas tank, it really upsets me when I think that we're being misrepresented with information that says this will save a million dollars when it came out in committee that it does not save a million dollars. And in fact, to the taxpayer, the amount of difference would be less than -- you know around a dollar a year difference to the taxpayer. I put a lot more in my gas tank on a weekly basis than that. So if that's the motivation to consolidate the Comptroller's Office with the Treasury Office, it is not helping the taxpayer. In fact, without this overseeing from one office to another, I'm afraid that the amount of taxes that will be incurred on the taxpayer may go out of control. We need to have oversight, you know, from one branch to another. We can't have one office controlling and overseeing all our tax dollars, we need that representation from different points of views and so we don't have the taxpayer taken advantage of. But thank you.

Applause

D.P.O. HORSLEY:

Thank you very much, Ms. Colucci.

All righty, the next speaker is Patrick Fazio, and on deck is Rick Schломann.

MR. FAZIO:

Good morning. Thank you for the opportunity to speak. My name is Patrick Fazio, I'm a lifelong resident of Commack, New York. I am here in support of Steve Bellone's referendum. I honestly feel -- I've heard all kinds of things, I don't doubt the job that any one of these people are doing in

their position, but I've heard it come up several times, we're the only County that is set up this way. So put it to bed, let us vote. Put it to the people, let us vote. We've elected Steve Bellone to do a job, I think he's doing a great job. We've elected all of you to do a job. Now we're asking you, let us vote on this and I think that for once and for all you'll put it to bed. Thank you.

Applause

D.P.O. HORSLEY:

Thank you very much, Mr. Fazio. Rick Schломann, and on deck is Judith Black.

MR. SCHLOMANN:

Thank you very much. My name is Rick Schломann, I'm a resident of Suffolk County and I'm here to talk about the merger of the Treasurer and Comptroller's Office.

In my view this is not about saving the County taxpayers money, not really. As we heard, this may save ten cents, at best, per household per month, or a dollar a year, so this is not about saving a million dollars. This is not about maintaining strong checks and balances. The Treasurer oversees the receipt of funds, the Comptroller oversees expenditures and bonding, and it is important to keep those separate.

This is not about maintaining the spirit of term limits which the taxpayers, or I should say the voters of Suffolk County, voted on a number of years ago. Why? Because the Comptroller could, in 2015, run for the CFO's position. This is not about letting Suffolk County voters decide on this matter. Why? Because the information about all of this merger is controlled by the Suffolk County Executive and by the Legislature, and all of it will not, simply will not be disclosed to the public.

If you want to consider if there's -- if there's anything that I would say supports this point, it is the fact that the County will not be paying for an independent Counsel to review the matter, nor will they be paying for an independent financial advisor. So personally, again, I think this is all a matter that will be controlled by the County Executive. And we've heard a number of other speakers say that this is Steve Bellone's proposal; that in itself is quite telling. So I don't think that the public will be served by this -- by this process. What is this about? It is about the County Executive's control of taxpayer dollars. It is about the gain that the County Executive will benefit from, and maybe certain Legislatures -- Legislators as well. So I respectfully request that you not vote in favor of this. Thank you.

Applause

D.P.O. HORSLEY:

Thank you very much, Mr. Schломann. Judith Black. Hi. And on deck is Paul Borowski.

MS. BLACK:

Hi. My name is Judith Black, I'm a resident of New York for 36 years and very pleased to be a resident of Suffolk County for 36 years, and I am here to speak on the merger also, and I have two basic points that I want to make.

I am in favor of this merger, and I respectfully disagree with the gentleman who spoke before me who seemed to indicate a lack of transparency in our government in Suffolk County. I think we are fortunate with our Legislators and I am pleased with the job that you are all doing. I'm going to count on you to carry forth the democratic process, to allow our intelligent, well educated, well-informed voters make a decision on this important issue. There is no other way that it will be settled. There is no other way to come to closure. You are here as elected officials and it is your job to make the process work. It is my belief that you are tasked with the responsibility of bringing this

matter to a vote. Thank you.

D.P.O. HORSLEY:

Thank you very much, Ms. Black. Paul Borowski, and on deck is Pauline, it looks like Hazard.

MR. BOROWSKI:

Good morning. As a banker for over 30 years, having my MBA in Finance, being a strong community advocate, especially on the important issues, this one, I strongly believe that checks and balances are vital and there should remain a separate Comptroller and Treasurer's Office in Suffolk County government.

The decision for a voter referendum should be no. When needing to have independent oversight of Suffolk County finances, protecting our fiscal integrity and to retain our basic right to checks and balance is crucial. This decision should be nonpartisan and nonpolitical.

In all due respect to the Legislature and to the County Executive, this proposal clearly comes across to the public with a great deal of impartiality. Over this past weekend at a community gathering that I arranged, many Suffolk County residents felt the same way; do not eliminate the Treasurer and Comptroller's Offices. It is not good business sense to place our financial controls in jeopardy. Today please vote no. Thank you.

Applause

D.P.O. HORSLEY:

Thank you, Mr. Borowski. Pauline Hazard, and on deck is Fil Antonucci.

MS. HAZARD:

Good morning. My name is Pauline Hazard. I've been an advocate for tinted windows enforcement and for the license plate, legal, plastic license plate covers for a number of years. And I'm here today because we already had previous legislation on this, there are laws on the books, and we need to seriously enforce the vehicle and traffic laws relating to tinted windows. And the second being a serious lack of vehicle traffic law relating to the use of plastic license plate covers. Action is needed to remedy a dangerous situation that flies in the face of current law enforcement efforts throughout the State and poses great threat, great dangers under the present threat of terrorist acts against our citizenry. The documentation and the letter submitted to you sets forth, *"Enforcement of these laws will not only improve the safety of Suffolk County residents, but it will also provide revenue for the County."*

Lastly, I urge this Legislature to ask the State Legislature to require inspection of tinted windows as part of the vehicle inspection process. This proposal had been before the State and was rejected because of a \$200 cost per meter required for enforcement purposes. There are now preferred light meters available for \$79 each. In essence, with this lower cost of meters, this program would save lives and pay for itself.

I brought -- I prepared this poster that illustrates what these tinted license plate covers look like. I live in East Patchogue, I cannot drive into the Village of Patchogue without seeing these on vehicles now. Drivers are using them so that they can go through red light cameras and not be seen on the surveillance cameras. Terrorists could use these in order to be not picked up by surveillance cameras and go ahead and perform their terrorist acts. This is not just a matter of people not wanting to be detected for cell phone and texting use with the tinted windows. This is a matter of public safety. This is critical to our future and our safety purposes. The technology is changing and we need to change our ways and acceptance of the surveillance that we have.

So I urge you to please do what you can, to follow-up with your local precincts and to see that they have the facilities available. The 5th Precinct currently only has one meter in their 10 COPE Unit sector cars, they only have one meter in order to enforce the tinted windows. Can you imagine being a Police Officer and having to pull over a vehicle that you cannot even see the driver? This is a safety issue even for our enforcement. We need to include this legislation -- change the legislation so that tinted windows can be part of the New York State inspection process. Now that we have a lower cost with these meters, it is feasible. Now that we have the money coming into the County with the revenue, it would pay for itself. Thank you for your time.

Applause

D.P.O. HORSLEY:

Thank you very much, Ms. Hazard. Fil Antonucci, and on deck is Maria Mawn. Marie Mawn.

MR. ANTONUCCI:

Good morning. Regarding the proposed merger between the Treasurer, Comptroller, instead of having you guys vote on it with the -- of this magnitude, why don't we just let the people, the Suffolk County residents themselves vote upon the matter. Since we are the ones that make the decision, let us vote on it in November.

D.P.O. HORSLEY:

All right. Thank you very much. Maria -- Marie Mawn, and on deck is Kimberly Quartz.

MS. MAWN:

Good morning. I am Marie Mawn, I am a 40-year resident of Islip. I speak in opposition to merging the two offices, our two Suffolk County offices overseeing finances. I oppose a referendum. The reason I oppose a referendum is that I do believe it would be misunderstood; misunderstood and, as a result, we may end up with one office to oversee finances of this vast-to-vast amount of money in Suffolk County and that would -- there would be no checks and balances system. So please, I ask you to vote to not put this to a public vote. Thank you.

Applause

D.P.O. HORSLEY:

Thank you very much, Ms. Mawn. I believe it's Kimberly Quarty; that was a Y there, I'm sorry. And on deck is Harold Moskowitz.

MS. QUARTY:

Good morning. My name is Kimberly Quarty, I'm here from Peconic Land Trust and I'm here to speak to you on Resolution 1542 on behalf of Joseph Brush who is the owner of an important piece of farmland in Riverhead, identified as Tax Map No. 600, Section 44, Block 2, Lot 10.4. The Brushes are seeking to sell their development rights of their farmland under the Suffolk County Drinking Water Protection Program on 12 out of the 22 acres. Their parcel has received a 15.75 rating and they meet the criteria of the program and that their property is immediately adjacent to a 55-acre parcel that was protected by the County just last fall. The property possesses prime agricultural soils. It has significant acreage and significant road frontage along County Route 105 which, if protected, would provide significant view shed for generations. So I'm asking you to approve the resolution to approve the appraisal for this parcel and protect this important piece of farmland. Thank you.

D.P.O. HORSLEY:

Thank you very much, Ms. Quarty. Harold Moskowitz, and on deck is Lauren Van Kirk.

MR. MOSKOWITZ:

Good morning to all. I'm here to speak about IR 1567. Executive Bellone has said that the proposed consolidation is about protecting taxpayers, not about politics. At first glance, IR 1567 sounds like a good thing. However, things are not always what they seem to be. Executive Bellone claims that the merger will result in major cost savings, perhaps a million dollars. Need I remind everyone that too often in government, the projected cost savings seldom, if ever materialize. In time, staff size increases to the new County financial office will likely cancel any immediate savings. In addition, merging these two financial offices will reduce a measure of financial oversight; oversight over government borrowing and spending. Checks and balances on financial matters help to protect the best interest of the taxpayers. Unless -- furthermore, former Executive Levy proposed merging the offices in 2006.

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

MR. MOSKOWITZ:

He was blocked by this Legislature. Some of you in office today may have participated in that vote. Certainly, what was deemed a proper decision in 2006 should still have merit today, unless, of course, political considerations are paramount. If the Executive and this -- if the Executive and this Legislature truly want to protect the taxpayers, then the two present offices should remain separate and distinct. Financial oversight is important.

Perhaps James Madison said it best, and I'd like to quote from him.

"If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary," end quote.

Unfortunately for us, government officials are not angels and are easily influenced by personal and/or political considerations. We have no control over who may serve in government years or decades from now. Today you can show your support of good quality government and protection of taxpayers by voting to not place the merger resolution onto the November ballot. Thank you.

(*Applause*)

D.P.O. HORSLEY:

Thank you very much, Mr. Moskowitz. I'd like to make a motion to extend the Public Portion. It is now 11 o'clock. Can I have a second?

LEG. BARRAGA:

Second.

D.P.O. HORSLEY:

By Legislator Barraga. All those in favor? Opposed? So moved? It has been extended. Ms. Vankirk?

MS. ORTIZ:

Ten.

D.P.O. HORSLEY:

Thank you. And Carrie Vasiluth is on deck.

MS. VANKIRK:

Hi. Thank you so much for calling me up here today. My name is Lauren Vankirk, and I consider myself a lifelong advocate of senior citizens.

Every day seniors are worried if they have two dollars for their nutritional lunch. So I get slightly offended when people say, "Well, this merger may only save a million dollars, a hundred -- a dollar a month. Two dollars or a dollar is the factor if someone's going to have lunch or not.

I support this merger. I support voting for this merger. I'm here on behalf of many senior citizens who couldn't be here today, because they're out at the old Town Hall Museum in Babylon Village, disappointed that Wayne Horsley couldn't give them their tour, which they always enjoy, Wayne. But they wanted to be here today. They want to support voting for this legislation, the seniors. One thing I learned about seniors is they like to vote, they like to be heard, and I think that Suffolk County would benefit from hearing from senior citizens. So we support this. Thank you so much.

D.P.O. HORSLEY:

Thank you very much, Lauren.

*(*Applause*)*

All right. Carrie Vasiluth, and on deck is F. Jeanne Anzalone.

MS. VASILUTH:

Good morning. I was here last week, so I'll be brief. Thank you again for letting us all weigh in on this important decision and for allowing me to speak.

I know this concept of merging the Comptroller's Office and the Treasure has been bandied about and debated in previous -- with the previous Legislative body and yourselves. But perhaps, and I believe it's time to allow the voters to weigh in on this very important decision. It affects their pocketbook. It affects them being able to pay their taxes and staying here on Long Island.

I'm a lifelong resident. I struggle with paying my taxes. And I would just ask that you finally just bring it to the public, the citizens of this County. I have every faith in Steve Bellone, he was elected by the citizens, and I have every faith in this Legislative body to do the right thing. Thank you so much.

*(*Applause*).*

D.P.O. HORSLEY:

Thank you very much, Ms. Vasiluth. F. Jeanne Anzalone, and on deck is Fred Gorman.

MS. ANZALONE:

Good morning. I am F. Jeanne Anzalone, and I proudly reside at 311 Okers Drive, Oakdale, New York. I have been a taxpayer and living in Suffolk County since 1958. I stand before this body of Legislators and emphatically state that I disapprove of Resolution Number 1587 (sic).

At the present time, I have reviewed this resolution. The time frame alone given to each Legislator to absorb and digest this text and this documentary -- documentary and text is unacceptable. We're talking about 2.8 billion dollars in the County budget. May I repeat, 2.8 billion dollars.

The result of this merger will enact less representation, less checks and balances, less eyes on the dollar. May I address this body respectfully, and in your conscience vote Resolution 1587 (sic) down.

I thank you, and you all have a good day.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Anzalone. Fred Gorman. On deck is Ann Marie Marafino.

MR. GORMAN:

Yes. Good morning, Legislators. Look, I think it was about 100 years ago we voted for a Treasurer, so we already voted for a Treasurer. We didn't vote for you guys, you were appointed. Our Treasurer position was voted on.

My position on this is obvious, I've said it before, I don't like giving up checks and balances. And that's really all I have to say about that item, although I must say that this particular legislation is so covered with conversations behind the scenes of all sorts of political activity, this is Bellone's, and this is that, and we can't do this and we can't do that, that it's really clouded.

I've heard Legislators up here tell me about other Legislators. I've had people in the crowd, I've had civic activists, I've had employees of Suffolk County all come to me and tell me about all the politics going on here. As a matter of fact, Mr. Barraga, or Legislator Barraga, I'm going to tell you that I think it's extremely important. I think you may have heard privately people have said things about you. I think it's very important that you come out here and publicly deny the statements that have been made, that you're in Bellone's pocket because he employs your daughter. I think that's terrible.

D.P.O. HORSLEY:

Mr. Gorman, please, that's -- we're getting very personal here. I'm not getting personal. I'm trying to protect the gentleman. I'm trying to protect Steve Bellone from the rumors that are going on, including members of you -- right where you're seating. It should be brought out. All I'm asking the man to do is to come here and deny those rumors.

D.P.O. HORSLEY:

Mr. Gorman. Mr. Gorman, please.

MR. GORMAN:

That's not personal.

D.P.O. HORSLEY:

We appreciate the defense, but we're -- let's keep it to the point.

MR. GORMAN:

Well, my point -- I simply made my point. My point is there's a lot of politics being eluded to here, and I don't necessarily know that they're true, because we're talking about a referendum. Do I think we need a referendum? No. But the problem is here all the politics that are being talked behind this are affecting the community, things are being said. And I know I'm not the only person that has said this to Mr. Barraga. I am saying this to get it out in the public so that he can defend himself honorably, that's the only reason behind it.

D.P.O. HORSLEY:

Okay.

MR. GORMAN:

Thank you.

D.P.O. HORSLEY:

Thank you very much, Mr. Gorman.

*(*Applause*)*

D.P.O. HORSLEY:

Mr. Bar, you want to -- let's not go too long on this, though.

LEG. BARRAGA:

I don't want to go too long on this, but, usually, when people are out there -- and I have not, Mr. Gorman, had other people approach me on this particular issue. You're the first one that's bringing this out to me. But, usually, in my experience, when people who don't agree with you start blaming you, and blaming one person after another after another, it's usually because they can't defend their own position on the merits, and that, I'm afraid is happening here. When you're blaming the County Executive, and you're blaming the County Comptroller, and you're blaming Tom Barraga, and you're blaming everyone else, usually, what you should be doing is defending your own position on the merits and you're not. And that's all I have to say on the issue.

D.P.O. HORSLEY:

Thank you very much, Mr. Barraga, and let's --

MR. GORMAN:

Well, I was giving you an opportunity, and I know the people that spoke to you.

D.P.O. HORSLEY:

Mr. Marafino, please -- Mr. Gorman, thank you. Ann Marie Marafino, and on deck is Karen Peirce, it looks like.

MS. MARAFINO:

My name is Ann Marafino, and I'm here to support I.R. 1567. As a Suffolk County voter, I would like the opportunity to decide if the Offices of the Treasurer and the Comptroller should be merged. Please do not block this referendum, give us the vote. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Marafino, and thank you for your brevity. Karen Peirce, and on deck is Astrid Fidelia.

MS. PEIRCE:

Hi. Good morning. It's an honor to be here. I am here to voice my support for the resolution before you for a voter referendum on merging the Offices of County Comptroller and County Treasurer. This merger will save the taxpayers nearly one million dollars per year.

I have heard many people here say that this is just going to save a few nickels and dimes. Well, like my grandfather taught me, I'm a business owner, if you watch the nickels and dimes, the dollars will take care of themselves. Let the voters decide. Let's save some money. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Peirce.

MS. FIDELIA:

Good morning. Astrid Fidelia, President of the Haitian-American Political Action Committee. I am here -- I'm sorry. I'm an Islip resident, and I'm here to encourage you to put this referendum out there and give us the voters the opportunity to vote. I just ask that there are checks and balances. Please continue to enforce that and add more, if you can, because we want to make sure that the

money is spent properly. Thank you.

D.P.O. HORSLEY:

Thank you very much for being here today. Lisa Scott, and Annette Mahoney-Cross on deck.

MS. SCOTT:

Good morning, and thank you.

D.P.O. HORSLEY:

Good morning.

MS. SCOTT:

I'm Lisa Scott, President of the League of Women Voters of Suffolk County.

The League is a proponent of consolidation, but only when criteria such as whether the proposal really results in projected cost savings, and a positive effect on taxes over the long-term, and whether the proposal either results in an increased quality and/or efficiency of services, or, at a minimum, maintains services at existing levels. It seems the jury is still out on whether each of these criteria would be given more than lip service under the current County Executive's proposal.

To summarize, and I'll hand out my comments to all of you as well, the cost savings quoted, which seemed to be 833,000 annually now, the changing details of the resolution and the apparent lack of a detailed performance audit on site at the two offices, in a rush to put this through in time for the November general election, added to costs associated with the Performance Management Team audit. The employee time spent on internal consolidation planning, and the cost to be associated with the referendum have likely already offset any real taxpayer savings for the first year. Add this to the, again, likely negative effect on services to taxpayers, at least in the short run, and, also as heard here, to our Town Receivers of Taxes, with their -- in case there are no additional new employees, and there could be a resulting strong argument for caution and further assessment and planning.

We also think a disservice is being done to our fellow citizens, evidenced by this proposal, as part of a political and piecemeal approach to a very huge budget deficit. Yes, due to the financial crisis, we definitely all need to think differently, and streamlining and smaller governments are desirable. But protecting core services, keeping checks and balances, and a definite respect for impartial analysis should be key in a large-scale responsible effort to educate the public on very hard decisions, long-term thinking and expectations. The League implores the Legislature to avoid political overtones that this proposed merger brings out, and to act independently of the County Executive's office in order to get details right. We think the responsible and prudent decision of this Legislature would be to table I.R. 1567. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Ms. Scott. Annette Mahoney-Cross, and on deck is Coni Lorenzen.

MS. MAHONEY-CROSS:

Good morning. Thank you for giving me an opportunity to speak with you today. My name is Annette Mahoney-Cross. I'm a lifelong resident of Suffolk County, a current resident of Mount Sinai. I stand here in opposition of bringing a referendum regarding the consolidation of the Treasurer and the Comptroller.

The first thing I would like this Board to consider is what happened in Old Field this past May. The Village of Old Field had a Treasurer acting as both Treasure and Comptroller. That Treasurer was charged with Grand Larceny.

*(*Laughter*)*

Now, she was given an opportunity, because the same person collecting the monies was writing the checks. We're talking chump change in Suffolk County land, \$50,000. However, if you put it on our scale, we could be talking 50 million dollars. Why should we leave anything open to this type of criminality? And I'm not accusing anyone of criminality here. In fact, I applaud all of you for considering cost savings.

I am a current Suffolk County employee and a member of the Association of Municipal Employees. I know we need to save money, but the question is, is this the right place to do it?

Now, I have the privilege as the Assistant Director of Child Protective Services of traveling all over New York State at times and meeting with people from other counties, and the one thing we always talk about is how unique we are as a County. We are not like New York City. We are not like Westchester County. So we really have to consider, is this right for us, considering our demographics, our geography, our incomes. We really have to wonder, maybe we're doing it right and the other counties are doing it wrong.

*(*Applause*)*

MS. MAHONEY-CROSS:

Furthermore, and lastly, I had the privilege and the pleasure of meeting with many of you at AME about two weeks ago, three weeks ago for some of you, and I want to thank you all for that. However, many of you looked me in the eye, I'm not going to include anyone else, looked me in the eye and said you would not support further layoffs of Suffolk County employees. If this resolution is to go through, it is supporting the layoff of Suffolk County employees, because much of Executive Bellone's cost savings is staff. And we're not talking executive staff, we are talking line workers, we are talking clerks, we are talking account clerks. So what kind -- and I see people shaking their head, and please share this information with us, with AME, when you have time then, but where is this cost savings? Is it going to hurt the economy further? If these people can't pay their taxes, they're not the ones making 100,000 a year, they're making \$40,000 a year. Our average member, \$45,000 a year, I believe. So, really, consider. Maybe Suffolk County is doing it right. Consider that a lot of these corporations that have CFOs who don't have comptrollers and treasurers. Wow. Could I name a few that got a bailout from the Feds? Can I name a few that stole from their employees?

*(*Applause*)*

When there are no checks and balances, it is not fair. This is not a voting rights issue.

D.P.O. HORSLEY:

Ms. Mahoney-Cross.

MS. MAHONEY-CROSS:

Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

We're going to have -- thank you.

MS. MAHONEY-CROSS:

Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Okay. Coni Lorenzen, and on deck is Don Dailey.

MS. LORENZEN:

Good morning. My name is Coni Lorenzen, and, as you know, I'm the Treasurer of the Suffolk County Association of Municipal Employees.

Once again, I stand before you to express my sincere concerns regarding the decision to put I.R. 1567 on the ballot this November. As I've stated before, now more than ever, Suffolk County needs to continue its system of checks and balances. In my more than 35 years of accounting experience, every office, both public and private, has a system of -- checks and balances exist in order to maintain accountability and fiscal transparency.

The Administration, as well as some of you, feels that the decision to merge the offices of the Comptroller and the Treasurer should be left to the voter. They feel the voter will be happy to streamline government. I do not agree. I believe the voter, the educated voter, is going to see this as another means for government to hold the purse strings and expend the tax dollars as the Administration chooses. In truth, it will give the voter less oversight of the accounting of their tax dollar. They will realize, as they have in the past, that cost savings are overinflated.

Further, and of even greater concern, is the loss of jobs. The AME employees in these combined offices total 99, 60 in the Comptroller's Office, 39 in the Treasurer's Office. There are varying opinions as to the total of jobs that this merger will effect. Seven? Five? Three? Two? Pick a number. That's not accounting. And -- and those few positions proposed to be eliminated will be low-hanging fruit, as the report author stated. Our members on average make \$45,000 a year, average. The fruit just doesn't get much lower.

At the Government Operations meeting last Thursday, Mr. Sawicki stated that he envisions a lesser number of employees to run the Unified County Department of Financial Management and Audit. Clearly, this statement is an intention of more layoffs than the few mentioned earlier. Is this how government is going to streamline and run more efficiently? No. This is another guise the Administration is putting forth in an attempt to justify to the taxpayer a false savings of tax dollars.

I.R. 1567 was thrown together haphazardly. The Department of Performance Management stated it spent just a few months compiling information to produce a report that had no actual physical research. And more so, the Administration continued to change the resolution as late as the morning of the Human Services Committee meeting. That issue right there would have been less embarrassing had there been some checks and balances in place.

*(*Applause*)*

Honorable Ladies and Gentlemen of the Legislature, I ask you again, please, do the right thing. Please, do not make the workforce of Suffolk County collateral damage. Oh, and the number 99 comes up again. There are now 99 days until Election Day. Do the right thing. The voters will remember in November.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much Ms. Lorenzen. All right. Don Dailey, and on deck is Francis Zappone.

MR. DAILEY:

Good morning. My name is Don Dailey and I represent Suffolk County Association of Municipal Employees as their Fourth Vice President. I'd like to thank you for the opportunity to speak today against the proposed consolidation of the Comptroller's and Treasurer's Office. Having two separate entities handling the finances of Suffolk County provides for a system of checks and balances, and in the economic climate we live in these days, we need more checks and balances than ever.

The County has done little to evaluate the actual savings the County would realize by this merger. What the County has done is business as usual; decisions without investigation, rushing the hearing process, disregarding the decisions of the Legislature's Governmental Operations Committee, and, once again, putting AME jobs at risk.

It is disheartening enough that the County would lay off 300 AME members in the name of cost savings while hiring 150 political appointees at triple the salaries of those of the laid off members. But to now merge financial offices and eliminate elected officials' positions in the name of savings with a rushed process once again disrespects the Suffolk County taxpayer. The municipal employee can no longer be collateral damage for cost savings.

The Deputy County Executive stated last week that he has a firm belief in the Suffolk County's voter ability -- voter's ability to make an informed decision, but the proposition is leading to the public. Who wouldn't vote for a more streamlined and efficient government? And why wouldn't the County Executive want to bulldoze a political opponent?

If this argument for the consolidation is so strong, then why not rewrite the proposal in a way that tells the public exactly how much savings will be realized and how the process was figured out? I'm confident that this wasn't done because of our voters' ability to smell a rat.

Many of you have interviewed with our Political Action Committee and have stated that you will not support actions that will cause layoffs. I ask you to remember that, and I urge the members of this body to vote no against this proposal. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Dailey. Francis Zappone, and on deck is Anthony Pecorale.

MR. ZAPPONE:

Good morning. Thank you for the opportunity to speak. Frank Zappone, Deputy Supervisor, Town of Southampton.

I'd like to address a couple of issues for the Legislature today, the first being the Riverside/Riverhead Footbridge Project -- Grant Application Project. Mr. Taldone and Supervisor Anna Throne-Holst gave you the details of that project several speakers back.

I want to emphasize one important point among the many that were made earlier. It is our vision to create a destination point in the Riverside/Riverhead area, and this footbridge can be an interesting and integral part of that, achieving that vision.

We well know of the Riverside/Riverhead area as a pass-through to the features and attractions of the North Shore, and the features and attractions of the South Shore, creating a destination there where people will stay, will shop, will visit the many attractions. The newly open Suffolk County Theater, the Aquarium and other features will be a great asset.

I'd also like to address the resolution in front of you with regard to an Intermunicipal Agreement for the Veterans Services in the Town of Southampton. As a veteran and a member of the Hand-Aldrich American Legion Post in Southampton, I can attest to the great need for this service among our veterans, both veterans of past conflicts like myself, and more current veterans who are in need of those services, who often are put in great stress to achieve access to those resources here at the County. So, having that tool available to us in Southampton would be a great asset, and I would encourage you to support that Intermunicipal Agreement with the County and the State.

And lastly, I would like to address the issue which is predominant in today's conversation, that is the resolution to combine the two services. I think it is of great value to put something of that magnitude in front of the voters. There's a lot of conversation about the importance of oversight, and, as a government official, I strongly support the need for oversight, but segregation of services doesn't automatically result in oversight. And I think the voters can examine the issues in front of them and make an intelligent decision come the Fall. So I would encourage you to support that and the other two resolutions that I spoke to. Thank you very much for your time.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Zappone. For the members, I just wanted to let them know that the veterans issue that is referenced by Mr. Zappone is in our -- is one of our CNs today.

Anthony Pecorale, and on deck is Dan Farrell.

MR. PECORALE:

My name is Anthony Pecorale, I'm a retired school superintendent. And I speak as an individual in support of a study of the whole Suffolk County Tax Act, not just one section. I urge you to not piecemeal and consider all of the aspects of the Suffolk County Tax Act, this very old law. All of the sections should be studied to determine the need for revision. I urge a study not on a piecemeal basis, but as a helpful approach for consideration in all of the tax collections in the County. One section alone can save millions, the collection of school taxes.

I am providing one section of the Suffolk County Tax Act for your consideration and ask you to not pass this law, or consideration for this law, and to do a study that would help the whole County in terms of saving money for all of the taxpayers of our County.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Mr. Pecorale. Dan Farrell, and on deck is Robert Conte.

MR. FARRELL:

Good morning. My name is Dan Farrell. I'm the AME President. I'm a 45-year resident of West Islip. And I have an accounting background, and I'm still going to school for accounting. And what I've learned in college, in school, in accounting is not only about checks and balances, but internal controls. And without them, there's too much, how do I say, liberty to do the wrong thing, and I don't think that's something we need here in Suffolk County.

But the other thing that's bothering me here, and I don't think it's being brought out as much, is consolidation to me equals layoffs, because by consolidating, you're getting rid of positions. Our union has lost over 500 positions already; we cannot tolerate anymore. We have spoken to some of you who said they would no longer go for layoffs, but a consolidation is a layoff, okay? So what I'd like to know is what is the big plan of the County Executive and the Administration? What is the big plan, is it to consolidate everything? I just don't understand how we can consolidate these positions

and say it's a good thing. I think it's more of a political action here. And if it's consolidation this whole horseshoe believes in, I got an idea. Why don't we start right here, let's consolidate the Board.

*(*Applause*)*

Ninety thousand dollars apiece for each of you's. Let's get rid of eight or nine of you's, there's your million dollars in savings right there.

*(*Applause*)*

(The following was transcribed by Kim Castiglione, Legislative Secretary)

How about that? Is that what you'd consider? Makes sense to me, if it's a million dollars is all you need, right? I do the math. I'm an accountant. That's what it comes out to. Let's get rid of eight or nine of these positions. How about that? Is that something we're willing to entertain, or is it going to take more AME layoffs of the people who make \$45,000 a year. Well, you know what, November is 99 days away. AME will remember and so are you. You're going to remember. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

All right. Thank you very much, Mr. Farrell. Robert Conte and on deck is Michael Finland.

MR. CONTE:

Thank you very much for allowing me to speak tonight -- today, excuse me. Earlier this morning, Ester Bivona spoke against this proposal, as am I, and I only mention that because two years ago I ran against Ester Bivona for the Receiver of Taxes in the Township of Huntington. And as doing my due diligence in running, I came to realize how efficient and how top-notch Ester Bivona does run her office. So when she speaks, she comes from not only a long history, but also from knowledge and from a pure background of understanding the Receiver of Taxes.

I also believe, as many of you have spoken about to all of you, that the million dollars in savings is just a farce. The \$800,000 is there. It can be saved other ways. You do not have to consolidate and give up the people's right to vote for a Treasurer and a Comptroller at the same time. The County Executive has that decision when he makes his budget, he can go down the line. It's basically a falsehood to the people that these savings can only be achieved through consolidation. They can be achieved through other means without layoffs just through sharpening their pencils and getting things done correctly.

Also, Legislator Nowick last week mentioned the fact that we would be putting up a referendum to eliminate two positions which we will be electing this November. Only in government does that make sense.

*(*Laughter*)*

And finally, there has been many talk of this being a political payback, a political power grant by the County Executive and the people of his -- of his office. I only can say that if it walks like a duck, and quacks like a duck, it's a duck.

*(*Applause*)*

Thank you.

D.P.O. HORSLEY:

All right. Thank you, Mr. Conte. Michael Finland, and on deck is Owen Durney.

MR. FINLAND:

Good morning, everyone. For the record, my name is Michael Finland and I'm from AME. I'm here to speak with regards to the Treasurer/ Comptroller merger. I stand before you today, and I'm thoroughly disheartened over the rapid progression of an initiative that lacks insight or any degree of thorough analysis. It would appear that this is being pushed forward just for the sake of being pushed forward. It is unsettling for me to think that the Performance Management Team has not even visited the Treasurer's Office and now we're throwing this in the laps of the voters of Suffolk County. As a matter of fact, even Newsday in an editorial from July 29th, 2013, referred to this proposed merger as a quote, imperfect plan, unquote. And they further intimated that this entire process, quote, smacks of politics, unquote. This raises some very valid points that this Legislative body should consider in moving forward. You, as lawmakers, have the capability to thoroughly assess this situation. This matter rests with you rather than passing along the responsibility to the public at large.

I have worked for Suffolk County government for over 35 years, and I've witnessed a large degree of change in terms of the administration of services to the public. We have had a successful degree of functionality with two separate and distinct County departments of the Treasurer's Office and the Comptroller's Office. At this point it sounds like a cliché, but we do need a checks and balances system in place to oversee County finances. I would caution that this Legislature should step back and at a later juncture bring forth a comprehensively assessed plan rather than expediting a process that has not been completely reviewed. I thank you for your time and consideration in this matter. I urge you to vote no regarding a November referendum. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Mr. Finland. Owen Durney and on deck is I believe is William Graham.

MR. DURNEY:

Good afternoon -- is it afternoon yet? Good morning, I guess. It's still morning. I stand here -- I've worked for the County for 11 years. I have a Master's Degree in public administration at LIU Post. I also teach public administration. In fact, one of the classes I teach is program evaluation. So I stand here and I want -- and we talked about layoffs, so first of all, if you vote yes for this and you've told AME that you're not going to lay anyone off, you're voting for layoffs. So, let's start there.

*(*Applause*)*

But I'm not going to get into that. 1567, we're talking about defending it on its merits. There was something that was said at the committee meeting last week that made me very concerned about the information that you as a Legislative body are being given to make this decision, that checks and balances don't exist between departments, they exist between branches of government. That is ridiculous. If you work in the County, and all you have to do, you all have laptops, you could do it right now, is look up the County SOP, standard operating procedures. There are hundreds of examples of departmental checks and balances. I can't have a contract with another agency without it going to the County Attorney's Office, a different department. It has to be signed off by the County Executive's Office, a different department. There is a whole section devoted to procurement, putting things out to bid for equipment and services. That's handled by the Purchasing Division, different department. I could go on and on and on.

But here's the great thing. I actually found one when I looked it up, it's in our own standard operating procedure, D08, reporting of departmental financial accounts, and in the last sentence of the purpose it says this policy will ensure that proper controls and checks and balances, it's in our own SOP, are in place to prevent fraud and mishandling of departmental bank accounts. And guess what? The scope applies to every department. So this idea that checks and balances don't exist among departments, it's ridiculous.

So it brings me to the last section, and there was many other examples that were brought before you, the timeline, the fact that the BRO didn't have a real opportunity to objectively evaluate the amended version, but here it is. Why is this in front of you? And as a School Board member, okay, I used to be a school member, I voted on numerous resolutions to put before the voters, budgets, but other referendums and many I voted yes, and some I voted no. And the ones I voted no, the reason why it comes here first is to -- you have an obligation, you all took an oath to uphold the Constitution and to do the best job that you could do, and to make sure that this resolution before it gets to the voters, that this information was gathered with fidelity, that it was gathered objectively. You have an obligation to the voters, yes, to give us a choice, but the reason why it comes here first, it's a fundamental Constitutional purpose is to provide us -- to say to us this was done the right way. This clearly was done -- not done the right way.

D.P.O. HORSLEY:

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

MR. DURNEY:

Thank you very much. You have an obligation to fulfill your oath and vote no.

*(*Applause*)*

D.P.O. HORSLEY:

All right. William Graham and on deck is Larry Cervellino.

MR. GRAHAM:

Hi. My name is Bill Graham. I'm a resident of Bay Shore. There's an old political cliché that laws are like sausages; you don't want to see either one made. I'm not sure if was Poor Richard's Almanac or Samuel Clemens, but I think this is a prime example.

I just have a question, more than one question. Was the resolution changed to eliminate the language relating to a million dollar cost savings? Is that correct? I think that's very telling and I think that this is politically motivated. That much is clear. It definitely needs more study. I mean, if you change the resolution on the day of the vote to eliminate the language that's supposedly supports the reason for it, I think that's very telling, so thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Mr. Graham. Larry Cervellino and on deck is Karen Sheerin.

MR. CERVILLINO:

Thank you for your attention. I've been a citizen of Smithtown for over 40 years -- about 40 years, and I do represent a significant number of senior citizens. The senior citizens expect, they actually demand an arm's length oversight of their tax dollars and how they're spent. Obviously, every corporation in America has a chief financial officer, a treasurer sometimes and their stockholders demand that a certified public accountant study their books, see that everything is going right. Obviously this proposition is intended to bypass all of those checks and balances and we thoroughly encourage you to defeat this legislation. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

All right. Thank you very much. Karen Sheerin and on deck is Richard Macellaro, I believe.

MS. SHEERIN:

Good morning. My name is Karen Sheerin. I'm a longtime Suffolk County resident. I am against combining the offices, the administrative offices. I feel that government rarely can deliver on promised savings. We've seen time and time again there's always unintended consequences when we make these kinds of moves. And leaving this up to the voters can very easily lead voters to make a decision that is penny wise but pound foolish. And I would hate to see some kind -- another debacle like we've seen time and time again with government. And I want the checks and balances in place and protection for the Suffolk County taxpayers. Thank you very much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Ms. Sheerin. Richard Macellaro and Ronald Devine, Jr., on deck. Good afternoon. I screwed it up, didn't I?

MR. MACELLARO:

You did fine, thank you. Good morning, Legislators. My name is Richard Macellaro and I've been a resident of Kings Park in Smithtown for the last 22 years. I'm here today in support of County Executive Bellone's resolution that asks you to allow County voters, your constituents, to decide in a November referendum whether we should merge the offices of the Treasurer and Comptroller under the leadership of a CEO -- a CFO.

On Monday, July 22nd, I presented testimony in front of you regarding this referendum. I support County Executive Bellone's effort to continue reducing our staggering County deficit. Advancing this referendum is a step in the right direction. During that hearing, I was a bit mystified by remarks of some presenters and Legislators and their comments. In particular, some presenters suggested that voters would not understand such a question posed to them. Well, I think that Suffolk County voters are sophisticated and intelligent enough to understand the ramifications of this referendum. I believe that County Executive Bellone's proposal to merge these departments is an example of government working for the people in an effort to save taxpayer dollars.

Furthermore, I believe that this makes little economic sense to employ highly paid staff in both the Comptroller and Treasurer's Office when it only takes one department to effectively manage the County's -- the finances of Suffolk County. This resolution, if enacted, is yet another example of the County Executive's initiatives to further reduce the cost of government, control spending, eliminate duplication of services and unnecessary government offices while providing commonsense consolidations and solutions and reclassifying job duties and responsibilities, that will save taxpayer dollars by delivering more economic services.

The question is simple. Put the referendum on the ballot, that's democracy. Opposing this referendum because somebody may lose their job is personal. Between now and then, both sides will have the opportunity to explain their points of view. That's political.

In closing, I urge all Legislators to vote yes on this referendum on the November 5th ballot. Allow the people, not the politicians, to decide what is in the best interest of the taxpayers. Thank you very much.

D.P.O. HORSLEY:

Thank you very much, Macellaro. Ronald Devine, Jr., and Sue Postel.

MR. DEVINE, JR.:

Good morning, members of the Legislature. My name is Ronald Devine, Junior. I am the Assessor for the Town of Islip for the past 14 years. I have been in the real estate and assessment taxation field for most of my adult life. I also serve as the current President of the Suffolk County Assessor's Association and was privileged to be a member of the 2008 Suffolk County Charter Revision Commission.

Just a few brief remarks, there's been a lot said this morning and last week. In regard to the Suffolk County Charter Revision Committee, the committee did vote back in 2008 that we believe that the positions of the County Treasurer, the Suffolk County Comptroller, I believe the Sheriff and other Countywide agencies, excuse me, positions, should be elected by the people of Suffolk County, not consolidated into other departments.

As far as our role as Assessors, and also I would like to mention that Ester Bivona, the Receiver of Taxes from the Town of Huntington, spoke very well. She's very fluent as far as Suffolk County Tax Law, so I would abide by anything that she would tell you as the gospel of Suffolk County Tax Act. She's been around a long time and she knows a lot about this field so I would listen to what she has to say.

We also agree the Treasurer's Office is an office that Assessor's Offices throughout Suffolk County and the Receivers Offices use on a day-to-day basis. There are millions of dollars at stake. We send paperwork back and forth. There are tax certiori matters that go before them that they have to analyze and make correct refunds to property owners, and we have almost 500,000 property owners in Suffolk County.

As far as Assessor's Offices, we work with the County Treasurer every day. Every day we work with them. Our staffs merge together and find solutions for people. We have people that come into the Receiver's Office, the Assessor's Office, they have trouble paying their taxes. The Assessor's Office does not work with taxes, but people do come to us and we assist them. And nine out of ten times we have to call someone and someone is at the other end of the phone at the County Treasurer's Office.

It's a system that works, it's a system of checks and balances. It requires, I think, a lot more study if we're going to go and make this major decision as far as merging of these offices at this time. The cost savings does not seem as significant as everyone says they're going to be. So I would urge the Legislature to keep this system going. It's one system that's working. It is a working system so why do you want to -- from our viewpoint, why do you want to break something that's working, so, and the checks and balances are very important to have. Thank you very much.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Mr. Devine. Sue Postel and on deck is Daniel Albizu.

MS. POSTEL:

Hi. I'm Sue Postel. I'm a former Treasurer's Office -- I worked for the County Treasurer's Office for 26 years. I worked myself up from a Clerk to a Head Clerk. There's a checks and balances systems. In Suffolk County we have two financial systems. We have our IFMS system and we have our MUNIS system. We have one office which brings the two financial systems together, and that's in our accounting office.

You in Suffolk County are not going to be able to afford either one of a new system. The Treasurer's Office and the County Comptroller's Office, it's a checks and balance system. Unfortunately, you don't have time to tell the taxpayers what the Treasurer's Office does. We handle ten townships and we have -- we collect the late property taxes, which is the only thing you've told the taxpayers, and that's not the only thing we do. We handle all the certiori's, we give the refunds for the small claims

and we do a lot with the taxpayers who come in. Half of them don't even know when they pay their taxes.

I have worked with Ester Bivona when she started in the 26 years I was there, and I had to work with all ten Assessors' Offices. I urge you, you do not have enough time to educate the taxpayers and your taxpayers that were up here saying that they really, really want to vote, stop cross endorsing and give them the vote.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ms. Postel. Daniel Albizu and on deck is Gerry Pallotta.

MR. ALBIZU:

I just came from the dentist so don't mind me.

D.P.O. HORSLEY:

Our sympathies.

MR. ALBIZU:

Longtime resident of Brentwood and Bay Shore. You guys are always telling us to have check and balance. Now you guys are not giving us the right? Please, this is democracy. We need to have different department so they can have check and balance and especially in our taxes. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Mr. Albizu. Gerry Pallotta and on deck is Peter Mastando. Gerry? No? We'll hold that one aside. Peter Mastando.

MR. MASTANDO:

Good morning, gentlemen. Peter Mastando, unemployed. I'm part of one of those layoffs that Bellone laid off at the nursing home. Every time I come here I will mention the nursing home. That was a sad day. And that's as far as I'll go with that. It saved the taxpayers 31 cents to close John J. Foley nursing home, which cost a million dollars a month in deficit according to Bellone. Twelve million dollars a year saved 31 cents for taxpayers.

Let's see, the last time I was here they spoke about a savings of \$600,000 if you merge the Comptroller and the Treasurer. That's like ten cents a household from what I learned in here from the last time I heard everybody speak. And then I heard somebody say why fix anything that isn't broke? And one of the Legislators said well, I think it could be upgraded, or whatever the phrase he did use, even though it wasn't broke. And if you have to fix it I'll agree, maybe it does have to be fixed, but you can fix each department in itself.

Angie Carpenter has worked there for 20 years, approximately, from what I learned here again. She had -- has done a fine job. I never heard any newspaper articles on the subject being a problem. This is a coup, this a government coup. It's a takeover by Bellone Administration. I'm sure you heard that word, coup. Not cuckoo, it's a coup. It's what it is. And I ask you to vote against 1567. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you, Mr. Mastando. All righty. Again, let me just ask is Gerry Pallotta here? Is Gerry Pallotta? Okay. That is the cards that I have for the Public Portion. Would anyone like to speak on -- before we close the Public Portion?

MR. STRAUSS:

Good morning, Alex Strauss, resident of Miller Place. Usually referendums are good. The only problem with this referendum is it changes every 20 minutes.

*(*Laughter*)*

I've sat here, I sat here last week, it was very interesting. And there was a committee supposedly to see how good this merging would be and they never went to the Treasurer's Office? What the hell is that.

*(*Laughter*)*

I mean, when you check something out, don't you check everything out? You know, to inform the public, which I'm part of, I'll bet you that 91% of the people in this room don't even know what their Suffolk County tax is. I know what mine is, not counting the Police Department. It's \$92. If you doubled that it wouldn't bother me. The problem is that we try to cut everything. Government works both ways. You have to pay for government. You have to pay for our -- our -- our --

UNKNOWN AUDIENCE MEMBER:

Services.

MR. STRAUSS:

Services. Thank you. And if you don't pay for it, what are we going to do? You know, somebody said before consolidation and consolidate 18 Legislative Districts into seven. That's not a good idea and I don't think this is a good idea. If the public could be informed -- if the public sat here and listened to this I'm sure they would vote no. The only problem is the first thing they're going to see on that piece of paper, we're going to save a million dollars, even if it's not true.

*(*Laughter*)*

*(*Applause*)*

Because it was said right here that it couldn't be qualified that you would save a million dollars. Well, if you can't qualify something what the heck are you voting on it for? It doesn't make any sense. I appreciate your time and I hope you vote no. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Alex. Again, that was my last card. Would anyone like to be heard in the Public Portion? Would anyone like to be heard in the Public Portion? Come on up, sir. You haven't spoken yet, right?

UNKNOWN AUDIENCE MEMBER:

No, not yet.

D.P.O. HORSLEY:

I didn't think so. Okay.

UNKNOWN AUDIENCE MEMBER:

Thank you for hearing me this morning. I'll fill out a card. I was here eight, nine days ago and spoke before this Legislative body and no, I'm not going to be speaking about broken water fountains, okay, so you can rest at ease. I will reiterate what I had said that day about the complete obfuscation and subjugation of good Constitutional checks and balances. I was allowed to bring up at another Legislative meeting in Riverhead in March, and I was appeared before there and listened to this Legislative body passing a bond issue to -- so that the workers of Suffolk County could get paid in April. And I remembered it being rebuked, thank you Legislator Cilmi, Barraga and Kennedy possibly and a few others, until they had a good committee and stopped kicking the can down the road.

Well, lo and behold, I guess maybe the Executive and whoever proposed this 1567 heard you, and now you've become cannibals and you're eating your own. How big is this can going to get? We're talking about \$250 million that we're approaching as a budgetary problem and all of a sudden you're putting wings on pigs, wings on horses and tell them that they can fly. I mean, it's got to stop. Five, six, seven years or who knows how long, the Foley home, I don't want to insult anybody here, now it's worth half -- it's half the value, all kinds of other things here. And here you are talking about eliminating -- and it's going from 600, 800 and a million. If this goes to referendum, it will be rockets shooting off, billboards lighting up that we're saving you \$20 million over 20 years.

*(*Laughter*)*

That's what they're going to make it sound like and it smells. And I know what smell is because I'm in the septic cesspool business and I had a stinky one yesterday. And I've come home reeking, but nothing has insulted my nostrils and my intelligence as what I heard before this -- about this resolution today, yesterday and so on.

*(*Applause*)*

So again, I am telling you, you may not listen, it may go, there may be some things, but now I got to do more work because you're telling me, and I'm not going to insult the public, but they don't pay attention to this stuff. I've been on the streets enough to know. They don't know half of what's going on, and they will, like a bull, see a red flag and charge. "Oh, saving us money? Oh, yeah, I like that referendum." They have no idea. Now all you make me do is more work, everybody do more work to educate the voter. They've got too many other things to do. You've been elected. It's your job to make sure that this kind of garbage does not come before the public, especially when they do not understand it. Again, please vote no. Thank you.

*(*Applause*)*

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

D.P.O. HORSLEY:

Thank you very much. We appreciate your comments. Would anyone else like to be heard under the Public Portion? Would anyone else like to be heard under the Public Portion? Sir, come on up. Mr. Clerk. Take your time.

MR. O'LEARY:

Thank you. Thank you for the opportunity to speak. My name is Ronnie O'Leary and I am a resident of Smithtown. I am standing here today in opposition to Resolution 1567. I do think that consolidating these departments is a bad idea. It's as if we were going to propose a consolidation of the Executive Branch and the Judiciary. Could you imagine the same branch requesting search warrants and granting those requests?

*(*Laughter*)*

Could you imagine the same branch enforcing the laws and interpreting how the laws should be enforced, or whether they should even be enforced. Well, the same principle is operating here. You know, this bill would allow the same agency, the same department to collect the money and to see how that money is being spent.

Now, an earlier speaker said that checks and balances do not just apply to the government in the broadest sense of the term, but also to the departments. I think that's absolutely right, and that is why I ask that the Legislature vote no regarding Resolution 1567. Thank you.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Ronnie. Would anyone else like to be heard in the Public Portion? Would anyone else like to be heard? Okay. Seeing none, I'll take a motion to close the Public Hearing -- the Public Portion. Legislator Spencer makes the motion, seconded by Legislator Barraga. All those in favor? Opposed? So moved, the Public Portion has been closed.

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

D.P.O. HORSLEY:

All right. We're going to move to the -- Items Number 6 or 8 on our agenda, where we have several people that would like to speak to the Legislature, and one of them being the Treasurer of Suffolk County, Angie Carpenter. Angie, would you want -- please, come on up. Presentations.

*(*Applause*)*

MS. CARPENTER:

I was actually going to speak -- are you considering the resolution now?

D.P.O. HORSLEY:

No. You do not -- this would be the portion in our -- in our agenda where it would be appropriate for you to speak.

LEG. KENNEDY:

Mr. Vice Chair, we'll have the opportunity to have the Treasurer before us when we deliberate the resolution as well. Obviously, we want to extend the courtesy to an elected, as we would with any elected, as we did today.

D.P.O. HORSLEY:

We always would.

LEG. KENNEDY:

So we would welcome if she wants to speak to us now. But she clearly will have the right to be before us when we debate the bill.

D.P.O. HORSLEY:

If she would like to speak during that portion and answering questions would make sense; yes, she would have that right. Angie, would you like to hold off --

MS. CARPENTER:

No, it's all right.

D.P.O. HORSLEY:

-- for questions? I understand that.

MS. CARPENTER:

Thank you. I'm right here.

D.P.O. HORSLEY:

Sorry, Angie, I didn't see you there.

MS. CARPENTER:

Let me begin. I want to respond to some of the comments that were made by some of the speakers. And in no way am I espousing or suggesting that the people not have the right to vote. What is abundantly clear, however, is that the issue is complicated, it deserves a full vetting, and a proposition whose language is clear, concise, and not steered in one direction or the other. Even the Supervisor from the Town of Southampton in, you know, suggesting or advocating for the resolution going forward and be voted upon, admitted that she didn't understand it.

We've all heard many hours of testimony, questioning and debate on this very complex issue, and there is still much to be learned before, before moving forward. And in today's Newsday, they described the process as being convoluted. That's troubling, that's really troubling, and that it smacks of politics. And for us to move forward when Newsday says that doesn't sound like it's the right course of action for this County.

Proponents would have us believe that financial advisors, rating agencies and independent auditor feel that this is an idea whose time has come. However, in their letters, their chief concern, and this is their words, is that "Financial management not be compromised by reducing staff below the level needed to sustain operations."

Legislator Spencer, you took the time to come to the Treasurer's Office all the way from the Town of Huntington, all the way out to the Town of Riverhead. I think you'd have to agree that the possibility of services being reduced is very real with five positions being eliminated. Remember Renee in the tax record room, when she shared with us that, once upon a time, there were 14 full-time employees in that office, and now there are four full-time employees?

Further, the rating agencies, in their debates or their letters, said that as long as there are no negative consequences or an inability to meet deadlines, are we all confident, are you Legislators confident that this is the case here from what was shared by the Performance Management Team?

In committee the other day, and I know that not all of you were able to be here during that committee meeting, but I really believe that the Performance Management Team left a lot of unanswered questions, the fact, the very fact that they did not come to the office, to the Treasurer's Office, and they stated that they didn't feel the need to go to the Treasurer's Office or the Comptroller's Office. However, when the Comptroller made his remarks, he said that the Performance Management Team was there in his office and worked with his staff. So, again, there are unanswered questions here.

Many, many of you did take the time to come, and Legislator Anker was not able to come, but I do appreciate the fact that she did take the time. She had a lot of things going on in her life and she took the time to call, and we spent quite a deal of time on the phone, and I was trying to explain to her in that time how complex the office of the Treasurer is, and it is complex.

Legislator Hahn, you were there, you saw it. You know, Budget Review actually came out and they said that the Treasurer's Office might be a picture of the front cover of their next report when they talk about the state of the County and doing the budget, because they looked at the area in

Accounting -- and maybe, Legislator Krupski, you might remember that when you came there. Remember when we went down into Accounting and Todd VanScoy talked about how he protects -- when they send out those checks for the tax grievances and the small claims, to make sure that we're not sending out one penny, not one penny more than we're supposed to. And we passed a cubicle and there was stacks and stacks and stacks of papers piled up and the cubicle was empty. No employee, but stacks of paper that had to be worked on. Those were all calculations that were done prior to being approved by the Accounting Department, by the secretary, my secretary, who -- part of her duties, because of the reduction in staff, does those calculations when those tax judgments, those certioraris, those small claims come from that unit and go down to Accounting, so that the checks can go out to the taxpayers.

BRO, and I know we all -- and I say "we" because I was where you are -- always valued the opinion of the Budget Review Office. They time and time again in their report articulated the concerns, and their quotes are, "Would not be as thorough as the daily checks and balances that two separate departments would be able to perform." Yes, departments do perform checks and balances on one another. Their, quote, "Deputies" are involved in more than supervising staff. A full range of duties may be incompatible. Individuals that are proposed to be laid off currently fulfill valuable functions. A unified department in two locations, eliminating the Treasurer and Deputies, may not provide sufficient managerial oversight."

They go on to say, "Lack of hands-on oversight could lead to problems. The County could realize some savings, but those may be at the expense of service provision," the very thing that the rating agencies and Ernst and Young qualified in their letters to the Comptroller and to the County Executive. If we want real savings, sustainable savings, there are many other initiatives that could be undertaken without, without jeopardizing our financial stability, our fiscal oversight, and, yes, checks and balances.

The number and timeliness of audits being performed, Legislator Cilmi asked about that of the Comptroller the other day. If we had more audits, they could generate the kinds of savings by focusing in on how we spend the precious tax dollars entrusted to our care. When the Comptroller was questioned about it last week about those delays, he said give him 10 more auditors. Maybe that's the kind of investment and resources we should be looking at.

*(*Applause*)*

Maybe an entry level clerical position in the Treasurer's Office to whittle down the processing of tax challenges that went from over 3,000 in 2009 to over 18,000 in 2012. And those of you who came there saw those stacks. You saw what they were going through with the condos and the individual homeowners. And the interest that we have to pay on this delay in getting that paper moved, and every calculation has to be done individually, the interest in '09 was \$156,000, and in '12, it was 1.2 million dollars. And, yet, we're going to say that it might be okay to consolidate, collapse this whole department into that of the Comptroller with five less positions and we're going to still do the job, and we're going to save money, and it's going to be more efficient. I venture to guess that that 1.2 million dollar figure of interest is certainly going to go up.

I think that we need to go over the whole concept of Performance Management. On its face, it sounds like it would be a good thing. Performance Management should go in, review operations, ferret out duplication, opportunities for efficiencies, and perhaps adding a position here or there, clericals to move paperwork, and make certain that proper procedures and rules are being followed, because when you don't, when you don't, it costs the County money, and very often those costs come with additional fines, penalties and the legal costs.

And I think there was something in Newsday this morning that I saw briefly about a resolution that was tabled here at this Legislature to settle something with the Feds on some actions that we did not

do that were quite appropriate, and now our resolution is that we're going to hire two more employees so that we are following the rules and regulations. I don't want to see us be in that kind of position. We should be investing in human capital, not eliminating AME members. And make no mistake about it, contrary to what some have been told, two of the positions slated to be eliminated are AME members, one having been so for over 30 years.

Statements have been made in the past about the Comptroller, any Comptroller auditing themselves. We've heard that we should feel confident that Ernst and Young will be looking over our shoulder -- this is the Comptroller -- on an annual basis reporting to the Audit Committee. Well, please know that the Audit Committee has not even met once this year. That Audit Committee and this type of model -- if this type of model goes forward, that Audit Committee would be reduced by 25%, because one department wouldn't be there. The Treasurer's Department wouldn't be there for that kind of oversight.

And as has been stated and can't be said enough, do you want the responsible -- responsibility for the people's money, for the cash in the hands of one person? And I don't care how you separate computer system, lines of command, or whatever, at the end of the day, if those functions are pulled together in one department under one person, they're reporting to one person, so you do not have adequate separation.

Combining computer systems was another benefit, supposedly, but the systems are not compatible and it's not realistic. And the MUNIS System that's now being hosted with the appropriate disaster recovery that was not in place, that we were lacking when it was being hosted in IT, is under contract through 2015. So to say that we're going to save another \$200,000 is a myth.

At the end of the day, this kind of rush to judgment will not effectuate any real savings, but will wind up costing our hardworking taxpayers money, the very taxpayers we take an oath to protect. The decision is in your hands to do the responsible thing for our residents. Let's do our due diligence. Let's work together to find real sustainable savings. And, yes, let's have those with the Performance Management, those with performance management skills working alongside those who are doing the crucial jobs in this County to deliver the services that our residents have a right to expect.

I'm going to end with a quote, again, from our Comptroller, who has vehemently opposed this in the past, but his comments a couple of years ago are very telling and very on the money. And when questioned by Legislator Cilmi the other day, said, yes, the separate departments was a good model, but then he kind of backpedaled. But what he said was that, "The founding fathers of our County Charter who created and set up our government had a definite purpose in mind when they distinctly separated our County's two major financial functions. They wisely placed such enormous responsibility under two separately elected officials, ensuring the fiscal independence by making them answerable only to the people of this great County."

So if we're to go forward with a referendum, I say we need to do it after we do our due diligence, after the Performance Management Team has come to the Treasurer's Office, and perhaps after every Legislator has been there and sees what's going on. And, yes, I would invite the County Executive and the County Comptroller, the very person that the County Executive is appointing for a year to take over our department to be responsible for those duties, to come in there and see firsthand, as many of you did, to see firsthand what we really do and what he would really be taking on.

I thank you for your attention, and thank you for your service to the residents of this County.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you very much, Madam Treasurer. We appreciate you being here today, and we'll speak to you later on.

We now have Jon Schneider, representing the Administration, County Executive. Jon, can you do it in 15 minutes?

MR. SCHNEIDER:

I can do it in far less than that.

D.P.O. HORSLEY:

There you go.

MR. SCHNEIDER:

So, Members of the Legislature, thank you for your time. You know, just to echo off those points, one thing I thought was interesting, I think telling of some of the information, frankly, that's been provided to this body by the Treasurer's Office, is she mentioned some parts of the Newsday editorial today, but failed to mention the part where Newsday wrote, and I quote, "The County Legislature should approve a referendum placing the reorganization on the November ballot. Saving money and streamlining departments and systems are priority right now. The referendum ought to reach the ballot." That is the conclusion that Newsday reached.

You know, some people want to complicate this decision and try to distract this body and the public by throwing wild allegations against the wall and saying it's about something it's not. But, at the end of the day, it's a very simple decision. As the Newsday editorial states, quote, "It doesn't make sense for Suffolk County to be the only county in New York State that elects both a Comptroller and a Treasurer. So we must ask ourselves a very simple question. Should the voters of Suffolk County have the opportunity to choose if they want to consolidate government, improve efficiency and save nearly one million dollars on a recurring basis? And we believe that a body of -- that a majority of this body has faith in the voters to make that decision.

This isn't simply about saving taxpayer dollars, it's about continuing the process to consolidate government and find efficiency. We've heard about the fine work done by both offices and that fine work will continue because of the dedicated civil servants who carry out the day-to-day functions. The positions that would be shed from the consolidated department are the positions of an elected official and four appointed positions.

Long Island has far too many levels of government and overlapping bureaucracies. For this region to survive and to thrive, we must take every opportunity to consolidate. A lot of people talk a good game about it, maybe some of them even put it on their palm cards, but they can't quite pull the trigger because the devil is always in the details. Every bureaucracy has a justification for its own existence.

The County Executive and many of you have spoken about making our government simpler and more efficient, and finding recurring savings so that we can live within our means. Together we have done that since day one. We did it in the Law Department where we were forced to reduce the Department by nearly 20% in order to fund staff needed in Economic Development and Performance Management. We were told by some that outside counsel would go up; it went down. We crossed-trained our attorneys and we're getting the job done. Together we're doing it in Labor and Consumer Affairs, we're doing it in IT, and the examples go on.

In short, we've stopped talking the talk and now we are walking the walk. So the question before you is simple. Do you believe the voters of Suffolk County can make an informed decision on consolidating the Offices of Treasurer and Comptroller into an independent Chief Financial Officer? We believe they do. This proposal clears every threshold to be put before the voters. Comptroller

Sawicki has a plan to manage the transition in his final year as Comptroller. In fact, the administrative staff, which would head this combined department of 101 employees, is the same as when the Department of Audit and Control had a staff of approximately 120 in the late 1980s.

Ernst and Young state that our County's internal controls are sufficient to ensure the integrity of our finances. Capital Markets spoke directly with the ratings analyst, who covers Suffolk County, who said they would look favorably upon the merger. And we know that we will save nearly a million dollars on a recurring basis for starters, which is approximately 8% of the combined budget of these -- of these two departments.

As Newsday's editorial today states, quote, savings money and streamlining departments and systems are priorities right now. This referendum ought to reach the ballot.

Now I understand that some of you oppose this proposal, but I question why those people are afraid of the judgment of Suffolk County voters. If you have a compelling argument, make it to the voters. They're smart people, they'll be able to choose for themselves. I know one of your colleagues knocked on approximately 100 doors this weekend in their Legislative District, and asked each of those voters how they believe the Legislature should vote on Tuesday. And to a person, whether voters were inclined to support or oppose the referendum ultimately, they told that Legislator that they believe the public ought to have a choice in the matter.

This is a very fundamentally simple vote that the Legislature is going to cast today. Do you believe that the public can make an informed decision on consolidation or don't you? We believe that a majority shares the belief that they can. Thank you very much for your time.

*(*Applause*)*

D.P.O. HORSLEY:

Thank you Mr. Schneider.

P.O. LINDSAY:

Jon, that was quite a presentation. I didn't know whether you got a horn growing out of your head, or that's your phone you forgot to take off.

*(*Laughter*)*

MR. SCHNEIDER:

That's a pen.

P.O. LINDSAY:

A pen. Oh, okay. I didn't know what it was. All right. What do we got?

D.P.O. HORSLEY:

Okay. We have the Consent Calendar, and then if we can begin the agenda. But I'll make the motion to approve the Consent Calendar, seconded by Legislator Anker. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

D.P.O. HORSLEY:

And I turn it over to you, Mr. Presiding Officer.

P.O. LINDSAY:

Okay. Thank you very much. Go to Page 7, Tabled Resolutions. Okay, everybody's set.

TABLED RESOLUTIONS

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

LEG. KENNEDY:

Mr. Chair, I'm going to make a motion to approve this resolution based on our discussions at the last General Meeting. I tried to incorporate most of the recommendations and changes that my colleagues had encouraged me to do, circulated it to all of you. To refresh everybody's recollection, this is an effort to go ahead and put in some scheduling requirements and some pre-notifications when it comes to functions of the Waiver Committee, that committee that you formed in the first instance, Mr. Chair. And I think it helps us move a little bit further towards some transparency and sunlight. So I'm hoping that the body can support me. And I look forward to the ability to put it in place. And I'll be happy to get a second.

P.O. LINDSAY:

Okay.

LEG. CILMI:

Second.

P.O. LINDSAY:

Is there a second?

LEG. CILMI:

Second.

P.O. LINDSAY:

Second, okay. On the question. Yes, Kara.

LEG. HAHN:

Can you just outline for us the changes that were made?

LEG. KENNEDY:

Yes, I will go ahead and articulate them, and, George, you'll help me if I miss any of them.

My recollection is that what we've done is we have put into place the requirements that there be a notice to all of us as Legislators. I believe it's two days prior to the actual convening of the committee as to what, in fact, actually will be the content of the Waiver Committee itself. That the committee actually memorialize the rationale and the justification associated with its decisions when a particular waiver is brought to it. And then, finally, that we have the transcript that be made available associated with the actions.

I know that some of my colleagues had asked for a few other things associated with it. I think when we modify functions that are being done, we do them in an incremental basis. And, Legislator Hahn, you and I did speak about it. We're like three-quarters of the way there.

LEG. HAHN:

Yes. And I do believe these are improvements. I had wanted to go a little further.

LEG. KENNEDY:

Yes.

LEG. HAHN:

But thank you for that explanation.

LEG. KENNEDY:

Yes.

P.O. LINDSAY:

Anybody else?

LEG. D'AMARO:

Bill.

P.O. LINDSAY:

Yeah, Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Mr. Presiding Officer. Just through the Chair, Legislator Kennedy, I just had a quick question for you.

LEG. KENNEDY:

Certainly.

LEG. D'AMARO:

I know that we debated this here in the past, and I appreciate you accommodated much of the suggestions that you've heard.

LEG. KENNEDY:

Yes, thank you.

LEG. D'AMARO:

That's good government in action and I appreciate that. And I know that you -- one of the suggestions I had was to put in a provision that there would be an explanation of the law that's relied upon in making a decision on a waiver, and then also how the particular facts fit into --

LEG. KENNEDY:

Yes.

LEG. D'AMARO:

-- the law that's being applied. So I appreciate that. But I wanted to ask you, you're also calling for a verbatim transcript. I support that, but just as a practical matter, have you had an opportunity to figure out how that will be covered?

LEG. KENNEDY:

We have had general discussion, I think, with the Chair. And I believe that the Waiver Committee itself, generally, the items that are before it are not extenuating, and I believe -- I think that we should be able to have one of our transcribers be able to go ahead and sit the committee.

MR. NOLAN:

May I jump in? I don't think the law at this point -- the resolution doesn't provide for verbatim minutes at this point.

LEG. KENNEDY:

But, nevertheless, conceptually, I mean, that's what we are looking for. And, certainly, I guess, as an alternative, we can also go with audio recording associated with it as well.

LEG. D'AMARO:

Okay, that's fine. So it's not necessarily verbatim with a stenographer.

MR. NOLAN:

Correct.

LEG. D'AMARO:

It can be audio and then transcribed, if needed.

LEG. KENNEDY:

Yes.

LEG. D'AMARO:

Okay, that's fine.

LEG. KENNEDY:

Good.

LEG. D'AMARO:

So we have options. All right. Thank you. Thank you, Mr. Presiding Officer.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Just through the Chair, if I may direct a question to Legislator Hahn. Legislator, you said that you wanted to go further. Could you just enunciate what points you were referring to and how much further you would go?

LEG. HAHN:

I don't know that that's necessary here, but I had last -- at the last General Meeting --

LEG. MONTANO:

The reason I ask is because there are some components that maybe, you know, I would support in terms of going further, that's why I'm asking you.

LEG. HAHN:

Sure, okay. At the last meeting, when we discussed this, I just had mentioned that I thought if there were cases where we thought they didn't meet the law, that there would be some sort of appeal of the decision made, maybe requiring a super-majority of the Legislature to make that, but a case where we could appeal what was decided by the Waiver Committee. The argument made back to me was that, you know, we kind of have that ability because we could submit a bill that revokes the contract, or whatever it is. So there was an argument made that it wasn't necessary for the reforms that Legislator Kennedy was moving forward with today.

LEG. MONTANO:

Thank you. And I think that's a concept that I would endorse.

P.O. LINDSAY:

Anybody else? Tom, do you have something to say about this?

MR. VAUGHN:

Just briefly. We appreciate the -- we appreciate the amendments that Legislator Kennedy has put forward. We agree with the statements of Legislator D'Amaro. We do believe this is good government, and we are certainly willing to -- you know, we're certainly excited to give this new method a try. And if there is some ultimately unintended consequence that none of us can foresee right now, we will work with the sponsors and the rest of the members of this Legislature to address them at that point in time. But we are supportive of this measure, and thank you.

D.P.O. HORSLEY:

And I welcome the support of the Administration, Mr. Chair. Thank you, Tom.

P.O. LINDSAY:

I'm glad he supports it, because I don't think I agree with it.

LEG. KENNEDY:

Well, thank you for being frank and candid with me, Mr. Chair.

*(*Laughter*)*

P.O. LINDSAY:

Okay. We have a motion and a second.

LEG. HAHN:

Tim, can I cosponsor?

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

LEG. MONTANO:

Cosponsor.

MR. LAUBE:

Seventeen.

LEG. SCHNEIDERMAN:

Tim.

LEG. KENNEDY:

Thank you. Thank you for the support from my colleagues.

P.O. LINDSAY:

We're so close to the bewitching hour for lunch. I'm not going to take up another issue, so we're going to adjourn at this time for lunch. See you at 2:30.

(The meeting was recessed at 12:30 p.m.)

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

*(*The meeting was reconvened at 2:37 P.M. *)*

D.P.O. HORSLEY:

Mr. Clerk, would you please call the roll?

MR. LAUBE:

Sure.

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

LEG. KRUPSKI:

Here.

LEG. SCHNEIDERMAN:

Present.

LEG. BROWNING:

Here.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Present.

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. MONTANO:

Here.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not present).

LEG. NOWICK:

Here.

LEG. GREGORY:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. SPENCER:

Here.

D.P.O. HORSLEY:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay, we're into Public Hearings:

Okay, if we go to page four, the first one up is ***(Public Hearing on) IR 1182-13 - Adopting Local Law No. -2013, A Charter Law to strengthen legislative oversight and public participation in lawmaking process (Montano)***. I don't have any cards. Is there anyone that would like to speak on this subject? Seeing none --

LEG. MONTANO:

Close it.

P.O. LINDSAY:

Close it?

LEG. MONTANO:

Yep.

P.O. LINDSAY:

Okay. Legislator Montano makes a motion to close.

LEG. CILMI:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Fifteen (Not Present: Legislators Nowick & Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

(Public Hearing on IR) 1316-13 - Adopting Local Law No. -2013, A Charter Law to improve hiring opportunities for Suffolk County Residents (Nowick). I have no cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, Legislator Nowick was just here. Let me skip over that because I know she's just down the hallway.

(Public Hearing on IR) 1406-13 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 9 - College Park (CP 8163) (County Executive). I have no cards. Anybody want to speak on this subject? We're on 1406, Lynne. I'll go back to yours.

LEG. NOWICK:

Okay.

P.O. LINDSAY:

Okay. I don't know who introduced that.

MR. NOLAN:

The County Executive.

P.O. LINDSAY:

Okay. I'll make a motion to close.

D.P.O. HORSLEY:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

1460 -- oh, yeah, going back to *(Public Hearing on IR) 1316-13 - Adopting Local Law No. 2013, A Charter Law to improve hiring opportunities for Suffolk County Residents (Nowick)*. What's your pleasure, Legislator Nowick?

LEG. NOWICK:

I'm going to close it.

P.O. LINDSAY:

Close. I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

(Public Hearing on IR) 1465-13 - Adopting Local Law No. -2013, A Charter Law to strengthen farmland and open space preservation in Suffolk County (Krupski). Yeah, I do have a card. Luke McKay. There are a couple of cards. Luke, you've got to hold the button down.

MR. McKAY:

Okay. Good afternoon. My name is Luke McKay and I'm here today to speak on behalf of the Peconic Land Trust in support of Legislator Krupski and the recently amended IR 1465.

For the past 30 years, Peconic Land Trust has helped conserve over 10,000 acres of farmland and open space on Long Island. Recognizing the importance of conserving both farmland and open space, the Trust supports Legislator Krupski's efforts towards creating a better balance between farmland and open space preservation. The Trust thanks Legislator Krupski for bringing this issue to light and encourages members of the Legislature, as well as all other stakeholders, to be open to further discussions on this important issue. We look forward to working with Legislator Krupski and other members of the Legislature to continue -- to continue and improve the County's acquisition programs. Thank you.

P.O. LINDSAY:

Thank you very much, Mr. McKay. Okay, then we have Kimberly Quarty, is that?

MS. QUARTY:

Quarty. Good afternoon. Thank you. My name is Kimberly Quarty and I'm here on behalf of Herb Strobel as -- in his capacity as a Board Member of Peconic Land Trust and an independent farmer in Center Moriches. He could not be here today, but he asked me to read you a letter that he has prepared. This letter is in support of IR 1465 which seeks to strengthen the County's Farmland Preservation Program.

"For over 40 years, Suffolk had been at the forefront of creating and implementing public policies that protect farmland and development. Indeed, County residents have continually supported the program by passage of various referenda that provide funding for development rights acquisition. Such support expresses the desire of residents to have access to locally-grown food and other benefits that come from maintaining a local agricultural base. Suffolk County has an even longer record of preserving open space for water protection and recreation. Many thousands of acres provide for recharge of the sole source aquifer, as well as passive and active recreational opportunities all across the County. The protection of open space helps maintain the quality of life for residents and enhances the experience of visitors to Suffolk."

"There remains a need to continue preserving farmland and open space, but the economic challenges of the last five years have constrained the availability of funding. In such an economic climate, it is important to evaluate how limited resources can most effectively be used to continue preservation activities. Legislature Krupski recognizes this need, and IR 1465 is a commonsense approach that will help sustain both aspects of the Land Preservation Program. His legislation would help create greater parity between open space and farmland development rights acquisitions. In addition, IR 1465 further prioritizes acquisitions. Such prioritization is important, especially when resources are limited."

"It is important to note that farmland is a working landscape and directly contributes to the economic vitality of the County. Farmers pay taxes, create jobs and purchase goods and services. There are also ancillary economic benefits derived from the tourism that is generated by visits to farms. In this light, strengthening the Farmland Preservation Program has economic benefits. And so I urge the members of the Legislature to support IR 1465. It is a reasonable strategy that will promote continued land preservation."

Thank you.

P.O. LINDSAY:

Thank you. Okay. Sarah Lansdale. I should say Director Lansdale.

MS. LANSDALE:

Good afternoon, Members of the Legislature. We're here to show our support for IR 1465. We've done an analysis of the parcels that are on our Comprehensive Master List for open space, and for those that have a rating of 45 points or higher, that accounts for 78% or 3,842 acres on the Master List. So 78% of the Master List parcels for open space preservation have a rating of 45 or higher and, therefore, we support this bill.

P.O. LINDSAY:

Anyone have questions?

LEG. KRUPSKI:

Just a word from the sponsor.

P.O. LINDSAY:

Yeah, go ahead. Legislator Krupski.

LEG. KRUPSKI:

I would just like to thank everyone for putting some attention to this, and I want to thank Director Lansdale for the help she's given me and Planning for the help. Because this bill doesn't try to change the rating system, nor does it change anything on the Master List. This merely sets some priorities for both farmland purchases and open space. And I would -- if there's any -- if there's no other question, I would move to close the hearing.

P.O. LINDSAY:

Okay. I haven't went through the total list yet.

LEG. KRUPSKI:

Okay.

P.O. LINDSAY:

I don't have any other cards. Is there anybody in the audience that would like to speak on this subject? Seeing none, Legislator Krupski will move to close.

LEG. SCHNEIDERMAN:

I'll second.

P.O. LINDSAY:

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

MR. LAUBE:

Fifteen (Not Present: Legislators Nowick & Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay, *(Public Hearing on) IR 1508-13 - Adopting Local Law No. -2013, A Local Law to require use of safety helmets by all bicyclists in Suffolk County (Barraga)*. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, Legislator Barraga, what was your pleasure?

LEG. BARRAGA:

Just close the hearing.

P.O. LINDSAY:

Close the hearing. I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen (Not Present: Legislators Nowick & Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay.

(Public Hearing on IR) 1510-13 - Adopting Local Law No. -2013, A Local Law to safeguard employees displaced by privatization (Browning). Again, I don't have anybody in the audience that have filled out a card that want to speak on this subject. Legislator Browning, what is your pleasure with this?

LEG. BROWNING:

Motion to close.

P.O. LINDSAY:

Motion to close.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Fifteen (Not Present: Legislators Nowick & Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

(Public Hearing on) IR 1553-13 - Authorizing the inclusion of new parcels into existing certified agricultural districts in the County of Suffolk – 2013 and updating annual enrollment period (County Executive). I'll make a motion. Do I have a second?

LEG. KRUPSKI:

Second.

P.O. LINDSAY:

Second by Legislator Krupski.

MR. LAUBE:

To close?

P.O. LINDSAY:

To close. Is there anybody in the audience that would like to speak on this subject? Seeing none, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Nowick - Absent: Legislator Muratore).

P.O. LINDSAY:

1553-13 - Authorizing the inclusion of new parcels into existing -- we just did that one. I thought it sounded familiar.

(Public Hearing on IR) 1561-13 - Adopting Local Law No. -2013 A Local Law Adopting a New Chapter in the Suffolk County Code to codify certain fees to be collected by the Traffic and Parking Violation Agency, as approved in the Operating Budget (County Executive).

I'll make a motion.

LEG. ANKER:

Second.

P.O. LINDSAY:

Seconded by -- to close. We have a second to close. Is there -- I have no cards on this subject. Is there anybody that wishes to speak on this subject? Seeing none, we have a motion to close and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Nowick - Absent: Legislator Muratore).

P.O. LINDSAY:

It stands closed.

And then we had one --

MR. NOLAN:

A CN.

P.O. LINDSAY:

-- that was sent over by CN, it's *(Public Hearing on IR) 1691-13 - Adopting Local Law No. -2013, A Charter Law to institute a Departmental Omnibus Budget Amendment Process (Cilmi)*. And Peter Elkowitz is signed up to talk about it.

MR. ELKOWITZ:

Thank you. My name is Peter Elkowitz, I'm the President and CEO of the Long Island Housing Partnership. I'd like to thank Presiding Officer Bill Lindsay, Deputy Presiding Officer Wayne Horsley and the whole Suffolk County Legislature for their continued support to help protect the Suffolk County residents.

LIHP supports Local Law 1691 to strengthen and improve regulating certain home improvement contractors. LIHP is working with New York State on Sandy recovery efforts. This specific topic was discussed yesterday on the proper licensing and insurance of contractors. The issue is critical to protect consumers when elevation and reconstruction of their home is required.

Too many times have home owners had problems with having such work done on their home and the contractor was not properly licensed, or did not have the proper insurance when a problem arose. This was especially seen after Superstorm Sandy when new home improvement companies opened shop or expanded their practices here on Long Island. Mitch Pally from the Long Island Builders Institute wanted me to convey his apologies for not being here today as well, for one, to let you know that he is also supportive of this Local Law.

Please consider approving this proposed law to protect our residents. Thank you for allowing me to speak here today and for all the support you have provided to the Long Island Housing Partnership over the last 25 years. Thank you.

LEG. KENNEDY:

Mr. Chair, can I ask Peter a question?

P.O. LINDSAY:

Yes. Go ahead, Legislator Kennedy.

LEG. KENNEDY:

Thank you. Peter, good to see you again. And your agency is doing quite a bit of work, I know, with Sandy relief. As a matter of fact, you've partnered with the Plumbers Union, and Mario Mattera in particular, with doing heating unit installation. My question with this is simple; is the raising of the houses something that homeowners are electing to do voluntarily or is this something that, in fact, they have to do vis-à-vis the Federal Flood Insurance Program?

MR. ELKOWITZ:

Well, it's a combination, actually, of both, but definitely because of the flood insurance issue is one of the reasons. And also, if there's more than a certain amount of the house being substantially damaged, they're required to as well to elevate it. And obviously if there's the ability to elevate it and they're worried about future floods from the new flood plain maps, that will also be required.

LEG. KENNEDY:

So prudent practice would say that, you know, a residence that's approximate to the water there may be subject to additional storms, somebody may want to go ahead and do it. But in this case,

most of these folks that are actually going ahead have to do it to avail themselves of the reimbursement from the current flood insurance policies that they have?

MR. ELKOWITZ:

Well, yes, in order for them to secure a reasonable price and not be priced out of the market, they're going to be required to make sure that their homes are elevated in the flood zone area. So they're going to be required to do it and, unfortunately, if not -- and they choose not to, then they will not receive the additional subsidy to rebuild their homes.

LEG. KENNEDY:

And so this bill that's going to compel those contractors that do this very specific type of work with house elevation is going to compel those contractors to carry additional insurance in the event that there's some problem, what we saw on News 12?

MR. ELKOWITZ:

Well, to -- exactly, to make sure that they are properly insured and properly insured to raise the homes. There's very few groups out here that right now can actually raise the home and be insured properly, so this is to make sure that they do get the proper insurance in case there is a problem in elevating the home, or actually in that case in putting the home back on the foundation after it was elevated.

LEG. KENNEDY:

Are there -- is there a market out there? Are there insurers or carriers that will actually write these policies for the contractors?

MR. ELKOWITZ:

Right now there are carriers, yes.

LEG. KENNEDY:

There are.

MR. ELKOWITZ:

Yes.

LEG. KENNEDY:

So this is something that basically are subcontractors who elect to perform this work shouldn't be -- in other words, we're not putting them in a position of impossibility. We're telling them, *"You want to do this work, fine. But then you make sure that you're properly insured in the event that a homeowner suffers some kind of loss."* They're not put in a negative position.

MR. ELKOWITZ:

No. Actually, I would reverse it for the homeowners to make sure that these people have the proper insurance. Because as you saw on News 12, that homeowner obviously, not only did they have their house fall doing the elevation when they were putting it back on, but they also had a lien put on from that contractor because he didn't have the proper coverage or the coverage that was required to do the work.

LEG. KENNEDY:

I'm very familiar with the lien law when I was out in the Clerk's Office. As a matter of fact, contractors have that absolute right. How many -- approximately how many properties or homes do you think are going to be in this situation where they have to be elevated? Just ballpark; any idea?

MR. ELKOWITZ:

We're hearing numbers of over 256 units right now that they're looking at, so.

LEG. KENNEDY:

Okay. All right. Thank you very much. Thank you, Mr. Chair.

P.O. LINDSAY:

Anybody else have any questions? Yes, Legislator Barraga, question of Mr. Elkowitz.

LEG. BARRAGA:

Mr. Elkowitz, I wanted to make sure I'm clear on this issue. An individual home owner that decides to elevate his or her home, my assumption is that they're doing it to get a better rate on their flood insurance, but it is not an absolute requirement. If they choose not to raise their homes, they could get flood insurance but they may pay a much higher premium.

MR. ELKOWITZ:

That's correct. But it depends on the funding source. It also depends on the funding source, if they're going for the funding source. The State is still finalizing their policies now, but in order to receive the Federal funds, they may be required to elevate in order to receive the additional funds to rehab it.

LEG. BARRAGA:

I know we've been concentrating on the proper amount of insurance in case something goes wrong. But I recently ran into a contractor who actually purchased a company from another state who has expertise in this particular area of elevating homes, because he said to me, *"You really just can't take anybody and put them into that scenario."* Is there anything in your proposal that would lay down specific requirements for individuals who come and say, *"Look, we can elevate your home,"* in terms of their background and experience in doing that?

MR. ELKOWITZ:

My proposal; you mean, the State's proposal?

LEG. BARRAGA:

The State's proposal.

MR. ELKOWITZ:

They're right now working on the requirements for the contractor. We're trying to work them so that they're in agreement with the counties that will be working --

LEG. BARRAGA:

But right now you could have a contractor, for example, who has a crew, they maybe have a lot of expertise in putting a roof on and windows and sheetrock, and now he's trying to tell people that with the proper equipment here we can raise your home, but they really don't have any expertise.

MR. ELKOWITZ:

Well, that's exactly what happened with this other home. There is (sic) no public funds right now going into that home. There's no -- you know, people can go out and do their own home repairs, so you're really protecting those individuals, too, that are maybe going ahead and saying, *"All right. You know, I need to get back into my home, it's almost a year now."*

LEG. BARRAGA:

So I guess the point I'm making, even though there'll be insurance protection, I think in many cases you're dealing with contractors who have absolutely no experience, or very limited experience in raising homes.

MR. ELKOWITZ:

That's absolutely correct. And if they do go through and use the State's funds or the Federal funds, the Community Development Block Grant Funds, Disaster Relief, the contractors are going to have to be screened by the State and be on an approved list, so.

LEG. BARRAGA:

Thank you very much.

P.O. LINDSAY:

Anybody else? No? Okay. Okay, we have a motion and a second?

MR. NOLAN:

No.

P.O. LINDSAY:

No, Mr. Clerk?

MR. LAUBE:

No, I don't have one yet.

P.O. LINDSAY:

Okay.

D.P.O. HORSLEY:

Motion to close.

P.O. LINDSAY:

Motion to close by Legislator Horsley. Do I have a second? Legislator Calarco, did you --

LEG. CALARCO:

Yes, to close.

P.O. LINDSAY:

Yes, he seconded to close. Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. No, fifteen (Actual Vote: Sixteen - Not Present: Legislator Anker - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay. I'll make a motion to set the following public hearing, setting the date for the following Public Hearings for September 12th, 2013, 6:30 PM, in the Rose Caracappa Auditorium in Hauppauge:

IR 1570, a Charter Law to improve the County's budget approval and amendment process to increase transparency and accountability;

IR 1591, a Charter Law to institute a departmental Omnibus budget amendment process;

1605, a Charter Law to establish a two-year budget planning process;

IR 1607, a Local Law to improve uniform drinking water distribution system standards in Suffolk County; 1678, a Charter Law to improve assessment and tax relief to property owners impacted by Superstorm Sandy;

And 1690, a Local Law to amend Section 14A, 13-10 of the Suffolk County Administrative Code to authorize donations of property held by the Police Property Bureau.

Do I have a second?

LEG. CALARCO:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislator Anker - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay, that's the public hearings. We're going to start the agenda.

MR. NOLAN:

Page seven.

P.O. LINDSAY:

Okay, we're on page seven.

Resolutions Tabled to July 30, 2013

We're on ***1841-12 - 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) (Schneiderman).*** Legislator Schneiderman?

LEG. SCHNEIDERMAN:

I'll make a motion to approve.

P.O. LINDSAY:

Motion to approve.

LEG. GREGORY:

Motion to table.

P.O. LINDSAY:

Motion to table.

LEG. CALARCO:

Second.

P.O. LINDSAY:

To table?

LEG. CALARCO:

Yes.

P.O. LINDSAY:

I'm going to make a second to the motion to close -- approve. We have a motion to approve and a motion to table.

LEG. SCHNEIDERMAN:

On the motion; either I guess on the motion to approve. There is a technical problem with it now, because when this was put in it was under the old program. So it -- we don't do planning steps in this fashion anymore, so I'll withdraw my motion to approve.

P.O. LINDSAY:

Okay.

LEG. SCHNEIDERMAN:

I'd have to file it differently, but it is a farm -- it is a Pine Barrens core parcel and, therefore, we have authority, because it's Pine Barrens, for the Planning Department to do appraisals anyway on the property. So I believe it's moving forward internally. So it's almost secondary, this resolution, so I'll withdraw my approval motion.

P.O. LINDSAY:

Okay. Then the only thing that we have left standing is the tabling motion. I'll be very frank, the reason why --

LEG. SCHNEIDERMAN:

Twist of defeat.

P.O. LINDSAY:

Yeah, I don't feel like getting involved in a lawsuit again.

LEG. SCHNEIDERMAN:

No, I think you're thinking of a different person.

P.O. LINDSAY:

Okay.

LEG. SCHNEIDERMAN:

That's Toussie, not Tuccio.

P.O. LINDSAY:

Oh, okay. Okay, my mistake then. Okay, then I'll withdraw as well. So whatever reason you guys want for tabling, I'll go along with it. Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen -- sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1119-13 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Terryville Greenbelt properties – Town of Brookhaven (Hahn).

LEG. HAHN:

Motion to table.

P.O. LINDSAY:

Motion to table --

LEG. CALARCO:

Second.

P.O. LINDSAY:

-- by Legislator Hahn, and I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1307-13 - Adopting Local Law No. -2013, A Charter Law adopting and incorporating 2% Property Tax Cap into the County budget process (Cilmi).

LEG. CILMI:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cilmi. Seconded by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1310-10 - Authorizing a Concession Agreement at the Vanderbilt Museum (Presiding Officer Lindsay).

LEG. SPENCER:

Motion to approve.

P.O. LINDSAY:

I'll make a motion.

MR. NOLAN:

Spencer made a motion to approve.

LEG. SPENCER:

Motion to approve.

P.O. LINDSAY:

We have a motion to approve and a second. All in favor?

LEG. SPENCER:

On the motion.

P.O. LINDSAY:

Okay. It's all right. In favor? Opposed? Abstentions? Everybody all right with it? It's approved.

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1468-13 - Enhancing affordability, predictability and transparency by implementing a new Impact Assessment Fee Schedule (Cilmi).

LEG. CILMI:

Motion to approve. Sorry, strike that. Motion to table.

P.O. LINDSAY:

Motion to table.

LEG. SCHNEIDERMAN:

Second. I'll second.

P.O. LINDSAY:

Second by Legislator Schneiderman. On the question, anybody else? Any other motions? Okay. All -- we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay, *1505-13 - Directing the Suffolk County Police Department to establish an Emergency Call Center Action Team (Hahn)*.

LEG. HAHN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Hahn.

LEG. BROWNING:

Second.

P.O. LINDSAY:

Second by Legislator Browning. On the question, anybody? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

INTRODUCTORY RESOLUTIONS

Economic Development & Energy

1504-13 - Adopting Local Law No. -2013, A Local Law to adopt a new Strategic Industries Property Tax Abatement Plan (County Executive).

D.P.O. HORSLEY:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator Horsley to approve.

LEG. D'AMARO:

I'll second the motion.

P.O. LINDSAY:

Second by Legislator D'Amaro. Any other discussion, motions? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1538-13 - Approving the change of project for Downtown Beautification and renewal (CP 6418) grant to the Town of Huntington Economic Development Corporation and amending the contract with the Town of Huntington to reflect same (County Executive).

LEG. SPENCER:

Motion to table.

P.O. LINDSAY:

Counsel tells me it's got to be tabled because it was amended after the deadline?

MR. VAUGHN:

That's correct, Sir.

P.O. LINDSAY:

All right. So I'll make a motion to table it.

LEG. SPENCER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

P.O. LINDSAY:

1555-13 - Appropriating funds in the 2013 Capital Budget and Program in connection with Pavement Management Rehabilitation at Francis S. Gabreski Airport (CP 5739) (County Executive). Motion by Legislator Schneiderman.

LEG. KRUPSKI:

Second.

P.O. LINDSAY:

And seconded by Legislator Krupski. Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

P.O. LINDSAY:

On the pending Bond Resolution, *1555A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$402,000 bonds to finance the cost of planning and design of pavement management rehabilitation at Francis S. Gabreski Airport (CP 5739.111)*, same motion, same second. Roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

P.O. LINDSAY:

1556-13 - Amending the 2013 Capital Budget and Program and accepting and appropriating funds in connection with airport snow removal equipment at Francis S. Gabreski Airport (CP 5737).

LEG. SCHNEIDERMAN:

Motion.

LEG. KRUPSKI:

Second.

P.O. LINDSAY:

Motion by Legislator Schneiderman. Second by Legislator Krupski.

All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

On the corresponding Bond Resolution, *1556A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$650,000 bonds to finance the cost of airport snow removal equipment at Francis S. Gabreski Airport (CP 5737.511),* same motion, same second. Roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

(Not Present).

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

1557-13 - Amending Suffolk County Code, Chapter 948-32 to revise the fee schedule for Francis S. Gabreski Airport (County Executive).

LEG. KRUPSKI:

Motion.

P.O. LINDSAY:

Motion by Legislator Krupski.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Seconded by Legislator Schneiderman.

LEG. MONTANO:

Can I just get an explanation?

P.O. LINDSAY:

Explanation?

LEG. SCHNEIDERMAN:

I could -- well, here's Carolyn Fahey. I'll pass down the changes if you want to see.

LEG. MONTANO:

Yeah, you can do that. I don't think we need to -- just generally. What you got there.

LEG. SCHNEIDERMAN:

Well, fees are increasing for commercial aircraft and other aircrafts as well, mostly the larger aircraft.

LEG. MONTANO:

Okay.

LEG. SCHNEIDERMAN:

To make them more compatible with other area airports, to bring more revenue, but it will still be competitive. That was my concern, that it was becoming too expensive, but it's still significantly lower than some of the other airports.

LEG. MONTANO:

And how did you derive -- if I may, through the Chair, how did you derive at the fee schedule; was there a study or something?

LEG. SCHNEIDERMAN:

This came out of the recommendations of the airport manager.

LEG. MONTANO:

Okay. Thank you.

LEG. SCHNEIDERMAN:

And I don't serve on this committee that this went through, but I've taken a look at the fees and I'll be happy to pass them along.

LEG. MONTANO:

Right. So some thought went into it, is what you're are saying. Thank you.

D.P.O. HORSLEY:

Lou.

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Mr. Presiding Officer. I did sit on the committee and originally voted to support this, but I'm not going to do so today, and I just wanted to note that on the record. Because when you take a closer look at the fee schedule, it may comport with an airport manager's idea of how much revenue they need to raise, but I don't think this is the appropriate -- an appropriate time to be almost doubling some of these fees. It's expensive enough as the cost of doing business here already without increasing fees, let alone doubling fees. So I'm not going to support this here today. Thank you.

LEG. MONTANO:

May I?

P.O. LINDSAY:

Yeah, Legislator Montano.

LEG. MONTANO:

Yeah, when you say doubling the fees, I'm looking at them now. Is there any consideration that raising the fees -- and I'll just throw this out to whomever -- I guess, Carolyn, you might as well step forward.

The thing is that when you raise fees, sometimes you get a diminishing return sort of situation where you raise the fees so you can increase revenues, but you wind up raising them to a point where they're probably not competitive and they're going to do a disservice in terms of, you know, the objective you want to accomplish. What is your -- what is your position on this? Are we going further than maybe we need to go? Are we going to be less competitive and drive away business, as was implied by Legislator D'Amaro, or what?

MS. FAHEY:

Legislator, I don't believe we're going to drive away business. The fees are competitive with East Hampton; actually, they're lower than East Hampton. They're competitive with Republic Airport. And airplanes go, as I'm sure Legislator D'Amaro will tell you, where they need to go. They're not going to go to another airport specifically because the fee is \$10 less somewhere else. We are not the highest in the area, we are reasonable, we're at the market level. And we didn't increase the fees just to raise revenue, we increased the fees because -- to be within the market of what other airports are doing also.

LEG. MONTANO:

And what are the competing airports in that area?

MS. FAHEY:

East Hampton and then Republic. For general aviation airports --

LEG. MONTANO:

No, Republic is in Farmingdale.

MS. FAHEY:

Farmingdale, right.

LEG. MONTANO:

That's kind of far.

MS. FAHEY:

Right.

LEG. MONTANO:

So your competitor out there is East Hampton?

MS. FAHEY:

And then we looked at MacArthur Airport, too, but MacArthur doesn't --

LEG. MONTANO:

That's still west.

MS. FAHEY:

It's a different type of airport.

LEG. MONTANO:

Yeah, it's different -- I don't think you can compare apples and oranges.

MS. FAHEY:

Right.

LEG. MONTANO:

But let's compare the two apples. So you're raising the fees commensurate what they are in East Hampton; is that what you're telling us?

MS. FAHEY:

They're lower than what's in East Hampton.

LEG. MONTANO:

But you're raising them to the point where they're still lower?

MS. FAHEY:

Correct. East Hampton just recently raised their fees, and we reevaluated ours, which we do; as the Legislature knows, every two years we take a look at our fees to see where they are market-wise.

LEG. MONTANO:

Percentage-wise, how much lower are we with respect to our fees versus East Hampton? Are we 50% of where they're at? I don't want to make this a long debate, I mean.

MS. FAHEY:

No, I would say we're probably about 80, 85% of what the fees are in East Hampton.

MR. CEGLIO:

It depends on the type of aircraft.

LEG. MONTANO:

Yeah, I see it here, but I didn't get to analyze it. I'd rather hear from the witness. Go ahead.

MS. FAHEY:

(Laughter), the witness.

LEG. MONTANO:

Or the speaker, whatever you want to call yourself.

MS. FAHEY:

On average --

LEG. MONTANO:

I look at you as a witness.

MS. FAHEY:

-- just without doing the actual math, probably about 85% of what East Hampton fees are.

LEG. MONTANO:

And you don't feel that that's going to hurt any business whatsoever?

MS. FAHEY:

No, not at all.

LEG. MONTANO:

Okay. Thanks.

LEG. D'AMARO:

Bill?

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Just to respond to that. Yeah, I think you're right, it's not going to affect the commercial landings because the cost will just be passed on to consumers; that's my point. So, you know, as a cost of doing business. So we have to think about the impact that we have, as costs are rising, expenses are rising. Airline companies and transport companies are not paying this fee; ultimately, it's the consumer that's going to pay this fee. And I just don't think that at this point in time, with our economy hopefully starting to recover, this is an opportune moment to raise fees. I don't think we should be doing it now, irrespective of whether or not they're the same or lower or higher than any other airport. This is not productive for economic development within Suffolk County. So that's why I'm not supporting it.

LEG. SCHNEIDERMAN:

If I may?

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Yes, thank you, Mr. Chair. Carolyn, my recollection is that Gabreski operates off an Enterprise Fund?

MS. FAHEY:

Correct.

LEG. KENNEDY:

So will these fees remain in a fund, or do they go into the General Fund?

MS. FAHEY:

No, they must remain for maintenance and operation of the airport.

Any revenue generated at the airport must remain for operations and maintenance of the airport.

LEG. KENNEDY:

And what's been your experience -- how is our traffic out there?

Are we -- are you seeing an uptick, is it flat, is it dropping; what do you see?

MR. CEGLIO:

Good afternoon. Tony Ceglie, the Airport Manager at Gabreski Airport. I can answer that. The last few years, actually, the traffic's been down; we've lost probably, since 2008 with the economic recession, about 30% of our traffic. But in the last year it's gone up about 13%, so we are seeing an uptick.

LEG. KENNEDY:

And you attribute that -- the majority of this traffic, Tony, is recreational traffic, folks that are coming out for touring or second home traffic? How do you characterize it?

MR. CEGLIO:

It's a little bit of both, but I would say the majority is probably the corporate traffic that we see in the summer. I mean, just like East Hampton Airport, we're a seasonal airport. Most of the traffic

occurs between Memorial Day and Labor Day, so -- and largely, that's the second home market, the people coming out to see the beaches and things like that. So it's mostly corporate traffic, I think, and that's where we get the majority of our landing fee revenue from.

LEG. KENNEDY:

Have you had any conversation with the operators? Are they regular carriers or is this individual, you know, plane and helicopter owners that are going to have to pay the fees?

MR. CEGLIO:

It's the corporate owners of the aircraft, not -- typically it's not individuals. So we'll see a company like NetJets, fractional ownership, come in and they're the ones that are paying the landing fee, or Flight Options, another fractional ownership.

The helicopter traffic is another thing that we've seen over the last few years and it's slightly increasing this year. And Carolyn mentioned, we're trying to bring the fees in line with East Hampton Airport, but also Southampton Heliport. And a typical helicopter that lands at Gabreski today will pay \$75; if he goes to Southampton Heliport, he'll pay 150; if he goes to East Hampton, it could range anywhere between 150 and 350. So we're still -- we're going to be even with Southampton Heliport and still much lower than East Hampton.

LEG. KENNEDY:

Is there different amenities? You know, I know nothing about -- why would one -- why would a helicopter pick to land at Gabreski as opposed to Southampton or the others?

MR. CEGLIO:

It just --

LEG. KENNEDY:

Besides distance.

MR. CEGLIO:

It just depends on where they ultimately want to go. There's a lot of upscale homes in East Hampton, to a lesser extent in Westhampton, so you'll see a lot of the -- probably more of the upscale traffic going to East Hampton and, to a lesser degree, Westhampton Airport.

LEG. KENNEDY:

And is -- are they -- I guess what I'm trying to get at is, which some of my colleagues have spoken about, all things being equal, if I can transport somebody to a point out there on the South Fork and I can avoid a cost, you know, and the fuel difference is relatively comparable, I'm going to go to the spot that, you know, is cheaper.

So do you expect that's us? We put it in place and we're going to level the playing field.

MR. CEGLIO:

Right, and that's the goal. We don't want to be the highest, we certainly don't want to be the lower, we want to be somewhere where the market is going to allow us to remain competitive.

LEG. KENNEDY:

Good. Okay, thank you.

P.O. LINDSAY:

Legislator Schneiderman, Cilmi and then Barraga.

LEG. SCHNEIDERMAN:

Just to be clear, because there was some talk about where airport revenue goes, and it's true that this revenue stays within the airport. The thing is, though, we are making the airport whole because the airport isn't producing enough revenue to run itself. So by producing more revenue for the airport, you can lower the subsidy from the General Fund. So this revenue will help our situation for the rest of the County by lowering the subsidy and maybe even eliminating the subsidy, and I think that's largely what's behind it. And most of this is large corporate jets, very expensive, those fractional shares. Whether the additional hundred dollars or so in landing fees will deter them, I doubt it, but if it's market rate, it's market rate, that's what we should be charging.

P.O. LINDSAY:

Legislator Cilmi.

LEG. CILMI:

Yeah, just very quickly. I would imagine that most of the folks who use this airport are return customers?

MR. CEGLIO:

Generally, yes.

LEG. CILMI:

Yeah. Has any effort been made to reach out to those customers to talk about the potential of this increase going through and what it might mean to their activity at the airport?

MR. CEGLIO:

We've generally mentioned it to the fixed-base operators of the service companies that service the aircraft, they don't see an issue with it, particularly because of the substantial increase in the rates at East Hampton Airport. As a matter of fact, like I said, we're going to be still lower than East Hampton Airport, so we may even get some of their traffic.

LEG. CILMI:

I don't suppose you have any physical evidence of their ambivalence to this.

MR. CEGLIO:

No, I don't have anything in writing, e-mails or anything else, other than just conversations.

LEG. CILMI:

Okay. Thank you.

LEG. SCHNEIDERMAN:

Can I just add a clarification there? If you're based at Gabreski Airport, Tony, you don't pay these landing fees, right? These are only for people who are not based there, so if you keep your jet there, you won't be paying these landing fees.

P.O. LINDSAY:

Legislator Barraga.

LEG. BARRAGA:

The only comment I'll make is that, you know, you talked about I guess in recent years you're down about 30%, in the last year you're up about 13%; is that correct?

MR. CEGLIO:

Uh-huh.

LEG. BARRAGA:

Well, using, say, a figure of a thousand as the base figure; if you go down 30%, you're down to 700. But that's -- the 13% increase you're talking about is off the lower number, 700. To get back to a thousand, you'd have to increase by like 43 to 45%. So even though you've had an increase, it's a slight increase off a smaller base. Are you sure that by generating these extra fees, it's not going to hurt the slower growth that you've had?

MR. CEGLIO:

I don't think it will hurt the growth that we've have had. I think the downturn was because of the economic recession, it goes across the country at just about every airport. I'm sure everybody's read the articles in Newsday about MacArthur losing 40% of their traffic. Although it's a different type of airport, commercial traffic, it's a trend that occurred across the country because people couldn't afford to fly. I think it's -- the economy is getting a little bit better and the increase in traffic is really across all airports in the country.

LEG. BARRAGA:

Thank you.

P.O. LINDSAY:

Okay. Legislator Anker?

LEG. ANKER:

I just wanted to quickly ask a question regarding the economic development and the Empire Zone. I know I am reading an article from 2006, moving forward with the development of there. Just real quick, how is that going? I do have a concern, again, with the location by the airports. I was over by MacArthur Airport and if you look in the surrounding areas, the commercial businesses are -- it looks like a bunch of abandoned buildings, that's how bad it is around MacArthur. How is it going over in the area where you guys are and relating to the economic development?

MS. FAHEY:

You're talking about the Industrial Park at Gabreski --

LEG. ANKER:

Yes.

MS. FAHEY:

-- or in general? Okay, the Industrial Park at Gabreski is moving along. As most of you know, Rechler Equities has won the RFP to develop at Gabreski the 58-acre industrial park. They have gone through their planning sessions with the Town of Southampton to come into code, they've submitted their first site plan, so we're moving along very quickly. Their goal is to have a shovel in the ground this fall on their first building, so we're moving very quickly.

LEG. ANKER:

That's very good to hear. Thank you.

MS. FAHEY:

Can I just make a point? I'm sorry.

P.O. LINDSAY:

Go ahead.

MS. FAHEY:

With regards to talking with the fixed-base operators at the airport. We did talk with both FBO's, and keep in mind that if they thought that the traffic was going to be reduced because of these fees,

they would have voiced opposition for it, because it's less business for them. They didn't see a problem with them, they know that they're comparable. One of our FBO's is also at Farmingdale, so he knows the rates that they're charging. So if they had any concern they would have voiced it, because they would have been the ones to immediately feel the effect of less business.

P.O. LINDSAY:

Legislator Krupski, did you want to say something else?

LEG. KRUPSKI:

I think it's good to keep looking at these fees, and if you look at the expenses of the airport and how they have to be addressed. And if you don't look at the fees time to time, then all of a sudden 19 years go by and then you have the SCAT bus issue where you're trying to catch up. So I think it's a -- it was smart to look at that this year and smart to make that adjustment in light of the maintenance that has to be done there.

P.O. LINDSAY:

It's a good point.

LEG. D'AMARO:

Bill?

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

Yeah, a fixed-base operator is not deriving revenue from landing fees, the County is. A fixed-base operator could care less whether those fees are going up.

MS. FAHEY:

But they also derive the business from the --

LEG. D'AMARO:

Can I finish, please? Can I finish?

MS. FAHEY:

I thought you were finished.

LEG. D'AMARO:

All right? Because you were throwing out a lot of facts, as this was -- as was this gentleman; *"Well, we talked to them and they don't care"*. Well, of course they don't care, they don't make any money from that. They make money from servicing the commercial jets that come in and from repairs; that's how they make a living there. So they don't really care whether or not the fees are going up or down. They're there, they have their leases or their right to be there, they're going to continue doing their business there and whatever the fees are they are. So I don't really think that's relevant to the discussion.

The question you have to ask yourself is whether or not during a very difficult time with the economy, when we are trying to spur economic growth, if we should be doubling some of the fees associated with trying to bring in economic growth. The folks that get off those airplanes, or jets or whatever they are, actually come here and spend money in our economy. I think to discourage the use of the airport by doubling fees at a time when those individuals would be coming here and helping with our sales tax and contributing to our economy is just a mistake. I don't really see any rational justification for doubling landing fees at this point at an airport, especially if that airport is geared towards specifically economic development. That's exactly -- you should be doing just the

opposite; you should be lowering those fees to encourage more business at a time when the growth of that business is not even catching up to where we were four or five years ago.

So again, you know, think carefully about the information that you're hearing here today.

P.O. LINDSAY:

Yeah, Legislator Horsley.

D.P.O. HORSLEY:

Yeah, just quickly. The fixed-base operators, don't they sell them gas?

MS. FAHEY:

Yes.

D.P.O. HORSLEY:

So --

MS. FAHEY:

The fixed-base operators, while -- you know, my point being --

D.P.O. HORSLEY:

Well, it's not just fixing the planes. They'd be --

MS. FAHEY:

Exactly.

D.P.O. HORSLEY:

So the more they have in, the more gas they're going to sell.

MS. FAHEY:

Exactly. And the more services and the more maintenance and the more other services that they offer, correct. That was the point.

LEG. D'AMARO:

If you say so.

P.O. LINDSAY:

Anybody else?

LEG. D'AMARO:

They service the planes that are based at their operations, that's who they service. Maybe they sell a little extra gas, jet fuel, you know, that may be true, but that's not how they're deriving -- they have very little mark up on jet fuel. So again --

D.P.O. HORSLEY:

I'll defer to you on this.

LEG. D'AMARO:

Well, you know, look, I happen to know something about this and I can tell you that -- you know, but forget about that. This is a matter of policy. We are constantly coming up with new initiatives to spur economic growth. I think Legislator Cilmi has a very big interest in this also, and yet here we are doubling the fees. I mean, that's like going out tomorrow and saying with trucking, you know, *"Let's double your fees, too, for whatever you're paying to the Interstate Commerce Commission"*; it just wouldn't happen.

And the only justification that I'm hearing for doubling fees for landing is, *"Well, because there's another airport 30 or 20 miles away that's doing the same thing"*; I don't really care. I care about economic development and spurring economic growth in Suffolk County, and this is contrary. I mean, for anyone to argue that raising this fee is not having a negative impact on economic growth, I have to question, where's the logic in that? Of course it is. Of course it is. So think about whether or not you want to double fees and have a negative impact on the economic growth in our sales tax and all those other things that we count on.

P.O. LINDSAY:

Okay. Legislator Calarco.

LEG. CALARCO:

I just have a quick question, and I think it may have been asked already. Tony, how much does the County spend to subsidize this airport?

MR. CEGLIO:

It's -- actually, it's gotten better over the last few years because of the landing fees we've collected. But it's anywhere between a half of million and a million dollars a year, so the increase will help us get closer to breaking even.

LEG. CALARCO:

So we subsidize it.

MR. CEGLIO:

Correct.

LEG. CALARCO:

Okay. So we're talking about here trying to find a way to make this entity self-sufficient at a time when the County's got a \$250 million budget deficit we're looking to fill. We're talking about drastically changing the way we do government here to make -- to save \$800,000. Here's an opportunity to have an entity become a little more self-sufficient without going above and beyond what market rates are. So I think this is a pretty clear thing that we should try to do.

LEG. D'AMARO:

Well, and if I could just respond to that. You may want to think about whether or not this will result in requiring more of a subsidy from the County when you're doubling landing fees. You may have less traffic coming here, and if I -- and I don't know, I haven't run a study on it. But, you know, I don't want to -- if I'm going to err, it's going to err on the side of economic development and not doubling fees when, lo and behold, when we look at our operating budget, we increase the subsidy. So again, you know, I would just think twice about this.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Well, I don't want the Legislature to have a false impression about what this is doing here. It's not doubling fees across the board. There are some fees that are going up substantially, but let's just go through it because those bigger increases are for the corporate, large -- you know, large commercial aircraft. The single-engine plane which is currently \$5 would stay at \$5; the multi-engine under 12,500 pounds stays at \$10; the 12,500 pounds or more, this is non-commercial aircraft, goes from a hundred to 150, which is a reasonable fare; multi-engine over 25,000 pounds, a big plane, non-commercial, goes from 200 to 240, which is a 20% increase, not a doubling; over 50,000 pounds goes from 400 to 480 which is, again, a 20%.

The bigger increases are in commercial aircraft, not the single engine, which is going up \$5, from 25 to 30, and not so much in the multi-engine under 12,500, which goes from 50 to 60. But the helicopter does double, from 75 to 150; multi-engine over 12,500 goes from 100 to 150; multi-engine over 25,000, this is commercial plane, from 150 to 240, not doubling; and then over 50,000 pounds, that's a very big aircraft, from 225 to 480; and over 100,000 pounds -- that's really actually remarkable that you can land a plane that big at Gabreski, but it is one of the longest runways in the State -- goes from 300 to \$550. And, Tony, what is that, like a 747 or something?

MR. CEGLIO:

That's basically a 737, and we do have those come in occasionally.

LEG. SCHNEIDERMAN:

Right. So a 737 is going to pay \$550.

MR. CEGLIO:

I just want -- just a quick comment on that, Legislator Schneiderman. The same plane that is going to pay, if these fees are approved, \$480 at Gabreski will pay \$600 at East Hampton, just to give you some perspective.

LEG. SCHNEIDERMAN:

What would they pay at Kennedy or LaGuardia?

MR. CEGLIO:

I'm not sure of the Kennedy/LaGuardia fees. Again, a different -- it's a different type of airport, apples to oranges.

LEG. SCHNEIDERMAN:

But in your professional opinion, these are market rates.

MR. CEGLIO:

Market rates for, yeah, the area that we're in, especially the East End of Long Island.

LEG. SCHNEIDERMAN:

And you used to work at MacArthur, did you not?

MR. CEGLIO:

Correct.

LEG. SCHNEIDERMAN:

Okay.

P.O. LINDSAY:

Okay, Legislator Kennedy.

LEG. KENNEDY:

My questions were answered. Thanks, Mr. Chairman.

P.O. LINDSAY:

Legislator Gregory, did you get your --

LEG. GREGORY:

Yes. Thanks, Mr. Chairman. I'm sorry, what is your name again, sir?

MR. CEGLIO:

Tony Ceglio, the Airport Manager.

LEG. GREGORY:

Okay. Hi, Tony. Now, when was the last time these fees were raised?

MR. CEGLIO:

2011. We try to assess the fees every two to three years to see what the market will bear.

LEG. GREGORY:

And what was the effect then; did you lose traffic?

MR. CEGLIO:

Not at all, no. As a matter of fact, two years ago, from two years ago we've increased, like I said, last year 13%, the year before it might have been flat or 5%. But it has gone up, and more related to the recession than the economy.

LEG. GREGORY:

Okay. Now, you mentioned other airports in the area that have higher landing fees; I assume they raised their rates? Are you familiar with in what timeframe they raised their rates, and if there was a negative or positive effect on them raising their rates?

MR. CEGLIO:

East Hampton raised their rates this year. The last time they did it I believe was also like two years ago, no decrease in traffic as far as I know. Southampton Heliport, we actually started out at the same rate for helicopters as they did, about \$75, they raised their fee to 150. Again, we're going to be comparable with them, my understanding is no decrease in traffic there.

Legislator Schneiderman also mentioned, and I think it's important, the smaller aircraft, the non-commercial aircraft, we haven't raised fees for those aircraft since we started implementing fees. They remain \$5 for a single-engine aircraft that lands at the airport and \$10 for multi-engine aircraft that lands. You can't go anywhere, you know, and not pay -- or, you know, pay more than five or less -- more than \$5, excuse me. Brookhaven Airport I think is \$7 now for the same kind of an airplane. And touch-and-go aircraft, training aircraft that do, you know, the training at Gabreski doesn't pay a fee. If they come from Brookhaven or MacArthur or they're coming in, they're landing doing four or five touch-and-gos, they're not paying. So we are trying to, you know, maintain the economic development, we're not trying to discourage anybody from coming to the airport, but we are trying to, you know, charge what's reasonable in the market.

LEG. GREGORY:

Okay. Now, so that I understand, this is people that -- there are some people that have -- that are collocated, for lack of a better term, there that may have -- I'm not familiar with the industry all that well. Hangars, right? And so these are people that are just doing stopovers or dropping someone off and leaving? They're not staying at the airport, they're not located at the airport, right?

MR. CEGLIO:

Right. The based aircraft, the ones that you're talking about, the ones that own hangars or pay us fees for land leases at the airport, these fees don't apply to them.

LEG. GREGORY:

Okay. Okay. So anyone --

MR. CEGLIO:

People coming from other places.

LEG. GREGORY:

If someone is coming from Manhattan and they wanted to go out to -- out east, they would go there, land there and go on about their merry way.

MR. CEGLIO:

Correct.

LEG. GREGORY:

But they're obviously charged a fee for that, and you want to increase those fees from whatever percentage. And you had a group that looked at the fees, that studied this and they did a thorough analysis of local airports and you feel comfortable that this is going to not effect, have a negative effect on the airport?

MR. CEGLIO:

I feel -- I did the study. I feel that this will not discourage aircraft from coming in at all.

LEG. GREGORY:

Okay. All right, thank you.

P.O. LINDSAY:

Okay, Legislator Spencer.

LEG. SPENCER:

I was hoping to kind of address my colleague's concerns. Lou, another thing to consider when you're looking at the field of aviation, I trained as a pilot when I was at University of Connecticut, and a lot of the flights I did was to Gabreski. One of the things I can say is that for -- when you're flying and you are landing at airports, typically the clientele are -- especially with commercial flying, the fees that they're talking about are microscopic when you look at the cost of maintaining an aircraft and then in terms of maintaining the runway and the things that you have to do.

I agree with your comments in terms of in theory that it's not a good idea to double your fees, but I wanted to kind of reassure you that no one will change their flight plan in terms of -- especially when you talk about commercial flying, because of those modest increases. The cost in terms of what any commercial goods that you're trying to deliver, when you look at the entire cost of the operation, this is an extremely small portion of it. So I'm hoping that that may alleviate your concerns.

LEG. D'AMARO:

Well, yeah, I appreciate those comments. But when you couple the increased fees with the increased fuel, the increased insurance, the increased maintenance, the increase to fly the airplane and to do everything else you have to do with it, you start to price yourself out of your ability to operate these aircraft. So my point here is that -- can the companies afford to pay it? Maybe they can. But this is a County, this is government we're talking about that's making investments in economic development in our County. We're spending money, we're spending taxpayer money to try and spur economic growth in Suffolk County, while at the same time in some cases we are doubling fees of commercial aircraft which is counterproductive to the very economic growth that we're trying to encourage. And you cannot look at these fees in a vacuum. Think about anything that -- think about your automobile; every time you get your insurance bill the cost goes up, every time you go to the gas pump you complain about how much it cost to put that in. You know, every time you need a repair, think about how expensive it's become to repair. Well, it's the same thing for airplanes. And believe it or not, believe it or not, these companies will go out of business. They will start to think about alternative airports or alternative ways to even bring goods into this County if you add up the cumulative impact of the cost of doing business. This is a tool that we have solely within our control to help economic development and we're doing just the opposite, and it does

make a difference, with all due respect to my colleagues from the 18 Legislative Districts. But I don't want to beat a dead horse, so call the vote.

P.O. LINDSAY:

I've still got people that want to talk.

LEG. D'AMARO:

Okay (*laughter*).

P.O. LINDSAY:

Legislator Stern.

LEG. STERN:

Thank you, Mr. Presiding Officer. There is an airport customs fee that's listed here. The way I look at it, that's a new fee; that's not a change to an existing fee, that's something that we have not done in the past. So my question would be this -- this has to do with international arrivals, I assume, if it's a customs fee.

MS. FAHEY:

Right.

LEG. STERN:

How many arrivals might that impact in any given month or year?
What is our traffic like.

MS. FAHEY:

We have about 200 international flights that come in where U.S. Customs is required to come in and check in those individuals into domestic territory. In 2003, they were directed to start implementing an arrival process and procedure at every airport in the country. They're just getting to the general aviation airports, they've come out to us and said, "*We need to implement this,*" and it's going to be solely at the County's cost. It is not going to be supplemented at all by Customs and Border Protection.

So what we've done is we've taken a look at the flights that have come in. We've tried to get an estimate of what it's going to cost us to put that infrastructure in place, and that infrastructure entails physical space, internet connectivity on a secure line, potentially some computers, fencing in a walkway from our taxi area to this facility. We have 200 flights that come in a year that U.S. Customs comes in and addresses and we've kind of balanced out the estimates that have been given to us in general, from midwestern and western airports through Customs and Border Protection and have come up with the \$350 fee that will be assessed for each plane that lands in.

LEG. STERN:

So it sounds, then, like these types of flights where U.S. Customs and border patrol services would be required, we wouldn't really be able to offer the ability for these planes to come into Gabreski unless we were offering those services, which the Federal government is saying they're not going to cover, they're not going to pay for, they're looking to us to cover those costs.

MS. FAHEY:

Correct.

LEG. STERN:

Okay. Thank you.

P.O. LINDSAY:
Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. So I appreciate Legislator D'Amaro's concerns here about impeding economic growth. But, you know, this is the County Executive's resolution; I can't imagine that he would put forth a measure that would in any way, you know, be counterproductive to economic growth.

*(*Laughter*)*

So I guess my question, Carolyn, is this -- the County Executive doesn't view this resolution in that way, in that regard?

LEG. D'AMARO:

We're a check and balance.

LEG. CILMI:

Yeah, he doesn't view this as being at all counterproductive to economic growth; is that right?

MS. FAHEY:

I have not heard one way or the other, but I don't believe he would have submitted it had he thought that way.

LEG. CILMI:

I mean, it's pretty controversial. Maybe we should put it up to a referendum vote, to the voters.

*(*Laughter*)*

I'm sorry, that was uncalled for.

MS. FAHEY:

I appreciate the humor.

LEG. CILMI:

Tony, so you manage the airport. How long have you managed the airport?

MR. CEGLIO:

I've been there about nine years.

LEG. CILMI:

About nine years. And you said that the last time fees were increased, that -- and it wasn't -- it wasn't as a result of the increase, obviously. But you said that after the increase that traffic actually improved at the airport and, therefore, overall fee -- overall revenue from the airport increased.

MR. CEGLIO:

Correct.

LEG. CILMI:

Okay. I mean, there's no telling that that will necessarily happen again. We certainly could have reached that point at which if we raised fees any more, we'll see a reduction in overall revenue, we don't know.

What I would suggest is that if we have a good handle on what fees are now, what revenue -- I should say what revenue is now, would you agree to come back to us in, say, three months, six months? I would imagine if we approve this today, that this new structure will go into place immediately?

MR. CEGLIO:

I would imagine probably September --

LEG. CILMI:

After being filed and --

MR. CEGLIO:

Yeah, it probably won't be 'til September. The problem with that is our busy season ends Labor Day, so we're probably not going to see the substantial increase until a year from now.

LEG. CILMI:

But we could certainly look -- we could certainly look quarter to quarter. I mean, if we look at September through December of this year compared to last year and then we do the same January through March of next year compared to this year, that may give us an idea --

MR. CEGLIO:

Absolutely.

LEG. CILMI:

-- of the -- of whether or not this is actually having a negative economic impact on the County.

MR. CEGLIO:

Correct.

LEG. CILMI:

Of course, I suspect that hopefully sales tax revenue will continue to increase, you know, irrespective of what we do here. So I don't know that we'll be able to really pinpoint and come to an honest conclusion about what's happening, but nevertheless we'll be able to look at the revenue and make a determination from that. And you're willing to do that, to come back to us and provide us with today's revenue and what it is going forward.

MR. CEGLIO:

Yes, not a problem at all. I could do it for the last time that we increased fees, if you were interested in it.

LEG. CILMI:

Okay. Thank you.

P.O. LINDSAY:

Legislator Krupski.

LEG. KRUPSKI:

I would like to ask a question; Tony, is it?

MR. CEGLIO:

Yes.

LEG. KRUPSKI:

And you've run the airport for nine years. Have you seen a dramatic increase in helicopter traffic?

MR. CEGLIO:

No, not -- not compared to what I've seen at -- that's been happening at East Hampton Airport. We're probably actually -- again, during the economic downturn we decreased the number of helicopters that we had. The last couple of years it's increased slightly, I don't know if we're at the 13%, I haven't really looked at it that closely, but it's -- again, compared to East Hampton, we're a lot less. I think we're in the area of about a thousand helicopters a year during the summer, as opposed to East Hampton somewhere around 6,000, to give you some perspective.

LEG. KRUPSKI:

I was wondering -- and Carolyn could certainly tell you that the North Fork is plagued by helicopter noise, and it's become a major quality of life issue. And I was wondering if there was a way to change the fee structure so that you could pay according to what flight path you took.

*(*Laughter*)*

So if you flew over the North Fork, you would pay an increased fee, for whatever reason you'd want to do that; where you pay a decreased fee for flying over the ocean, you wouldn't have to fly over anyone's home.

MR. CEGLIO:

I think the FAA may have some issues with that kind of pricing policy.

*(*Laughter*)*

But just on that point, the helicopter traffic at Gabreski. We had problems a number of years ago, too. As Legislator Schneiderman knows, we have an Airport Community Advisory Board and another board of community members that meets and we came up with a voluntary noise abatement program which directs all the helicopters to come in north of the airport over the unpopulated Pine Barrens area, and it's actually worked out great over the last few years; our noise complaints are down considerably over the last couple of years.

LEG. KRUPSKI:

They have to get north of the airport, so they're still coming in from the north side.

MR. CEGLIO:

Yes.

LEG. KRUPSKI:

(Laughter) I didn't miss that. Thanks.

P.O. LINDSAY:

Okay. Is everybody talked out? Legislator D'Amaro.

LEG. D'AMARO:

I have two more points I want to make very quickly. First of all, Legislator Krupski, Gabreski is a towered airport?

MS. FAHEY:

It's a contract.

LEG. D'AMARO:

Yeah. I don't -- I think the information might be in the tower as to at least within 10 to 20 miles of the airport, where that aircraft is coming from, so that may be easier than you think. I don't think the FAA would have a problem with that necessarily, giving out that information, that's actually a very good idea. Because pricing does have an impact on use, and that's exactly my point here today.

You're in an economic recovery right now. The reason why, for example, the Federal Reserve Bank is not raising interest rates is because they don't want to slow down the recovery. But yet here we are in Suffolk, you know, I think once every meeting we raise fees yet again. Now, I know we have budget problems, but in my opinion, this is counterproductive. Now, has a study been done if we cut all these fees, these landing fees, by 20, 30%, what would be the impact on revenue; have we studied that? Because we can use these fees as a tool to spur economic activity.

MR. CEGLIO:

I don't think that by cutting the fees you'll do anything more than decrease the revenue. Years ago, beginning in 2003/2004, there were very few fees at Gabreski Airport and the traffic was the same. We increased fees in 2004, made a quarter of a million dollars in revenue the first year and the traffic stayed the same. And we assess it every couple of years and I don't think what we're doing is hurting the economic --

LEG. D'AMARO:

Right.

MR. CEGLIO:

-- recovery or operations of the airport at all.

LEG. D'AMARO:

Thank you. So the answer to my question is no, you haven't studied what the impact would be. Like did you go to the fixed-base operators and say, "*You know, we were thinking if we cut these fees 20%, what would be the impact on your business?*" Just the answer is no.

MR. CEGLIO:

No, I didn't ask that question.

LEG. D'AMARO:

Okay. Well, that's my point. My point simply is this; we talk all the time about economic development and using tools within our disposal to spur economic growth. This is a tool. And what we're doing is we're using the tool exactly the way we shouldn't be using it, especially when you're at a fragile state of economic recovery in the country and in this County. So that's why I'm voting no.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Hopefully this will be the last thing.

P.O. LINDSAY:

Hopefully.

LEG. SCHNEIDERMAN:

Do you know what you're expecting to generate from these fare changes in terms of yearly revenue?

MR. CEGLIO:

Over the course of a full year, we're looking at possibly 380,000.

LEG. SCHNEIDERMAN:

So an additional \$380,000, which is no small change. That's a significant amount of money; even though our projected deficit is much larger, it helps reduce it.

MR. CEGLIO:

It helps the airport become more self-sustainable, as you mentioned earlier, which is something the FAA requests us to do all the time.

P.O. LINDSAY:

Okay. Anybody else; no? All right, we have a motion to approve and a second?

MR. LAUBE:

That's correct.

P.O. LINDSAY:

Okay. I'm going to call a roll call.

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

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Abstain.

LEG. BARRAGA:

No.

LEG. KENNEDY:

(Not Present).

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

No.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Fourteen.

MS. FAHEY:

Thank you.

MR. LAUBE:

Thirteen, sorry. (Opposed: Legislators Barraga & D'Amaro - Abstention: Legislator Cilmi – Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay. We got that resolved.

Education & Information Technology

1512-13 - Appropriating funds in connection with the Warehouse Building – Eastern Campus (CP 2145) (County Executive).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion from Legislator Schneiderman.

LEG. ANKER:

Second.

P.O. LINDSAY:

Seconded by Legislator Anker. Okay, on the question, anybody have any questions? No. Any other motions? No, okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

P.O. LINDSAY:

Okay. On the accompanying Bond Resolution *(1512A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$25,000 bonds to finance the cost of planning for improvements to warehouse building – Eastern Campus (CP 2145.110)*, same motion, same second. Roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. ANKER:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

(Not Present).

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

LEG. KENNEDY:

Yes.

MR. LAUBE:

Sixteen.

LEG. KENNEDY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

P.O. LINDSAY:

Okay. *IR 1532-13 - Amending Resolution No. 240-2013 to clarify the membership of the Jobs Opportunity Board (Anker).*

LEG. ANKER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Anker.

LEG. HAHN:

Second.

P.O. LINDSAY:

Do I have a second?

LEG. HAHN:

(Raised hand).

P.O. LINDSAY:

Second by Legislator Hahn. Any questions? Let's see if we can make this go a little quicker. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

P.O. LINDSAY:

1545-13 - Ensuring timely updates of Suffolk County's Open Access Website (D'Amaro).

LEG. D'AMARO:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator D'Amaro.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second by Legislator Schneiderman. Okay, on the question?

LEG. CILMI:

Yeah, on the motion. Through the Chair, to the sponsor?

P.O. LINDSAY:

Go ahead.

LEG. CILMI:

I just wanted to know, Legislator D'Amaro, why it is that we have to pass a resolution directing our IT Department to update this website?

LEG. D'AMARO:

Yeah, I think it was just an oversight in the original law that it didn't specifically assign that responsibility to any particular department.

LEG. CILMI:

Okay. So this just selects the department that's supposed to keep that website updated.

LEG. D'AMARO:

Yeah, that's it.

LEG. CILMI:

Okay. So it wasn't as a result of any lack of cooperation of the department?

LEG. D'AMARO:

No, I wouldn't say lack of cooperation. I would just say that the departments are very busy. And until someone points and says -- points out and says, "*You're responsible for doing this*" --

LEG. CILMI:

Gotcha.

LEG. D'AMARO:

-- it's not going to be done. So I'm just correcting that.

LEG. CILMI:

Okay. Thank you.

P.O. LINDSAY:

Okay. Did we -- we took --

MR. NOLAN:

You have a motion and a second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

Environment, Planning & Agriculture

P.O. LINDSAY:

1367-13 - Authorizing appraisal for the acquisition of development rights under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007 - Gus Wade Farm property - Town of Babylon (Gregory).

LEG. GREGORY:

Motion.

D.P.O. HORSLEY:

Second.

P.O. LINDSAY:

Motion by Legislator Gregory. Second by Legislator Horsley.

LEG. MONTANO:

Explanation.

P.O. LINDSAY:

Explanation is being asked for by Legislator Montano.

LEG. GREGORY:

Do you want to take that on, Counsel?

MR. NOLAN:

Yeah, it's just a -- you know, this is a new format. This used to be what we'd call a planning steps resolution, but now we just call for an appraisal. This is a farm -- this is farm property in Babylon, so the department is authorized to conduct an appraisal of the property as the first step in the acquisition process, but only the first step.

D.P.O. HORSLEY:

I just want to add, Mr. Montano, that this is the last farm in Babylon.

LEG. MONTANO:

The last farm?

D.P.O. HORSLEY:

The last farm.

LEG. MONTANO:

What kind of farm is it?

D.P.O. HORSLEY:

Landscaping.

LEG. GREGORY:

They do landscaping, they do pumpkins, they do corn.

LEG. MONTANO:

So this is for the appraisal, but there's no -- I'm sorry.

This is for the appraisal, but there's no -- we haven't decided that we're going to move forward, we're just looking to see how much it costs. Is the appraisal going to be done in-house?

LEG. GREGORY:

Yes, that's part of the new --

LEG. MONTANO:

Okay.

LEG. GREGORY:

What is it, a three-step process.

LEG. MONTANO:

Yes.

LEG. GREGORY:

So the appraisal, it will come back to us, then we'll have to decide if we want to go forward with it, then it goes through the negotiation process.

LEG. MONTANO:

Okay. Thank you.

P.O. LINDSAY:

Legislator Browning, did you want to ask a question?

LEG. BROWNING:

Yeah, just curious. I have a number of landscapers in my district and I certainly don't think their properties are considered farms. Maybe Sarah could give us a -- I know we have a farmer in the room, but I prefer not to put him on the spot. What's the definition of a farm?

(The following was transcribed by Kim Castiglione, Legislative Secretary)

LEG. KRUPSKI:

Thank you.

*(*Laughter*)*

MS. LANSDALE:

There is -- I'll answer that a number of ways. There's a New York State definition for an agricultural farm operation, and so we use that as an evaluation criteria. It's seven acres and they have to have gross sales of \$10,000 a year, annually. Specifically, we conducted two site inspections on this farm and we verified that they're growing pumpkins, corn and sunflowers on the premises.

LEG. BROWNING:

So it qualifies under --

MS. LANSDALE:

It does, it does. And it went before the Suffolk County Farmland Committee and received unanimous approval by a committee of farmers.

LEG. BROWNING:

Okay. So it's not quite landscaping. Okay.

LEG. KRUPSKI:

Next time ask me.

P.O. LINDSAY:

Legislator Cilmi.

LEG. CILMI:

Sarah, I'm sorry. So did you say this is seven acres?

MS. LANSDALE:

Yes, I did. Oh, no. I'm sorry.

LEG. CILMI:

Or was that part of the criteria.

MS. LANSDALE:

That was part of the criteria. It's 14.84 acres and there's a proposed exclusion of -- 1.03 acre exclusion.

LEG. CILMI:

Okay. And I don't suppose we can hazard a guess based on our experience in comparable's maybe what this may appraise for? Just give me a neighborhood.

MS. LANSDALE:

According to the farmland rating sheet, there is Section D, which is the approximate development rights value per acre, and the -- what staff indicated is that it's somewhere -- their staff's approximation is between 100,000 and \$200,000 an acre. But that's -- obviously that has to be -- there needs to be an appraisal process conducted.

LEG. CILMI:

Right. So if it's between 100 and 200, let's just say, so that's roughly \$1.4 million and \$2.8 million or \$3 million that it might appraise for, and then, of course, we offer based on that -- on that number. The -- I mean, do we have any indication that -- is this a successful farm? Are you not the right person to ask?

MS. LANSDALE:

Well, it seems like the farm has been in ongoing operation for decades. So if you measure success by years of continuous operation as a benchmark of success, I would say it is successful.

LEG. CILMI:

And what are the indications that -- that this person, I guess, will, you know, sell his farm to a developer or something if we don't -- if we don't do this. Are there any indications or are we just kind of --

MS. LANSDALE:

There is. There's a filed subdivision on this property, an approved subdivision by the Town of Babylon. A residential subdivision.

LEG. CILMI:

A residential subdivision. So for apartments or something like that?

LEG. GREGORY:

Single families homes.

LEG. CILMI:

Single family homes.

LEG. GREGORY:

Sixty, I think.

LEG. CILMI:

Sixty single family homes. And so we can theoretically prevent that subdivision by purchasing the development rights to this farm. In doing so I suppose we're preventing economic development as well, although farming is, you know, certainly contributes to our economy also.

MS. LANSDALE:

It does.

LEG. CILMI:

I have to say I'm very torn here because, you know, I often say that we need to have a more balanced approach to our open space purchasing and farmland protection. A lot of it's done, you know, predominantly in the East End, and when we have open spaces out here in Islip and Babylon, etcetera, it's nice that we have them, frankly, because oftentimes, you know, in Islip and Babylon at least, we're the ones who kind of, you know, everybody tries to shove all of the development into our communities. Right?

LEG. MONTANO:

Thank you, Tom.

LEG. CILMI:

So I'm kind of torn here because I see us spending a million or three million on this piece of property, but I guess we can vote up or down on that piece of the equation when it comes back to us after the appraisal, right?

MS. LANSDALE:

That's right.

LEG. CILMI:

It will never come to us said -- somebody said that.

LEG. MONTANO:

Calarco.

*(*Laughter*)*

LEG. CILMI:

That's another whole issue. Will it come back to us by itself?

MS. LANSDALE:

Yes.

LEG. CILMI:

It will.

MS. LANSDALE:

Yes.

LEG. CILMI:

Because this is -- with the new rules this is where the Environment, Planning and Agriculture Committee will look at it and -- could you just refresh our memories as to how that works, Sarah, please?

MS. LANSDALE:

Sure. So this is under the AAA process where the appraisals, once an appraisal step is passed, it directs the Real Estate Division to conduct an appraisal. The appraised value is set then by ETRB. ETRB -- a presentation is made twice a year to members of the EPA Committee, and it's the members of the EPA Committee that then set the priorities and those priorities are transmitted to the full Legislature for a vote on which properties should proceed out of the appraisal step process.

LEG. CILMI:

And they're transferred as an aggregate list or are they transferred -- not the properties but the resolutions, the proposals are brought to us individually for each individual parcel or as a list.

MS. LANSDALE:

There was discussion initially that it would be one list, but I think we ended up, I don't have a copy of the bill in front of me, but I believe we ended up having individual resolutions transmitted to members of the full Legislature.

LEG. CILMI:

Okay. I would say then let's see how much the property is worth and we'll go from there. Thank you.

LEG. MONTANO:

Bill, I did have one more question.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Sarah, I neglected to ask one question, if you know the answer. When the appraisal is done, it's done in-house you said, right?

MS. LANSDALE:

It is -- it will be done by an appraiser, an independent --

LEG. MONTANO:

On the list?

MS. LANSDALE:

Yes.

LEG. MONTANO:

Okay. Do you know when they do the appraisal if they only consider present zoning or do they use maximum potential use? For instance, if something is zoned DDD or AAA and a developer wanted to rezone it for DDD, which is much more density, when they do the appraisal, does the appraisal come in one figure as existing use or do they bring in the other potential uses for the property in terms of well, if you -- AAA would be one home per acre, and then they have business. So how do they break up that appraisal, if at all? Do you know?

MS. LANSDALE:

Jill Rosen-Nikoloff would --

LEG. MONTANO:

I can't hear you.

MS. LANSDALE:

Jill Rosen-Nikoloff, the Director of Real Estate, would have that specific answer. I know that they do look at proposed -- if there's an approved subdivision on the property they take that into account when calculating the value of the property.

LEG. MONTANO:

Right, but there's a difference between an approved and a proposed.

MS. LANSDALE:

That's right.

LEG. MONTANO:

So what I'm trying to get at is what -- well, I gather that you don't know.

MS. LANSDALE:

I don't have that answer.

LEG. MONTANO:

And I understand that, and Jill's not here. Okay. Thanks.

MS. LANSDALE:

Okay.

P.O. LINDSAY:

That's it, everybody's talked out? Madam Clerk, do we have a motion to approve?

MS. ORTIZ:

Yes, sir.

P.O. LINDSAY:

And a second?

MS. ORTIZ:

Yes.

P.O. LINDSAY:

And that's the only motions we have, right?

MS. ORTIZ:

(Nodded).

P.O. LINDSAY:

Okay. All in favor of approval? Abstentions? Can I get a vote?

MS. ORTIZ:

Seventeen.

LEG. KENNEDY:

Eighteen.

P.O. LINDSAY:

Eighteen.

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Okay.

MR. NOLAN:

Seventeen.

P.O. LINDSAY:

It's got to be seventeen.

MS. ORTIZ:

I'm sorry, seventeen. (Not Present: Legislator Muratore)

P.O. LINDSAY:

Okay. *1534 - Appropriating funds in connection with Improvements to Suffolk County Farm (CP 1796)(Co. Exec.).*

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion to approve by Legislator Schneiderman.

LEG. ANKER:

Second.

P.O. LINDSAY:

Second by Legislator Anker. On the question, anybody? Yes, go ahead, Legislator Krupski.

LEG. KRUPSKI:

I'm recusing myself.

P.O. LINDSAY:

Oh, you're recusing yourself.

LEG. KRUPSKI:

Thank you.

P.O. LINDSAY:

Okay. Legislator Krupski, you're recused. Anybody else? Any questions? Okay. All in favor? Opposed? Abstentions?

LEG. D'AMARO:

Opposed.

P.O. LINDSAY:

Opposed.

MS. ORTIZ:

Fifteen. (Opposed: Legislators Lindsay and D'Amaro; Recusal: Legislator Krupski)

P.O. LINDSAY:

On the accompanying bond resolution, *1534A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$150,000 bonds to finance the cost of improvements to the Suffolk County Farm (CP 1796.313 and 410))*. Same motion, same second. Roll call.

(Roll called by Renee Ortiz, Chief Deputy Clerk)

LEG. SCHNEIDERMAN:

Yes.

LEG. ANKER:

Yes.

LEG. KRUPSKI:

Recuse.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Not Present)

LEG. HAHN:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

No.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Fifteen.

P.O. LINDSAY:

Okay. *1542 - Authorizing an appraisal for the purchase of development rights of farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Joseph W. Brush, Jr. Farm property – Town of Riverhead (SCTM No. 0600-044.00-02.00-010.004 p/o) (Co. Exec.).*

LEG. KRUPSKI:

I'm recusing myself.

P.O. LINDSAY:

Right, okay.

LEG. SCHNEIDERMAN:

Motion.

LEG. CALARCO:

Second.

P.O. LINDSAY:

Who made a motion?

LEG. SCHNEIDERMAN:

I did.

LEG. KENNEDY:

On the motion, Mr. Chair.

P.O. LINDSAY:

We have a motion?

LEG. KENNEDY:

Somebody made a motion and a second over there.

LEG. SCHNEIDERMAN:

Motion over there.

MS. ORTIZ:

And Calarco.

LEG. KENNEDY:

Just to -- Legislator Krupski is recused so maybe any of my colleagues may recall this. We had representatives from Riverhead Town in front of us when we were out east a month or two months

ago, asking us specifically not to go forward with a planning steps reso on a particular piece of property. Was that this property by any chance?

LEG. SCHNEIDERMAN:

Could we ask Sarah Lansdale to address that if she has an answer?

LEG. KENNEDY:

Sure.

MS. LANSDALE:

I don't believe that this is the property that the Town of Riverhead has requested or previously requested.

LEG. KENNEDY:

It was Councilwoman Giglio and Councilman Gabrielsen if you recall, Sarah, and as a matter of fact they spoke specifically about -- I think it was a parcel up on Sound Avenue that's actively being farmed at this point or under -- under activity and they were specifically -- (A), I think they raised the issue of being able to match what the acquisition cost is, and then, (B), saying that, in fact, they specifically did not want to see us go forward with it and take it out of active production.

MS. LANSDALE:

That's right. And that was the parcel, the property known as Boom Development and that's on Sound Avenue. It's a different parcel than this one.

LEG. KENNEDY:

Well, so let me -- while I have you there. Thank you for distinguishing it, but nevertheless, let me ask, would this parcel similarly require a match from the town?

MS. LANSDALE:

No, it would not.

LEG. KENNEDY:

Oh, it wouldn't?

MS. LANSDALE:

No. Boom Development was previously under consideration for active recreation parkland, and that would require a match. It's currently being farmed, but that was what they were -- that's -- that's what they were speaking about.

P.O. LINDSAY:

How do we get on Boom Development. I mean, thought we were on the Brush Farm.

LEG. KENNEDY:

We are, Mr. Chair. I was just asking -- I recalled there was some property that Riverhead Town Council people asked us not to go ahead and entertain. Okay. Thank you.

P.O. LINDSAY:

Okay. Anybody else? All right. We have a motion and a second?

MS. ORTIZ:

(Nodded).

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Fifteen. I'm sorry, that's 14. Legislator Krupski was recusing, right? Legislator Krupski?

LEG. KRUPSKI:

Recuse.

MS. ORTIZ:

That was 14.

LEG. MONTANO:

Renee, I'm here.

MS. ORTIZ:

That was 15, Legislator Montano is here. (Abstain: Legislator D'Amaro; Recusal: Legislator Krupski; Not Present: Legislator Muratore)

P.O. LINDSAY:

Okay. *1562 - Appointing Elizabeth Custodio as member of the Long Island Regional Planning Council (Co. Exec.).*

LEG. HAHN:

Motion.

P.O. LINDSAY:

Motion by Legislator Hahn, second by Legislator Horsley. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen. (Vote Amended to 17; Not Present: Legislator Muratore)

P.O. LINDSAY:

1566 - Appointing Nancy Engelhardt as member of the Long Island Regional Planning Council (Co. Exec.).

LEG. HAHN:

Motion and it's Engelhardt.

P.O. LINDSAY:

Engelhardt.

LEG. HAHN:

Motion.

P.O. LINDSAY:

We have a motion by Legislator Hahn and a second by Legislator Calarco. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen. (Not Present: Legislator Muratore)

LEG. STERN:

Renee, cosponsor.

P.O. LINDSAY:

1471 - Adopting Local Law No. -2013, A Local Law to strengthen the regulation of precious metal and gem exchanges (Calarco).

LEG. CALARCO:

Motion.

P.O. LINDSAY:

Motion by Legislator Calarco.

LEG. HAHN:

Second.

P.O. LINDSAY:

Seconded by Legislator Browning or Hahn?

LEG. HAHN:

Hahn.

P.O. LINDSAY:

Hahn, okay. On the question, anybody?

LEG. CILMI:

Yeah, please.

P.O. LINDSAY:

Go ahead. Through the Chair to the sponsor or to Counsel. It looks like the intentions of this are very good. My question, though, is the bill talks about denying a license it looks like, to -- I guess it would be to a potential -- to potentially a new owner of a business. Can we do that legally?

LEG. CALARCO:

Sure. So what we're doing with this bill, and something I've heard from folks in the industry in fact, and in speaking with our Police Department and Consumer Affairs, is we have individuals who are, through this gold boom that we've seen, go into the business, they don't abide by the rules, they buy from anybody. Some of them get caught and they lose their license, and what is happening is then they will come in with the mother, the sister, whoever it might be, to get the license and continue operating out of the same location.

So similar to what New York State does when they have problems with locations that are selling liquor, we are allowing the Commissioner some discretion here to at least require proof of an arm's length transaction so that, you know, sure, the mother could come in and buy the business and if there's a proof that she actually bought the business we'll treat her as an independent entity. But if there's no proof of the arm's length transaction, this gives the Commissioner the authority to withhold that license so that we don't just have business continuing as usual, which is unfortunately the situation we've come across. He's tried to do a little bit of this on his own as it is, but he would prefer to have the legal mechanism in place.

LEG. CILMI:

Thank you, Legislator Calarco. Counsel, do you -- do you see my question here and is it on point?

MR. NOLAN:

Well, I think it is -- would be legal for the department if they take make a finding that the new owner of the business is really related to the old business, or is --

LEG. CILMI:

And that there wasn't really no legitimate transfer.

MR. NOLAN:

Correct, and I think the department is within its rights to deny a license. An applicant can always challenge that by an Article 78 proceeding. They'd have to prove it was arbitrary and capricious, though.

LEG. CILMI:

Okay. All right. Thank you.

LEG. D'AMARO:

Bill.

P.O. LINDSAY:

Okay. Any other questions?

MR. NOLAN:

Lou D'Amaro.

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Mr. Presiding Officer. I'd like to ask, through the Chair, what exactly we're talking about with respect to arm's length. What are we -- what do we mean by that?

LEG. CALARCO:

George, can you answer that? As defined in the bill.

LEG. D'AMARO:

It says the proposed licensee, whether or not -- excuse me, is a business entity separate and distinct from the precious metal and gem exchange that had its license revoked. Separate and distinct or has acquired the predecessor exchange business through an arm's length transaction.

MR. NOLAN:

That it's a bona fide purchase and not an attempt to circumvent the licensing law. It's a determination the department would have to make after, you know, doing an investigation, but that's what the law is trying to get at, is where somebody is trying to circumvent the intent of the licensing statute.

LEG. D'AMARO:

Let me ask this. When a license is issued, is it issued in the name of the business or the individual?

MR. NOLAN:

You know, in that particular business I don't know. Consumer Affairs would have to address that. But I would think they'd have to -- part of that reveal who the principals are and so forth.

LEG. D'AMARO:

Right, but there are distinctions here. I'm just wondering, if I had my license revoked -- let's say I'm doing business as in a corporate form and my business is revoked, and I go out and I incorporate a new business and seek a license, would that be precluded by this statute?

MR. NOLAN:

I think so. I think that clearly would be the intent of the law, yes.

LEG. D'AMARO:

Okay. If I go out and start a new business with two other partners, would that be precluded?

MR. NOLAN:

I think it could be, yeah.

LEG. D'AMARO:

All right. So the loss of the license theoretically puts the business out of business; is that correct?

MR. NOLAN:

It should.

LEG. D'AMARO:

It should.

MR. NOLAN:

Otherwise they'd be operating without a license and, you know, they'd be open to other penalties.

LEG. CALARCO:

I'll answer the question. That's exactly the intention. And the problem here is we have people who are breaking the law. We have people who are knowingly and willfully buying precious material, gold, basically, from individuals without asking for the licenses, without asking for proof of ownership, you know, where you have to come in and show who you are, identification, without any care whether the person is underage and they're doing this repetitively. They're reaping in so much money that they don't care that they're breaking the law. They pay whatever violation fines they may have to pay, which is difficult for us to enforce the laws we have.

And with the problem with the drug epidemic we have in this County right now, this is becoming an ever larger problem that the County is facing where people are committing burglaries, breaking into homes, stealing jewelry and selling it to whoever they can to get a few bucks. This is intended to deal with that. So what we want to do is just that, where we have individuals who don't want to play by the rules we have in place, we don't want them to play. We want to make sure that when we revoke their license they can't just have their employee or their girlfriend or their mother or somebody else come in and get a new license and they can continue to do business as usual. We want them to pay the penalty for breaking the law.

LEG. D'AMARO:

That's interesting, because then it sounds to me like the license is issued to the entity, not the individual.

LEG. CALARCO:

I believe it's issued in both the name of the business as well as the principal owner.

LEG. D'AMARO:

So if I worked at this location and the licensee had its license revoked, and then I wanted to open up at that location, is that at arm's length as a former employee of the --

LEG. CALARCO:

Sure, if you can show that you are a new owner, if you can show that you purchased the business. If you can show that you're taking a new lease on the property, if it's a leased location, then yeah, it's shown that you are opening a new business under your name and you're actually running the

show. But if you want to just be an employee and you're not going to do those things that indicate an arm's length transaction, that you actually are opening up a new business of your own at that location, then there's an ability for our Consumer Affairs to actually say, "Hold on. This is not legit."

LEG. D'AMARO:

But the problem here is that with taking that scenario that you just spoke to, you can have on the surface a new lease and a new entity and one -- a sole shareholder, let's say, your former employee, but there still can be a connection to the licensee. Let me just finish my point, because I think that you have to strengthen this law in the sense that, or maybe it does it already. I have it in front of me, but you let me know. When the person who's getting the license comes in -- I guess Consumer Affairs issues the license?

LEG. CALARCO:

They come in and have an interview with a consumer first, yup.

LEG. D'AMARO:

You need something -- you need a binding representation from the licensee that this is not a successor company or that it's not in any way affiliated or tied to a licensee who had their license revoked. So you need some form of affidavit or application where they would make that affirmative statement. That's different than sitting down with a prospective licensee and then just saying, "Yeah, no, I'm not connected to that guy." And then the Commissioner has discretion. You need something that's enforceable. So anyone can go in and say whatever they want. It's a different thing if they go in and have to say it under penalty of perjury, and then if you find out that it's not true, then you have a basis to revoke the license, other than the Commissioner saying, "Well, that's not what he told me."

LEG. CALARCO:

Well, I believe that's actually the case. The Commissioner already has some discretion when he approves or does not approve the issuance of a license based on the representation that the person is going to be able to do business in an honorable way. So I think that he has that discretion now and I think that when they make these representations to them and it proves to be otherwise, and that that is, indeed, just that -- you know, breaking the law in that regard. I think that that's exactly what they do when they come in and attest to the Commissioner about their fitness to do business, that they are making a representation and that would be a crime if they were falsifying that.

LEG. D'AMARO:

All right. So you're comfortable that these compliance with an adherence to these requirements will be in writing by a prospective licensee? Because the law doesn't require that.

LEG. CALARCO:

I think we gave some discretion here to the Commissioner to make those rules in terms of how he's going to actually apply it. And Bob Meguin, who's the Deputy Commissioner over there running the Consumer Affairs portion of the department, has really represented to me anyway that he intends to do that, just that. He's been pretty good about this and he -- like I said, he is looking for this so that he has a legal mechanism in place to do basically what he's trying to do right now.

LEG. D'AMARO:

All right. Again, no one's going to come into Consumer Affairs seeking this license and say, "Oh yeah, I did business with the guy you just put out of business." No one's going to say that.

LEG. CALARCO:

You'd be surprised.

LEG. D'AMARO:

Consumer Affairs is not going to do any kind of real investigation other than an interview and ask the question.

LEG. CALARCO:

But the point of the law here is that you're not just connecting it to an individual, you're connecting it to the address. So that when you have a specific location, like there was one up on Middle Country Road in Centereach that was a -- this specific type of situation, then that's what tips them off. They're looking at it and they're saying, "Oh, you're going to open up this business that we just shut down two weeks ago. Well, all right, great. Show me that you actually are going to be running this business and it's going to be your business and you're not just doing this as a pawn for the guy who actually is going to continue to run the show."

LEG. D'AMARO:

Right, and they'll show you everything you need to see, but it doesn't necessarily mean they're not doing that. What I'm saying, it would be much stronger in an interview process or an application process to have the applicant sign-off on at least an affidavit under oath stating that -- to be in compliance with this particular law, because then if it turns out not to be the case, at least you have something go on.

LEG. CALARCO:

That's what I'm saying. When they come in and they make representation for the license that's exactly what they're doing. They're making an affidavit. They're attesting to that to the Commissioner.

LEG. D'AMARO:

They are?

LEG. CALARCO:

Correct, yeah. When you get a license by the County in any way, whether it's for gem dealers or as a carpenter or a plumber or home improvement, you're attesting to certain things and those are -- when you are not upholding to that, you're breaking -- you're in violation there.

LEG. D'AMARO:

Okay. I guess the difference that we're talking about is that you already know that that is going to be done in writing by an applicant, because the law doesn't say that. That's the procedure that's going to be put in place.

LEG. CALARCO:

That's already part of the licensing procedure. We're just adding an element to it.

LEG. D'AMARO:

All right, because it doesn't require the department to do an independent -- and they're not going to search corporate records and ask for full disclosure of who the actual owners of the company are. They're not doing any of that, are they? Or are they doing that in the application.

LEG. CALARCO:

I think they do that in the application.

LEG. D'AMARO:

They do? Okay. That would be important to do. Because that's just not in here. Okay. But that is going to be done, okay. All right. That's fine.

P.O. LINDSAY:

Could I just for clarification add my knowledge to it, Legislator D'Amaro? I, you know, was on the Electrical Licensing Board for many years, and, you know, sometimes -- like with all the trade licensing boards, an individual is licensed and he holds the license or she holds the license for the company. But there are certain circumstances, and I'm trying to think of one where we'll license a company, and I can't think of any off the top of my head, but there are some. So it kind of cuts both ways, you know, out of convenience. But they do -- in order to get a license, they do investigations and they do fraud investigations as well.

There was an appliance company that had multiple violations. They'd take away its license, didn't make any difference, he'd keep operating and pull the same scams that his license was taken away for. The, what do you call it, the chimney sweeps were notorious for fraud, where they would go up on your roof and, you know, come down with an estimate of thousands of dollars that you needed and the people just laid out the money. So there -- you know, there's some legitimate invest -- and Consumer Affairs actually used to do stings on some of this stuff with their inspectors. They would have a legitimate company come in and inspect a chimney and then they'd go hire one of these guys and give me an estimate to repair my chimney.

LEG. D'AMARO:

Right.

P.O. LINDSAY:

And it was hundreds if not thousands of dollars difference. So it can go into some kind of investigative stuff as well.

LEG. D'AMARO:

I agree with the law. I just -- and I'm looking at part of it now. It says really what you're trying to do in whole or in part for the purpose -- if the new licensee is getting a license for the purpose of permitting the original licensee to avoid the effects of revocation. So that's definitely a goal we want to achieve. I was just concerned about, you know, how exactly would you know. If I'm the Commissioner or the Director of Consumer Affairs and an applicant comes to me and fills out an application and says, "Well, yeah, I own this business. Here's my lease. It happens to be at the same location and I'm not connected to anybody who has a revoked license." Anyone can say that in an interview, but I would just want to make sure that at least those representations are made in writing so we have something to go on if we have to enforce it.

MR. NOLAN:

Legislator D'Amaro, I just checked the Code and Legislator Calarco is correct, that all the applications are done under oath, they're signed under oath. And the Commissioner has the authority to, you know, develop the applications and the forms and the documents that have to be submitted in order to get a license.

LEG. D'AMARO:

That was my point. Thank you.

P.O. LINDSAY:

Okay. Okay, 1471. Where are we, Clerks? Do you have a motion and a second?

MR. LAUBE:

You have a motion and a second to approve.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Amended to 17; Not Present: Legislator Muratore)

LEG. SCHNEIDERMAN:

Mr. Presiding Officer, I'd like to make a ***motion to reconsider 1562***, which was appointing Elizabeth Custodio to the Long Island Regional Planning Council. Legislator Montano had stepped out for just a second and missed that vote. As a professional courtesy I wanted to give him that opportunity to vote on that.

LEG. MONTANO:

Thank you and I'll second that.

P.O. LINDSAY:

We have a motion to reconsider, and a second, for the purpose of having Legislator Montano vote.

MR. LAUBE:

Can I have a recap on that? There was a motion by Schneiderman, second by?

LEG. MONTANO:

Montano.

MR. LAUBE:

Thank you.

LEG. MONTANO:

I believe I can't make the motion, but I can second it. Am I correct, Counsel?

MR. NOLAN:

Yes.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

P.O. LINDSAY:

Okay. 1562 is back before us.

LEG. MONTANO:

May I make the motion or did someone else make it earlier? I'll make the motion. Oh, you want to make the motion? If you don't mind, I'll second it. Kara, you want to make the motion?

LEG. HAHN:

Yes.

LEG. MONTANO:

She's your constituent.

LEG. HAHN:

Yes.

LEG. MONTANO:

Yes I know, and I'll second it. And the reason I did this is because she is a personal associate. I've known her many years, actually grew up with my cousin in the Bronx. So thank you for allowing me to make the second and thank you for reconsidering.

P.O. LINDSAY:

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

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore).

P.O. LINDSAY:

Okay. ***1507 - Naming the New Suffolk County Police Department Motor Carrier Inspection Station after Police Officer Glen Ciano (Kennedy).***

LEG. KENNEDY:

Motion to approve, Mr. Chair.

LEG. CALARCO:

Second.

LEG. NOWICK:

Second.

P.O. LINDSAY:

Motion by Legislator Kennedy. Who was the second? Second by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

LEG. CILMI:

Cosponsor.

P.O. LINDSAY:

1531 - Transferring and appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy (Co. Exec.).

LEG. ANKER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Anker.

LEG. BROWNING:

I'll second.

P.O. LINDSAY:

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

LEG. CILMI:

Opposed.

MR. LAUBE:

Sixteen. (Opposed: Legislator Cilmi; Not Present: Legislator Muratore)

P.O. LINDSAY:

1536 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purpose (SCTM No. 0100-170.00-02.00-144.000) (Co. Exec.).

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Motion by Legislator D'Amaro. Do I have a second?

LEG. SPENCER:

Second.

LEG. CALARCO:

Second.

P.O. LINDSAY:

Second by Legislator Schneiderman.

LEG. SCHNEIDERMAN:

No.

LEG. MONTANO:

Calarco.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

Calarco was the second.

MR. LAUBE:

I got it.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

P.O. LINDSAY:

1537 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purpose (SCTM No. 0100-083.00-01.00-106.000) (Co. Exec.)

D.P.O. HORSLEY:

Motion.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion by Legislator Horsley, second by Legislator D'Amaro.

P.O. LINDSAY:

On the question, nothing? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Legislators Stern and Muratore)

P.O. LINDSAY:

1539 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purpose (SCTM No. 0100-170.00-02.00-145.000)(Co. Exec.).

D.P.O. HORSLEY:

Motion.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion by Legislator Horsley, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Legislators Stern and Muratore)

P.O. LINDSAY:

1540 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purpose (SCTM No. 0100-170.00-02.00-143.000)(Co. Exec.).

LEG. GREGORY:

Motion.

D.P.O. HORSLEY:

Second.

P.O. LINDSAY:

Motion by Legislator Gregory, second by Legislator Horsley. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Legislators Stern and Muratore)

P.O. LINDSAY:

1541 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purpose (SCTM No. 0200-486.00-06.00-021.000)(Co. Exec.).

LEG. CALARCO:

Motion.

LEG. ANKER:

Second.

P.O. LINDSAY:

Motion by Legislator Calarco and seconded by Legislator Anker. Nobody is sleeping in Brookhaven over there.

*(*Laughter*)*

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Legislators Stern and Muratore)

P.O. LINDSAY:

1544 - Providing updated report for elected officials (Pres. Off.)

LEG. ANKER:

Motion to approve.

LEG. SCHNEIDERMAN:

Motion. It's pro forma.

LEG. KRUPSKI:

Timesheet.

LEG. ANKER:

Motion to approve.

P.O. LINDSAY:

Yeah, I'll make a motion, okay, and you second it. All right? I just had to find out what report it was. This is the thing for the Comptroller. So we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator Muratore)

*(The following was taken and transcribed
By Lucia Braaten-Court Reporter)*

P.O. LINDSAY:

Okay. This is by Discharge Petition. *1567 - Adopting a Local Law, a Charter Law to create a unified County Department of Financial Management and Audit (Co. Exec).* Do I have a motion?

LEG. GREGORY:

Motion.

P.O. LINDSAY:

Motion by Legislator Gregory.

D.P.O. HORSLEY:

I'll second the motion.

P.O. LINDSAY:

Second by Legislator Horsley.

LEG. KENNEDY:

I make a motion to table.

LEG. NOWICK:

Second.

P.O. LINDSAY:

Motion to table by Legislator Kennedy, seconded by Legislator Nowick. On the question? Nothing on the question?

LEG. CILMI:

On the motion.

P.O. LINDSAY:

Okay. Go ahead, Legislator Cilmi.

LEG. CILMI:

Thank you, Mr. Chairman. First, a question. I'm looking at the Discharge Petition, four pages or so, and I guess because of the process of trying to get these signatures, there are multiple signatures on -- from the same people on each page, but it does all add up to 10. I'm noticing, though, that there's a spot on the petition itself for a date at the bottom underneath the signatures and I notice that there's no date indicated. And I'm not sure, you know, if these signatures -- when these signatures were collected. I'm wondering if there's some way we can come to that conclusion. And I'm wondering if the fact that these aren't dated, if that's a problem.

P.O. LINDSAY:

Let me ask Counsel if it's a problem.

MR. NOLAN:

As long as the petition was submitted to the Clerk timely, that -- then it's -- then it works legally.

LEG. CILMI:

Okay. So, theoretically, the people who signed the -- the members who signed these petitions could have signed them weeks ago?

MR. NOLAN:

I guess, theoretically. There's no -- nothing in the rules that says when a person can sign a petition to discharge.

LEG. CILMI:

I only ask because I've been told, I don't know if this is true or not, but I've been told that some of these signatures were gathered prior to our committee meeting. And I see Chairman Calarco was out of the room, but it's sort of discouraging to a member of this esteemed body that we would go through a committee process, and a very lengthy and, I thought, informative committee meeting, come to a conclusion, there was not -- the bill failed in committee. There was not one even motion to approve this bill in committee. And to think that that whole process was undermined by signatures prior to the committee vote even taking place is a little disconcerting to me. And as -- Legislator Calarco is still not in the room, I don't think, but I wonder how he feels about that as Chairman of this committee.

P.O. LINDSAY:

First of all, as the Chair, I don't think there's any violation to the rules.

LEG. CILMI:

I'll not suggesting -- I'm sorry.

P.O. LINDSAY:

What you're pointing out. But I think the solution to what might be a very valid complaint is that the rules be changed, and that a date, in order to make the signature valid, that there has to be a date at the same time.

LEG. CILMI:

I would suggest that that's a good idea. It's just maybe a little too late in this -- in this case.

P.O. LINDSAY:

It's too late in this case, right. But January 1st, you'll have the ability to make rule changes.

LEG. CILMI:

Mr. Chair, if I could, through you to the -- to the Chair of the Government Ops Committee. Legislator Calarco, Chairman Calarco, it's my understanding, and I'm looking at just the dates of the facsimile reports coming through here, that the discharge petitions for the resolution that we're debating at the moment may have actually been signed, at least in part, prior to our committee meeting. As Chairman of the Government Ops Committee, do you take offense to that? As a member, I take offense to it.

LEG. CALARCO:

I don't.

LEG. CILMI:

You don't?

LEG. CALARCO:

Honestly, no. It is a procedural process that is permitted under the rules of this Legislature. And if the sponsor of this resolution had a feeling that they weren't going to be able to move the bill through committee, because they can count the votes, then it's their prerogative and -- to circulate a petition to discharge. And if those signatures came before a committee, well, so be it.

LEG. CILMI:

Well, I know it's a little premature. We still have a couple of months left in our year, but I hope that in our new year we'll at least consider a change in the rules to prevent that from happening, because it just doesn't make any sense to me.

LEG. CALARCO:

It's certainly a discussion we can have.

LEG. CILMI:

Sure. Okay. On to the -- on to the bill itself. I went through a lot of this in committee and I think it's worth readdressing here.

There are several problems with this bill on a number of different levels. First of all, with respect to the process, changes were made to this resolution literally minutes prior to -- prior to the closure of the Public Hearing. Suggestions were made on the record during our committee for potential amendments to the bill, which were dismissed. And it was asserted at that time that the time had passed to make changes, when the reality is the committee process is exactly the right time to make

changes to a bill.

The speed at which this came to us, when the same measure was addressed twice prior, at least, by a Charter Revision Commission, taking literally months to review. And in both of those -- one of those times, the Charter Commission -- the Charter Review Commission suggested changing the current structure, and in the second time, they suggested leaving the structure alone. It seems to me that it would have been wise to allow the Charter Revision Commission to opine on this one last time before we vote on it today.

On to the basis of the proposal, which is the Performance Management Team's report. None of us who know anything about performance management can with a straight face approve of the lack of interest that the Performance Management Team had in actually trying to improve the performance at the Treasurer's Office, or the Comptroller's Office for that matter, and that was the entire basis for this resolution. The Performance Management Team's report was the entire basis for this resolution, and, yet, they spent not an ounce of time, not a minute of time, not a second of time in the Treasurer's Office or the Comptroller's Office.

During our committee meeting last week, the Comptroller, who has emphatically stated in the past that he's opposed to this, to the combining of these two offices, and, at some point, I would ask our Treasurer to -- I don't have the words in front of me, but I would ask the Treasurer to reiterate the exact quote from the Comptroller, which was quite, as I said, emphatic, that this should not happen, that the current system is the best system. Despite his now suggesting that this is a good idea, he said to me, when questioned, that the current system does have value. However, when I asked him what that value was, he could not put an amount on it, could not value it.

My suggestion to my colleagues here is the value of the additional oversight of having two separately elected offices here. And I understand that Suffolk County is the only county in the state that has two separately elected offices, but we're also bigger than 15 states in the country. We have a very large budget compared to most other counties in the state. But I would suggest that the value of having that oversight is greater than one dollar per year to our taxpayers. And I fully acknowledge that every penny counts with taxpayers, but they're a value to the services that we provide. And I would suggest that the additional oversight provided to us by having a separately elected Treasurer and a Comptroller is worth more than a dollar a year to the average taxpayer.

Furthermore, as part of the County Executive's assertion, or Performance Management's assertion that this would save -- I guess it's now 830 some-odd thousand dollars annually, part of that estimation comes from savings from combining our computer systems, the MUNIS System and the IFMS System. And he suggested that we should be able to house the MUNIS System inhouse, and that would save us a couple of hundred thousand dollars. Well, the fact of the matter is we could do that now if we were prepared to devote the resources to do it. That is to say, if we were prepared to set up our systems in such a way, that we could effectively manage that data, and if we were prepared to make the investment in our systems so that we would have backup to that data. The fact is, is that years ago, when we did this, we weren't prepared to make that investment. And our IT Department came to us, before I was here, and said that this would be better managed offsite, so -- but the point is that we don't -- we don't have to change the current structure to see those savings. We could see those savings now if we made the necessary commitment to our IT infrastructure to do it.

And, furthermore, if we do combine these two offices, we're going to have to make that investment to the IT infrastructure, and that, my friends, is going to cost money, and I wonder how much money that's going to cost. And I suppose at some point in time we'll be presented with a resolution to spend money updating that infrastructure.

I know today we're going to be asked to support a bond, which failed at an earlier resolution, to borrow more than a million dollars to purchase a Microsoft Enterprise agreement. Maybe that is -- maybe that million-plus dollars is going to be used to somehow shore up our IT system.

The merits themselves of this proposal are questionable at best. Ultimately, though, my opposition stems from two, what I would call, fatal flaws in the proposal. One, you have a Performance Management Team that's purposefully abdicated their responsibility to get into the weeds in the Treasurer's Office and the Comptroller's Office and see if there are any opportunities for savings within those offices. So we're going to throw the entire historic structure of the County's government out the window because they couldn't take a few minutes to spend some time to see if they could find \$800,000 of savings within the current confines of the operation. To me, boy, that's irresponsible.

And the second fatal flaw, and this goes to my question about amending the resolution during the committee process, is the nature of the referendum. And, as I asserted in our meeting, and as Legislator Montano, I think, echoed the wording of the resolution as it presently stands is leading at best, as it concludes by saying, with a prepositional phrase, "For the purpose of streamlining and improving government efficiency." Well how do the -- how do the voters know that that's what's going to happen? Just because it says so in this proposition, that makes it true? I don't know that that's true, and I don't know that we can ask the voters to support a proposition that's worded like that.

And this entire platform of let the voters decide is a smoke screen, it really is. Because, if that were the case, if we truly wanted to allow the voters to decide, then we would eliminate that last prepositional phrase. We would say, "Should the offices of Comptroller and Treasurer be combined, period, end of story, and let the voters actually do their due diligence in determining what the pros and cons are. But we have led them in a direction that can't -- they can't help but support this proposition. And it's very clever, and we've seen these types of propositions before, but it's dishonest, because we have no way of knowing that this is going to improve government efficiency.

So, for those reasons and many others, I will be voting against this proposal today. And it has absolutely nothing to do with the name and the person, who I have great respect for, in Treasurer Angie Carpenter, and it has absolutely nothing to do with Joe Sawicki, at least my opposition doesn't have anything to do with him personally, or the members of his office, by the way, who I have great respect for. But it has everything to do with the loss of oversight and the value of that oversight, which I place at more than a dollar a year for our taxpayers, and for the leading wording of this proposition. And I would ask my colleague to join me in opposing this, or at least tabling it, and asking that the County Executive's Office change the wording of this proposition, so that it's less leading. Thank you very much.

P.O. LINDSAY:

Before I go -- I have a long list, and before I go down it, I just would like to point out to you, Legislator Cilmi, that we have many times changed propositions on the floor before it went to the voters. When we did the land acquisition proposal a few years ago, which was a huge amount of money, huge amount of money, we -- I sat here -- Legislator Cooper sat over there and we were shuttling back and forth, because I maintained that the proposition that was going on the ballot was incorrect, that it was an injustice to the voters and it wasn't truthful. And we finally, you know, changed it to the point that I was satisfied and let it go forward.

LEG. CILMI:

I appreciate that, Mr. Presiding Officer. And I would ask you, then, to put up a similar fight today, because we have no way of knowing what is -- what is --

P.O. LINDSAY:

No. The purpose of me saying that is that we've done -- we've done this, we've changed resolutions before.

LEG. CILMI:

Okay.

P.O. LINDSAY:

All right?

LEG. CILMI:

So then let's change it today.

P.O. LINDSAY:

Whether it's right or wrong is something that we should take a look at moving forward.

LEG. CILMI:

Well, let's look to change this today, then, and let's look to get rid of that phrase --

P.O. LINDSAY:

I don't --

LEG. CILMI:

Because none of us can say for sure whether or not this is actually going to streamline or improve government efficiency. And, in fact, in the County Executive's own fiscal impact statement, Item Number 6, the last sentence says that payroll and associated costs are expected to increase.

P.O. LINDSAY:

Okay. Let me move on. Oh, I got a long list, John. You're getting all itchy there. I got Legislator Barraga. I'll add you to the list, John.

LEG. KENNEDY:

Okay.

LEG. BARRAGA:

Thank you, Mr. Presiding Officer. This legislation calls for a public referendum. I have consistently supported public referendum over the years, and this is no different.

Let's be very clear. A "yes" vote will allow the residents of Suffolk County the right to vote on this referendum. A "no" vote denies the residents of Suffolk County the right to vote on this referendum.

There is no reason at this point, as we discuss this legislation, to further express your personal opinion on the merits of the resolution. Your opinion on the merits will be expressed in the voting booth on November 5th, along with the voting residents of Suffolk County, if this referendum passes today.

This referendum, Ladies and Gentlemen, is very similar to State referendum, which generated, incidentally overwhelming support of members of the State Assembly and the State Senate. This coming November, you will see several State referenda on the ballot. There'll be one dealing with casino gambling, there'll be one dealing with Supreme Court Judges, there'll be one, I believe, dealing with increasing the debt limit associated with sewer construction. Let me just take one as an example, which is controversial.

Two separate State Legislatures supported this referendum on casino gambling. It overwhelming passed, but there are members of the Legislature who have serious reservations concerning the merits of that particular resolution. There are members of the Legislature who are anti-gambling. Some of us have heard those debates where people get up and say, "You know, we don't want casino gambling in the State of New York, because the people who go into the casinos can least, in many cases, afford to go there. They'll be taking away monies they need for their families and they'll be gambling it away."

Other members will get up and say, "You know, we don't want casino gambling because it's addictive. We'll have a major problem in this state with addiction."

If you take a look at the finalized proposal on casino gambling, which came minutes before the vote, incidentally, if you were a Downstate Assemblyperson or Senator, you could well have problems with that. There are no casinos being built where the population of 12 million exist between the five Boroughs, Queens -- five Boroughs, Nassau and Suffolk County for at least four or five years. The four casinos that are going to be built are being built Upstate.

The caveat is that if this referendum doesn't pass, we still get 1,000 VLTs in Nassau and 1,000 VLTs in Suffolk County. The point is, if you're a member of the Assembly or the Senate from the Downstate area, you may well have a problem with that. But the democratic process of public referendum takes those groups who have problems with the merits of the issue and they, in turn, stand there and still support the public referendum to let the people decide. It is what is known as direct democracy. You are here because of direct democracy. People went into a voting booth and they voted for you.

Those members of the Assembly and the Senate are saying the same thing, "I have problems with the merits of the resolution, but, you know, I'm going to let the people of New York State decide." That's what's happening here with this particular referendum for the County. Certainly, there are members here who have serious issues with the merits of this particular proposal, and I understand that. But I also understand, when that exists, no matter what is said, the best course of action is the public referendum where people can go in and make the decision. Either they accept or reject, yes or no, and let the chips fall where they may.

This is not the forum to cast your personal vote on whether you're in favor or opposed to the merits of the resolution. The task before you is to grant or deny our constituents the rights to cast their votes on the merits of the resolution in November, if it passes today. I strongly support this referendum to give the people the right to vote on this proposition.

P.O. LINDSAY:

Thank you, Legislator Barraga. Legislator Nowick.

LEG. NOWICK:

Well, he's a tough act to follow.

*(*Laughter*)*

I know that we're just voicing our opinions at this point, and probably this is a fete accompli. But I do want to say on the record that I'm probably looking at this in a different way, and I'm looking at it as a former Tax Receiver, and I have probably had more interaction with the Treasurer's Office than anybody else here. And you have heard the President of the Tax Receivers Association voice her opinion as well, and she talked about how she interacts with the Treasurer's Office, whether it's reporting to the County Treasurer, the amount of tax money collected and disbursed to the Supervisors, whether it's the Tax Receivers often requesting advice from the Treasurer's Office, whether it's New York State Real Property Law or the Suffolk County Tax Act. I know I have done

this on numerous occasions. And even as a Legislator now, I continue to get calls and I continue to have to call the Treasurer's Office and get the answers. And there are so many different things that the Treasurer does with the Tax Receivers.

Having said that, I just needed to address one other thing. The many -- the many people from the public that came today and asked us all to give the public the opportunity to vote their right, yes, I do agree, voting is their right. But when you put a referendum on the ballot, and I would have to say, and I don't know -- nobody has to answer this, but think about how many times you have all gone into the booth, no longer a booth, but now we do this in a different kind of booth, how many times have you gone in and you are there to vote for whether it's a Senator, or a Supervisor, or a Councilperson or a Legislator, and then, oh, you see on the ballot three different resolutions -- is that what they call it? Amendments, and they're 70 or 80 words long. And you get in there, and let me tell you something, you know that people are not reading those, because they would never walk out of that booth that fast. And to digest that and to understand that is virtually impossible sometimes.

So here is the thing, that people do get an opportunity to vote. Here's how they voted. The people in the Thirteenth Legislative District voted for me, and they said to me, "We will trust you, Lynne Nowick, to attend the meetings of the Legislature and learn about resolutions, and we will trust you to be the one to understand that, and we are giving you our vote and making you our representative." I'm sitting here, whether it's a Public Hearing, or whether it's this particular forum, and I'm learning about this legislation. I would have to say the public cannot possibly know as much as we know, not that they're not smart, they're very intelligent, but you cannot know as much as we learn here by going into a voting booth and reading 100 words and then trying to figure it out. Nobody in that voting booth is going to hear what Dr. Lipp told us, that it's going to save a taxpayer 10 cents a month. Nobody's going to hear that, nobody's going to know that, we learn that.

I have to say, to me, I almost equate it to those people that have not sat on a jury during a long jury trial, and the people that you talk to that were never on the jury say, "Oh, well, he or she is guilty." Well, did you go, did you listen? My point is, yes, everybody has the right to vote, and this is their -- this is the right thing, but my constituents entrusted me. They know I'm going to sit here and listen and get the facts. They can't possibly know the facts that we know. So I just wanted to lay that to rest.

D.P.O. HORSLEY:

All right. Thank you very much, Legislator Nowick. Legislator Browning.

LEG. BROWNING:

Okay. I absolutely agree, that we should let voters decide on many issues, and maybe this would be one we should let them decide at some point. But my opinion is, is this has not been properly vetted. I think we've heard that we have a Performance Management Team that is extremely well paid and they haven't visited the Treasurer's Office, so they know exactly what goes on in her office.

The constituents of my District, Lynne, if they were to come up to me tomorrow and say, you know, "How do you feel about this issue if it's on the ballot," I'll be honest with them. I'll tell them, "You know what, we had two meetings about this, that's all we had." I think it was rushed. We had about a month's notice that they were going to put this on the ballot. We really weren't given enough information. The public really didn't get to come and speak on it." So I really have some concerns about it, and that's what I'd tell them.

Again, we have a great Comptroller that I couldn't trust any more than anybody else. He has done a phenomenal job, as has our Treasurer. And I look at the fact that we have two independently elected people who are overseeing our finances, the Suffolk County taxpayers' dollars. And I think the fact that we have two independent of the Executive and of the Legislature looking over our

finances is a good thing for us. So I don't know why this continuous complaint about having two separate elected officials. I think it's a good thing for Suffolk County.

I want to talk about checks and balances. Now, I think when you put it on the ballot and when people go vote, it's all in how you spin it and what the language is. You know what, it's going to be spun in a way, this is a phenomenal idea, major savings. Bottom line, I think we should also put on there it weakens our checks and balances. I think that should be on there and be honest, because I think our checks and balances are going to be seriously weakened.

There's another issue, I think, is something that still has not been addressed, and I've heard a lot of stuff, is that we have five people who are going to be relieved of their duties. Two of them, of those five, are AME members. Now I've heard that, well, they're appointed, they're exempts. They pay union dues. If you pay union dues, you are a union member. You all made a commitment that you did not want to lay off one more AME member. So, if you vote for this and this vote goes through in November, you voted for more AME layoffs, and I think that's an issue. And to hear this spin -- I couldn't believe it when I heard, "Well, they're really not union members." They pay union dues, they are union members.

I look at this as bad policy. We are elected to support good policy, and contrary to what some people want to do, I believe in process. We have to follow process. We have to make sure that everything is done correctly, and that the decisions we make here is good policy for the Suffolk County taxpayers. In my opinion, this vote today has absolutely nothing to do with policy, good policy. This is pure politics, and that's why I cannot vote to put something on a ballot, because it's pure politics.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Vice-Chair. I feel compelled to state, firsthand, that, you know, I -- you know, Angie Carpenter has always been kind to me, she's -- ever since I've been, you know, an elected official, even prior to. So, you know, she's a very nice person, I have nothing against her. I think Doug Sutherland is an excellent person. I have heard nothing but great things about him. Some of her other staff I don't know all that well, but I'm sure they're fine people.

So I know that a lot has been said since this whole process, and this has not been a long process, and that's one of the problems that I have. The timing of it, the process was not the best. The report was not the greatest. And I've publicly stated that I had issues and concerns with the -- this whole idea. And I was against putting this referendum or this position forward to the voters without it being vetted properly.

I'm more comfortable now with some of the questions that I had. Honestly, I felt -- I'm not wedded to necessarily having two elected positions. I think if we had a model similar to Nassau County, where their Treasurer is appointed, but as long as the two offices are separate, I would ultimately prefer that, but I'm comfortable with the external auditors' control measures that have been put in place, that the taxpayer funds and County funds would be safeguarded. And I'm at a comfortable level where I think the voters in Suffolk County can make an informed and educated decision.

I don't like that it will displace someone that I personally like. I think a lot of us have discomfort with that. I don't appreciate being put in that position, but I can't bring my personal feelings -- I can't allow my personal feelings to stand in front of the voters and their opportunity to make a decision on this. And, as Legislator Barraga has eloquently stated, he actually took some of the words I was going to state, so I'll reiterate some of it. Our voters, our constituents collectively have made many difficult decisions, and tough decisions, and complex decisions over the years, one of

which was creating this very same body. They had the ability to do that and they did that, and I think they were right for doing so.

This November, among other ballot initiatives, New York State voters, including Suffolk County voters, will be looking at if New York State should go into the direction of casino gambling. That's a moral issue for a lot of people, a complex issue that voters will have to decide if they support or not, and other issues on the ballot this year. I think this should not be excluded from that list. They have made -- they have had -- they have shown the ability in the past to make those decisions, and I think they should be given the ability to continue to make those decisions in this case.

So I think it's appropriate that we support this referendum to go forward so that the voters can make an informed decision. I personally, as a resident of Amityville, and a voter in the Seventh Election District, I don't know how I'm going to vote, I honestly don't. But I am at the point where I think the voters should have that opportunity to vote, and I think that we all should take that opinion and never stand in the way of our constituents from having an opportunity to have their say in how government is structured. So I urge everyone to support moving this initiative and allowing the voters to have a decision.

D.P.O. HORSLEY:

Thank you very much, Legislator Gregory. Legislator Spencer.

LEG. SPENCER:

Thank you. I wanted to state that, first of all, I did have the privilege of going out and spending some time in the Treasurer's Office, and with her Deputies and staff, and I was thoroughly impressed and left with a lot of significant concerns. I think that what they do every day, I think I would be genuinely concerned if someone made a judgment about what I did without taking the opportunity to come in and see what I do on a daily basis. I left actually pretty strongly against the consolidation. And I understand, when you look at this issue, when you look at the benefits of consolidation and savings versus oversight, is there politics involved, what is the process, are all very important questions if I am to decide on whether or not I support consolidation or not. But I realize the vote we're taking today, as many of my colleagues have suggested, is on whether or not this should be presented to the voters.

One of the things that I thought was important to do, is that I'm going out every day and I'm walking anyway, was to -- this weekend, I think that I may have been referenced earlier, but I knocked on 100 doors this weekend, and I drove people crazy because I asked those questions, I asked very difficult questions with regards to, "Do you support the consolidation?" And, actually, a majority of the people didn't, but there were a fair number that feel that downsizing and consolidation was very important.

But the other point was that when I asked the follow-up question of, "I've been elected to represent you, and do you think that I should make a decision of not to give you the choice," and the response was 100% no. Voters of -- from the far right to the far left all thought that they should be given the opportunity to vote on this issue. When I said, "Even if the referendum is misleading, even if it's leading you to one direction, do you think that you should rely on me to weigh the options and not give you the privilege of voting," and the answer was still 100% no. And most of the voters explained it to me like this: When they go into the ballot box and they -- voting booth and they see our names there, there's no information about us, our backgrounds, who we -- what we represent, what our politics are, but they get that information in a campaign. I've never gone into a voting booth and voted on a referendum without any knowledge of what that referendum is. And I'm sure some voters perhaps do that, but I'm also -- I feel that I do not want to underestimate my constituents. Our constituents are informed, especially those that vote in an off-year election. They go into that ballot box, they know about us, they make choices, and they will know about this issue. And I don't know how -- I may very well vote against this, I still have genuine concerns. But, as an

elected representative, when I asked my constituents what they wanted me to do, it was not a heavy favorite, it was not a majority, it was 100%, "Give us the choice." And my constituents have spoken to me, and I'm actually still torn inside.

I still, again, enjoyed my conversations with Angie and Esther, who I respect very much. But, when my constituents are that clear, and I heard this, and I'm not talking about 10 people, the decision for me on this particular issue is not to support the consolidation or not, but do I give my constituents an opportunity to vote. They're not going into that ballot box relying on a referendum to make the choice -- the language to make their choice. So that's -- that's why I'm supporting this.

D.P.O. HORSLEY:

Thank you, Legislator Spencer. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And I spoke a lot about this in committee. I spoke a lot about it at -- even during the Public Hearing. And I want to go back to Legislator Cilmi's first comments, when he first spoke and he questioned the discharge petition, and how, in fact, this resolution is even before us. And I would like this body to consider another motion. I want a motion to strike this resolution from the agenda. And the reason I would say that is because, in reviewing the Discharge Petition, and I think each one of you have seen it, Legislator Cilmi spoke about the fact that there are no dates next to signatures. That's true, but -- so then we look at what is on the petition, and, very clearly, there is a July 15 date on the bottom of the petition. I can only conclude that some of my colleagues signed before we even had the Public Hearing on Tuesday, at which time this resolution was amended 15 minutes before the Public Hearing. So I'd offer to you that we do not have 10 valid signatures before us, because how could you sign a motion to discharge on a resolution that was subsequently modified after the fact? I'd say to you, your resolution or your signature is invalid, and, therefore, we don't get to 10.

So, at the very least, the whole debate and the whole process that's before us right now is actually flawed, illegal, and not bona fide and not valid. We do not have 10 signatures on the bill that's actually before us right now. At least one of them, or several of them, were probably on a bill that no longer exists, something that was amended out into the oblivion; hence, we don't get to 10; hence, we could save everybody a lot of dialogue. It's not here. It's not validly before us, and it's not ripe for a vote. So, at the very least, I'd like my colleagues to consider that it really should be struck and that we have no basis before us.

If you insist that it is still properly before us, I will say to you, at the end of the day, I believe that I was elected to review proposals and to review items that have merit and properly belong before the public. We could put a referendum out there that says, "Is today Tuesday?" That's not a proper use of the balloting process, nor is this, because the language is deceptive, it is illusory, and it will not render savings that approach anything that's worth risking the arms-length oversight and protection that we have. But, more, importantly, more importantly, it came to us in a conclusory manner that was not open-ended.

We've heard a lot about what the rest of the counties in the State of New York do. I answer to the voters in the 12th Legislative District. But since we talked about the rest of the State, let's remember that there are only seven, or is it nine, elected County Executives in the State of New York out of 62 counties. And if we really want to save money, there's about five million in the County Executive's Office. We don't have before us a proposal to put on the ballot to abolish the County Executive's Office and to appoint a County Manager. The only body that by statute must exist in each county in the State of New York is this body here, either a County Legislature or a Board of Supervisors.

So, while we have taken up untold hours and tremendous amounts of time, and consumed effort unwarranted in a short period of time, the other broader, larger question that would have saved much more money is not before us, and I say why not? It makes no sense. It makes no sense for us to put this before the voters. It makes no sense to entertain something that's legally flawed. It makes no sense to go ahead and debate a matter that procedurally is defective. It makes no sense that we can go ahead and be tied up with this kind of rhetoric and babble, because our own rules don't require us to go ahead and behave in a responsible manner. I say we should reject it and I say we should not waste the voters' time. I'm opposed.

D.P.O. HORSLEY:

Thank you very much, Mr. Kennedy. Legislator D'Amaro.

LEG. D'AMARO:

Yeah, thanks. I first have a question to the Clerk, just to clarify for the record whether or not the Discharge Petition was filed in a timely manner, and whether or not it was -- you know, was it clocked in at -- you know, before the deadline, so to speak?

MR. LAUBE:

Yes, it was. It was clocked in at 1:24 on Friday.

LEG. D'AMARO:

And at the time that it was fully clocked in, did it have the requisite 10 signatures that was needed?

MR. LAUBE:

It did.

LEG. D'AMARO:

It did.

MR. LAUBE:

I reviewed it, counted it out and all 10 were there. Actually, there were 11 at the time.

LEG. D'AMARO:

There were 11 at the time, okay. And when we clock in a Discharge Petition, do you look to the time of when the signatures were actually put to paper, or do you just look at the filing deadline?

MR. LAUBE:

I do not look at a time for when they signed it. There's not a spot on the petition for someone to sign -- what time they signed it.

LEG. D'AMARO:

Right.

MR. LAUBE:

I just look to make sure they beat the deadline.

LEG. D'AMARO:

Okay. Have you ever looked at the time that the signatures are put on the paper, or have you only, in your experience, looked at the deadline and then when the petition is clocked into your office?

MR. LAUBE:

I have only counted the number of signatures and --

LEG. D'AMARO:

Okay.

MR. LAUBE:

-- look to be sure that it was before the deadline.

LEG. D'AMARO:

Okay. Thank you. I just wanted to clarify that. So, in my opinion, at least, the bill is properly before the Legislature.

I'm going to support this legislation today. I think everyone here should, and I'd like to tell you why. And I'm going to take a few minutes to do this, because we've certainly sat through an awful lot of testimony ourselves, and I feel that I have an obligation to respond to some of it. But, before I do that, I just want to go to one other point about the Performance Management Team. I think they do a great job. I don't think they're disgraceful or disingenuous, or some of the other words that have used -- have been used to describe their work. The fact of the matter is you can make a decision on something like this based on available information. Can you do a site visit? Sure, you can. But is it required? I don't think so. In fact, I would say to my colleagues 99% of the decisions that we make around this horseshoe, which have even further reaching implications than what we're doing today, are made without visiting the offices affected, or even looking at any of the backup that comes along with the bill that's available. We rely on the information that's available, usually from someone up at the podium telling us this is a good idea and here's why. A perfect example is the aviation fees that we voted on today. No one went out to Gabreski Airport and did a study as to what the impact is going to be. No one did a site visit. We do it all the time.

So I don't want to talk too much about procedure and all the procedural arguments that are being made against this bill. I think that you argue procedure when you just don't have it on substance, so I want to talk a little bit more about substance today.

The first point I want to make, we all talk about reforming County government. We're all going to talk about it more in the next three months. We want to make it more efficient. We talk about making tough decisions. We talk about difficult economic times. We talk about making government smaller. We talk about making it more efficient. We talk about protecting taxpayer money. We talk about avoiding tax increases. We talk about this stuff all the time. But whenever we get a proposal in front of us to do it, is it easy? No. But, automatically, it's dismissed out of hand, and that's business as usual. Combining the Treasurer and Comptroller's Office into one office is going to meet every single one of the goals that we're talking about, or at least the people are going to decide whether or not it's meeting those goals.

So, again, going to substance, point number one, if we form, and if the voters decide to form, this new department, it will make government smaller, it will make government more efficient, it will make government less costly.

Now, to me, this is a tough decision only because of the personalities involved. But you take away Joe Sawicki out of the equation and Angie Carpenter out of the equation, two very competent and capable, and, frankly, very likable individuals, this really is not a tough decision, especially because it's going to save taxpayers over \$800,000 a year in salaries alone, and that's not including the savings of IT. And, as we've been told, that is an 8% reduction in the overall cost of running two offices of the Treasurer and Comptroller separately. That's an 8% reduction. That's a significant savings, contrary to the 10 cents a month that we've heard. We don't govern based on 10 cents a month or \$10 a month, we govern based on the impact that we're having by the decisions that we make around this horseshoe, and an 8% reduction, when we're becoming, or the voters deciding we're becoming more efficient is something that to my mind is significant. And we can put that funding towards other things like child care, and the Police, and all the other initiatives that we talk

about, or even our 250 million dollar deficit that many of my colleagues around this horseshoe like to talk about in every other debate, but not this one. Interesting.

But beyond the savings, which I think we really need, I also want to address some of the criticisms I've heard during these public hearings in the debates, because I did attend the committee hearing. And, surprisingly, some of those criticisms come directly from policy-makers right at this horseshoe who constantly talk about smaller, more efficient and less costly government, and they rail against wasting taxpayer money all the time. But here we are with an 8% reduction in operating costs. No, can't consider it. Let's just keep doing business as usual, because it's not broke. We get to a 250 million dollar deficit, but it's not broke. I don't think so.

All right. So let's talk first about checks and balances. Boy, I heard that term thrown out so many times. The fact is the Office of the Treasurer currently does not have any checks and balances being applied against it by the Comptroller's Office. The Comptroller is not a, quote, check and balance against the Treasurer's Office, it's just that simple. Checks and balances are between Executive, Legislative and Judicial branches of government, and the last -- that's the last time I checked, and not between a Comptroller and a Treasurer's Office. That's not in the Constitution of the United States for the individuals that have been talking about this for a couple of weeks now.

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

LEG. D'AMARO:

The bottom line is that the concept of checks and balances applies between policy making branches of government, not between a department that performs audits and borrowing and a department that performs administrative functions within the -- with the County's cash and has no policy making authority.

For example, when the Treasurer makes a decision, the Comptroller doesn't have the authority to veto that decision; that's a check and balance. And the Treasurer has no override authority; that's a check and balance.

What we should be talking about is not checks and balances, but what safeguards are in place to protect against misappropriation or fraud or misuse of County funds that go into the Treasurer's Office and the Treasurer's functions, not checks and balances which don't even apply. You look to internal controls, similar to the internal controls that are in place in the Treasurer's Office right now. The same misappropriation of funds that could take place in the new department of, whatever we're calling it, Finance & Audit, could also take place in the Treasurer's Office right now. All of those parade of horrors that we've heard about over the last two weeks, they could take place now, but they don't. They don't take place now. They don't take place now because the Treasurer's Office has safeguards in place to guard against misappropriation but not checks and balances. These are the very same safeguards that are going to be in place in the new department. Nothing's changing when it comes to guarding against misappropriation of taxpayer funds. Even if the new department is collecting revenue and appropriating and auditing and doing all of those functions, you will still have the internal controls that are necessary to protect against misappropriation or misuse of County funds. Maintaining those internal safeguards that the Treasurer's Office now has is what's needed, and that's precisely what's going to be done.

Now, this new department, let's talk about that. This new department is going to have the Treasurer functions folded into it with the same employees, the same procedures, the same safeguards, and subject to the same outside audits and subject to the same oversight of this Legislature. None of that is changing. I'll go even further; it's going to continue to be headed by an elected official directly accountable to voters, just like the Treasurer's Office is right now. Nothing's changing, nothing, except for \$800,000 a year in savings.

Let's talk about another issue; keeping an elected official in charge. I've just -- I want to address this very briefly because I've heard some spin about this. I want to make it very clear, at no time under this bill will the Treasurer's function be headed by someone who is not elected and directly accountable to the public. That's the way it is now, that's the way it's going to remain.

Another issue; is this department going to have sufficient personnel to manage the combined Treasurer and Comptroller function. That's a great question. Even I had that question earlier on. It's been answered; the management staff in the Comptroller's office is more than sufficient to manage less than a hundred employees, or a hundred employees let's say. In fact, the same management staff that is proposed today has done so when the Comptroller's Office had many more employees. Also, this new department will be significantly smaller than several other departments of County government that we have now that have even the same or less management staff in place right now. Will not have to hire additional staff to manage this new department. The staff, the management staff that's in place now is sufficient, it's sufficient, and to say otherwise is just not the case.

Another issue raised in some of this debate has been whether this -- passing this bill, and it hasn't come up here yet today, but will it circumvent term limits. That's another really important question. I mean, voters put in place term limits, you know, we need to make sure that we're not somehow circumventing those or the spirit of the term limit law.

Now, look, the new office will initially be headed by the Comptroller, he's presently within term limits as the Comptroller, so there's no argument in the first year, so we're okay there. But in 2015, I guess the issue becomes whether or not the current Comptroller will run. I don't know, maybe he will, maybe he won't; and if he does, would he be precluded from running by our term limit law? Well, the last time I checked, term limits apply to the office you presently hold. He's not running for Comptroller, not a new office that didn't even exist when he was first elected. How can you say the term limits apply to that? They don't. This is a new position. The present Comptroller is no more subject to these term limits for that position than any of us would be, or even the present Treasurer.

The spirit of the term limit law is to stop elected officials from holding the same office for more than 12 years; absolutely. Not to stop an elected official from running for a new and different office that doesn't even exist yet. The functions that the new office will perform are irrelevant. That's not the test applied for term limits, Ladies and Gentlemen. Would you get to decide -- who would get to decide whether the new office is too similar to the old office so that your term limits apply; who's going to open that can of words? What is relevant with respect to term limits is that this is a new position and not the same elected position that the Comptroller presently holds now.

The last point I want to make, as all my colleagues have said or some of my colleagues have said, is let the voters decide. Let the voters decide. Yeah, we make an awful lot of decisions around the horseshoe, there's no question about it. Yeah, we're responsible; it's our obligation to get the facts and do the best we can to represent the interests of our constituents. But by passing this bill today, this is a really important issue, as our Treasurer has told us in many appearances here and I agree with her, this is an important issue. So by passing this bill, we're not merging anything. We're only giving the public the option to decide for itself whether or not these two departments should be combined. Let the public decide if it makes sense, let the voters decide if it wants one elected official instead of two, let the voters decide if they want to eliminate several highly compensated appointed positions in County government, let the public decide if sufficient safeguards against misappropriation will be maintained in a combined office. Let the public decide whether the Comptroller term limits really apply to this new office, and let the public decide if saving \$800,000 a year of their tax money is significant and if they want smaller, less costly County government. We're not making that decision today, we're going to ask the voters to make that decision. And the reason why I wanted to put all of this on the record is because I believe that we have to start here and now, if this bill is going to pass, in getting all sides of this issue out to the voters so they can make an

informed decision. But I am not going to vote against this bill, which is a major reformation of County government and not give the voting public an opportunity to weigh in on this issue. I think that's exactly the direction we should go.
Thank you.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Hahn. Follow that one.

LEG. HAHN:

(Laughter). Yeah, I think you covered basically everything I was going to say, and I'm not going to take too much time repeating all of that.

I did do my due diligence. I did go out to visit Angie and her office, and I thank you, Angie, for all your many years of exceptional public service. Thank you for taking the time to talk to me. And I know that the voters -- you know, I think that what we have heard here today, and I do agree with, is that if this kind of change is going to be proposed, I do believe it should go to the voters. This is significant enough, by eliminating a County-wide elected office, this is significant enough that it should go to the voters. And I do -- you know, I do feel very much so that -- you know, I support the move to make -- I do believe this will make government smaller, make it more efficient. I do believe we are cutting high level managers in order to consolidate with what appears to be currently a top heavy department, and I think that's the essence of efficient -- you know, moving for efficiency. And so I think it's all been said here and I don't need to repeat it all, but I am going to support letting the voters decide.

D.P.O. HORSLEY:

Thank you very much, Legislator Hahn. I put myself on the list a while ago, and I wanted just to say a few words.

I personally go back with Angie back to -- I was just thinking about this before, and I know she's in the audience -- to about 1981, before we were both in politics. I was the President of the Babylon Beautification Society and Angie was the West Islip Chamber -- Chair of the West Islip Chamber of Commerce, and we did a by-town project together which ultimately failed, we were going to build a wind mill, talking about tilting at one. But we did that together. And I remember when I was going to run for this office, the one who told me I should do this was Angie Carpenter. So I have a great deal of difficulty in voting against Angie because of personalities.

But when I think of representative government and why we are here, we are here because we send out, as representatives, signals; signals that people perceive, that people know how we've -- may or may not know how we vote all the times, but they know that we've got a major deficit, they have understood because of the difficult decisions this Legislature has made, and there have been some very tough. I mean, we talked to -- we had the AME in here before talking about the numbers of people that we have laid off; those were tough decisions for politicians. We were sending out signals not only to our constituency, but also to Suffolk County, and Suffolk County knows that this Legislature is serious about dealing with a deficit, and it's a huge deficit. And we have been successful, we got this down from 500 million to in and around, I think the last count I'm hearing is about \$180 million, and it could be better. But this is another one of those signals that we send out to Suffolk County and we're saying, *"Look, we're willing to make the hard decisions. We're going to let you" -- "We're going to let you, the voters, make a decision. Help us with this decision making. Help us reduce this deficit. Help us be part of this game of trying to get our debts under control,"* and it is occurring.

And so today I have to make a decision as a representative, and this is what representative government is about. We've been talking that representative government means that by sending it to the voters, that's something that we're neglecting our obligations. We're not neglecting our

obligations; what we are doing is representing our constituency. We have a deficit, we have to reduce this government, we have to make the hard decisions, and that's what we're doing and that's what this bill represents.

Angie, I -- you are -- I don't know how you feel after today, but you'll always be my friend to me. I am voting to put this on the ballot for the public because we are representatives and we are sending signals that we are going to reduce this deficit. That is the reason why this vote is occurring. You know, it's not the County Executive, it's not Angie Carpenter, it's not Joe Sawicki, it is the Legislature saying to everybody, *"We're in this together. Help us make these decisions. This is tough, but we've got to do it."* And that's the way I feel about it. Legislator Krupski.

LEG. KRUPSKI:

Thank you. You know, when I first got elected, I made it my business, because I wasn't familiar with County government, to go around and talk to the different departments. And I know Joe, you know, from years back, but I really didn't know what Joe did, you know, so I went to see him, went to his office. And I didn't know Angie Carpenter, but I went to her office and she explained to me what she did. In the past month, when all of this came out, I read the report. You know, I heard about the intent, so I went back to the Treasurer's Office and I met with her, and then last week I went back one more time to meet with her because I'm really trying to understand how County government functions.

Over -- you know, and then you look at everything -- I heard everyone's comments here, and you hear about how government's structured, and it wasn't always this way, government changes constantly. And of course you hear about the debt, and whether it's 150 million or 250 million, it seems to be a moving target, but it's a huge amount of debt. And it wasn't always -- I keep hearing things, *"Well, we're going to borrow this RAN and we're going to borrow that TAN, we're going to borrow that BAN,"* and we never die -- *"We've never borrowed \$105 million before, but we're going to do it now because we need to make payroll. We need to borrow this amount of money because we're so far in debt."* And I can see how the government functions now, being so far in debt, that you lose all your flexibility.

It's hard to say -- and I wasn't here last year with all the layoffs, and I know a lot of hard decisions were made before I got here. But sometimes you have to go forward, you can't go back, and say how can we improve County government? How can we reduce the debt? How can we make government serve people better? So I can't -- and then I heard the argument, of course, during all the debates, *"It's only \$800,000."* It's hard to go back to the taxpayers and say, *"I'm not interested in letting you make a decision on this because it's only \$800,000."* So -- and that's why I'm supporting this, because I think it's fair to let people decide the structure of this level of government, how it should be structured and how it should function, and I think the voters of this County are very intelligent. And I think the debate doesn't end today, I think there will be a lot of debate between now and Election Day and people will be informed, and it's good when people are engaged in the process and they know what they're voting for.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Stern.

LEG. STERN:

Thank you. Today I'm voting to place this important decision on the ballot and into the hands of Suffolk County voters. What could be more fundamental a question for our voters to decide than how we govern ourselves? In November, I'll join tens of thousands of Suffolk County voters in making my decision regarding this referendum. My vote will count no more or less than every other person's vote. I will be voting with my neighbors on this fundamental question, how we best govern ourselves during these very challenging times, and I trust the taxpayers and the voters of Suffolk County to make an informed decision.

LEG. D'AMARO:

Here here.

D.P.O. HORSLEY:

Thank you very much, Legislator Stern. Legislator Montano.

LEG. MONTANO:

Coming. Thank you. I didn't realize we'd go through the list that quick. All right, I'm going to try and make this quick and painless, because a lot has been said. I've heard some passionate remarks. But just let me say a couple of things; I want to stay away from the personalities.

I think we've had -- or I've endured over 13 hours of debate. But it hasn't really been a debate, it's been this side bringing in people to speak why we should do this, the other side bringing in people why they shouldn't do it, but it's been mostly insiders. I've heard people come up here and say, *"I'm the Chairman of this organization and I think that, as an accountant, we've got to do this,"* and *"I'm a business person and we have to do that."* But the reality is I know most of the people that came forward and 95% of them are political insiders. They say they're business people, but they're really party operators on one side or the other.

Angie and Joe I know both many, many years. I know Joe Sawicki since I came to Long Island to be the head of the Human Rights Commission in 1981; Angie I know many years. And I'm disappointed that I'm in this position, because both -- both sides lack what we call in the legal field credibility. One argues we should do this because it's good for the budget, but there's a lot of self interest in that, because he wants to keep his job. The other one, we shouldn't do this, and she doesn't want to lose her job and I understand that.

You know, I've been through this charade, which is what I call it, it is a charade. This vote was decided weeks ago. I know the outcome, I know who's going to vote for it and I know who's going to vote against it; that hasn't changed after 13 hours. But let's deal with some of the facts. This bill was filed late. It required a Special Meeting, unnecessarily. It was filed after, after the political calendar was set, after nominations for public office were set. Why? Because if it had been filed before, there would have been political repercussions that people didn't want to deal with, so this has been a snow job from day one. It was filed after petitions I think were printed. It's not the way I like doing business.

We've heard, *"Let the voters decide"*; Legislator Barraga started that, Legislator D'Amaro and others picked it up. Let the voters decide, that's what our job is. Well, the facts are that the voters did decide. They decided in 1993 when they approved overwhelmingly the Term Limits Law. In the last year, within the last year, within the last 12 months, we had six public officials who, pursuant to the referendum, were term limited. Well, within 12 months, four of those public officials are no longer term limited. I have nothing against the DA, I think he's done an excellent job. He's term limited, his time is up, but he doesn't want to go so he brought a lawsuit. The Treasurer -- not the Treasurer, I'm sorry. The County Clerk and the Sheriff joined in on that lawsuit and the Judge said, *"Well, you know what? Forget the term limit law because I rule that you're State officers and you're not subject to the will of the Legislature and you're not subject to the will of the people."* And I introduced a resolution to at least have an appeal filed. The County Executive and this County Legislature said, *"No, we don't want to appeal."* Well, guess what? It is on appeal, arguments are scheduled and we'll let the court decide, because the issue didn't die here.

Next comes the Comptroller. Well, he's term limited. And Joe, I don't blame you for not wanting to leave, you've been in office a long time. And Angie, I don't blame you for not wanting to leave. But the reality is that the voters let the people decide; well, they decided that 12 years was enough; 12 years go find a new job or run for something else. But no, we don't want to do that. Yeah, there's a technical argument that when you run again, and I know you haven't declared, but if I were a

predicting man, not only would I predict that you're going to run, I'd predict that there's a cross endorsement deal coming down the road. And I know you don't like to hear that, but I'd stake money on that, if it were legal.

*(*Laughter*)*

The reality is that this, to me, is about letting the voters decide that we should have term limits. I think it would be equivalent to us saying next year, "*You know what? Let's not have Legislators. Let's call ourselves law givers,*" whatever phrase. And we don't -- term limits doesn't apply to us. It seems to me that this Administration has a problem with term limits, and I don't have a problem with that.

LEG. GREGORY:

Me either.

LEG. MONTANO:

If I may. I wasn't disrespectful to you.

LEG. GREGORY:

To me?

LEG. MONTANO:

Whomever. So let's get back to the issue. In the 13 hours of public hearings, which included very little members of the public, I have learned very little about the merits of this proposal. I know as much now as I knew then. I don't even know what the numbers are. The proposed numbers give us, according to Robert's calculations, one-quarter -- and I think it was a mistake so let's clarify the mistake. I think the figures are one-quarter of 1% of our proposed deficit; that is that correct, Mr. Lipp?

MR. LIPP:

Correct.

LEG. MONTANO:

Thank you. Let's move on, because we know the outcome. The language of this resolution, let the voters decide because the voters are intelligent people. We have faith in the voters. We have so much faith in the voters that we steer the language to a disingenuous phrase that talks about some nebulous concept that we are going to increase efficiency, and what is the other language, Legislator -- oh, we're going to streamline and we're going to make government more efficient. Well, who in their right mind would not vote for that? I'll vote for motherhood and apple pie, streamlining and efficiency any day of the week and twice on Sunday. That is disingenuous and you ought to be ashamed of yourselves.

Newsday. Newsday comes out with an editorial today, and it was quoted by Mr. Schneider from the County Executive's Office and it has some language in there. And I usually get along with -- I usually agree with Newsday's editorial, and they said, "Vote for this." Well, yeah, but you've got to read the fine print; vote for it even though this was the messiest job -- and I'm not quoting, you know, verbatim -- but even though this was a messed up job and this smacks of politics. Well, I enjoy politics, it's my business, but I do my politics outside of this building. When I come into this building, I do not want to be used as a political tool for someone else's agenda. I take my responsibility -- and I'm not implying that people -- other people don't, but I take my responsibility seriously as a Legislator and I don't want to play politics here. This does smack of politics, and it smacks of politics which I think is something that, you know, the kind of politics that I don't want to engage in.

Yeah, it's going to pass. It's going to pass with Democratic votes and one Republican; that's my prediction. However, I am not going to join my Democratic colleagues in supporting this. My conscience dictates that this is not the way I want to play politics and this is not the way I want to perform my function as a Legislator.

So there's been a lot said, that is my position. And I will end with this, and if people don't like it, well, that's just too bad.

The argument is that this is going to save, I guess, money or resources. The only savings that I think are going to be generated from this bill are the savings to the Bellone Campaign Committee, because that's what this is about. Eliminate the competition, take the Comptroller position, make it a new position, eliminate term limits and let's go on and everybody is happy, everything stays the same. Well, you know what? I'm really not interested in that. I'm not going to support this resolution. I didn't support it before and I won't -- if this had been properly presented and presented in a timely manner and I had an opportunity to really understand what the numbers were, I would probably be predisposed to support it. I will not support -- you know, I've heard, *"Well, you shouldn't get hung up on the process."* Well, I disagree with you. Process is important, because without proper process we have no rules and we descend into chaos. The process here stinks. The bill and the fact that this Legislature allowed itself to be used in this fashion, in this timetable, to me is offensive and I -- you know, I know it's going to pass, but I will not support it, as I said. Thank you very much.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Anker.

LEG. ANKER:

I've listened carefully to the views and opinions of all the elected officials here that are involved in this proposed consolidation and this referendum, and I've listened to the concerns of my constituents and I've carefully reviewed the proposed legislation. But I want to talk and I want to try to understand what is an informed decision, because that's what we're putting to out to our constituents.

Yesterday I found out that there had been robo calls sent out to my district, and not only to my district but to the surrounding areas; so that was probably thousands, if not tens of thousands of phone calls. I received close to 50 phone calls. Now, this is my time, my government time addressing this issue. Now, again, you know, it concerns me what this robo call said, and I would like to take the time to play it back to you.

LEG. MONTANO:

Yeah, I'd like to hear that.

Played Audio of Robo Call

*"Start the repeal of term limits and we'll increase your property taxes.
Please call Legislator Anker at 854-1600 and tell her to vote no on IR 1567."*

"Hello, I'm a volunteer calling to ask you to help protect the fiscal integrity of Suffolk County. If you believe in preserving checks and balances and term limits in Suffolk County, then please call Legislator Sarah Anker at 854-1600 and tell her to vote no on the bill that is pending before the Suffolk County Legislature. This bill will destroy the finance of Suffolk County. Start the repeal of term limits and we'll increase your property taxes. Please call Legislator Anker at 854-1600 and tell her to vote no on IR 1567."

Okay. So this was the robo call that my office received and we spent a lot of time addressing constituent concerns. And again, addressing concerns from people from Selden and Centereach and constituents not even in my district.

Again, the concern is an informed decision. And again, I have to ask, and I'll ask Angie. Angie, would you mind, do you know who sent this robo call out and do you agree with what was discussed in the robo call?

LEG. KENNEDY:

This is not debate of the bill. Mr. Chair, this is not debate of the bill.

LEG. ANKER:

We're not going to --

D.P.O. HORSLEY:

No.

LEG. KENNEDY:

No, it is not.

LEG. ANKER:

All right. So my question is did anybody else receive a robo call in their district.

D.P.O. HORSLEY:

No.

LEG. MONTANO:

Not me.

LEG. SPENCER:

(Raised hand).

LEG. HAHN:

(Raised hand).

LEG. ANKER:

Okay, we have one, two -- so three Legislators. I don't know who put this robo call out, and I truly believe the information is absolutely inaccurate. I don't know if the Comptroller -- we're not -- again, we're not having people come up to discuss it, we're just -- okay.

I personally don't feel the information is accurate and I hope that our constituents will truly get an informed decision when they come to the polls if this referendum is passed and I will support this referendum.

D.P.O. HORSLEY:

Thank you very much, Legislator. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Thank you, Mr. Deputy Presiding Officer. So, look, I think we can disagree on whether the County Executive's proposal should or should not be put in front of the voters, and that's ultimately what we'll be voting on. But I think we all agree that the recession created quite a bit of fiscal problems for the County. In fact, it left us \$100 million short in revenue with actually increasing expenses. And there's probably not one \$100 million solution; it's probably more like a hundred \$1 million solutions.

Not dealing with the structural imbalance is probably the worst thing we can do for our hard working municipal employees. When the original bill was proposed, there were actually two AME Civil Service employees contained in the possible layoffs if this was passed at the ballot. And I reached out, as I'm sure others did, too, to the County Executive, feeling that those Civil Service employees had already suffered quite a number of layoffs and we did not want to see more of those individuals laid off. And the bill was actually changed; the bill was changed and those employees were protected in the new bill.

Then there were some questions about two remaining dues-paying, exempt employees and whether they were or were not AME employees. They clearly were not protected by the AME contract. I reached out, not knowing sure who to listen to, but to the head of Civil Service, who happens to be here, Alan Schneider, and I said, "Alan, are they or are they not AME employees?" And I got a very clear answer, and I think many of you have seen that answer, they are not AME employees.

Now, in terms of the checks and balances, we've heard a lot of debate. But the one thing we have not heard, not a single instance, not a single instance that anybody has shown where either the Treasurer found an error in the Comptroller that saved the County money or the Comptroller found an error in the Treasurer's Office that saved the County money. I would think that's the first thing that you would bring forward if you were going to say that these checks and balances are important and in place. And actually, I don't think the Comptroller's Office actually audits the Treasurer's Office, and I don't think it goes the other way around. Maybe Mr. Sawicki can correct me if I'm wrong.

And then the last thing really is a question; you know, what is our roll as representatives? Do we say to the people who elected us that we didn't give them a choice, that we had an opportunity, potentially, to save \$800,000 to help us deal with this deficit and we just didn't let them weigh in on it, and that's hard, that is a hard one to reach. So I'm glad that the Administration changed the bill, eliminated the Civil Service positions from any layoffs and, you know, I'm thankful for that, and that's all I have to say at this point.

D.P.O. HORSLEY:

Thank you very much, Legislator Schneiderman. Legislator Calarco.

LEG. CALARCO:

Thank you, and I'll be very brief. I don't usually try to add to conversations that I don't have something unique to add, but I do feel it's important to put my opinion on the record here. And many of you know that I don't necessarily follow the vote in the vote of the County Executive, I've against many of his proposals that I don't agree with, but in this case I think I'm going to be voting for this bill. And at the end of the day, it comes down to the fact that it is a referendum, and my job as a Legislator, I feel, is to ensure that an honest debate is had so the public can hear what the issues are out there.

I happen to agree with Legislator Gregory and Legislator Spencer. I don't know if either side has certainly swayed me one way or the other regarding the issue. But that says to me it's even more important to send it to the public, because unless there was some evidence there that this is a very bad idea, I should give the public the choice to make a decision on how they want to be governed. So that's why I'll be supporting this bill today.

D.P.O. HORSLEY:

Thank you very much, Legislator Calarco. We have gone through the full round of everybody that wanted to speak here and now we're on to seconds. So may I --

P.O. LINDSAY:

No more seconds.

LEG. KENNEDY:

Very quick, I'll make it real quick. I believe I'm the second, right?

D.P.O. HORSLEY:

You are the second.

LEG. KENNEDY:

Thank you, Mr. Vice-Chair. I'll make it very quick. The committee on Thursday spoke very clearly, as a matter of fact, when this resolution did not come out of committee. The work that we did there was extensive, it was clear that the committee did not believe that it had validity, merit or did belong before us. And Mr. Deputy Presiding Officer and Presiding Officer, I want to be very clear for all my colleagues, and I'm going to preserve one more time very clearly.

This discharge resolution -- and I just checked our rules, because I disagree with some of my colleagues, I think procedure is extremely important. That this discharge resolution did not come before us in conformance with Rule 6. It was very clear that it's legislation that is to be discharged. And as I said before, at least one, if not more of my colleagues, signed that discharge petition before 9:45 A.M. on Tuesday with the Public Hearing. Therefore, we do not have 10 signatures on the bill that is before us now, therefore, it's not valid. It's invalid before us and it's an invalid vote.

D.P.O. HORSLEY:

Thank you very much, Legislator Kennedy. We are going to move for it to close this down, have a vote. Madam Clerk, what are we --

LEG. CILMI:

Mr. Presiding Officer, if I may? Could I ask Mr. Nolan? I mean, Legislator Kennedy has made a fairly significant point here. I think it's worthy of getting our Counsel to opine on it.

P.O. LINDSAY:

He did already.

D.P.O. HORSLEY:

I thought he did, but let --

LEG. CILMI:

What does Rule 6 actually say?

LEG. MONTANO:

Let's look it up.

MR. NOLAN:

The rule -- I guess Legislator Kennedy is talking about the petition to discharge. The Rules of the Legislature give two paths for a bill to arrive here for a full vote of the Legislature, and one of them is a vote of approval by the committee or a petition to discharge which requires 10 signatures on the petition, it has to be filed the day before, I believe it's 12 o'clock. There was a petition presented to the Clerk with 10 signatures to discharge, it was filed timely, so I don't think there's any basis for Legislator Kennedy's claim that this is invalid in any way.

D.P.O. HORSLEY:

Okay, I think we have a ruling by Counsel. Mr. Clerk --

LEG. CILMI:

Does Rule 6 -- I'm sorry, Mr. Deputy Presiding Officer. Counsel?

MR. NOLAN:

(Talking to someone on the side).

D.P.O. HORSLEY:

Okay. Very quickly --

LEG. CILMI:

Rule 6 makes no mention of the form of the bill when it's discharged? So the bill could ostensibly be completely changed and you could still discharge it?

MR. NOLAN:

It states that you need 10 signatures to discharge the resolution.

The petition to discharge identifies the resolution, it has places for people to sign it. This is the format that I believe has been used since I've been here and Tim Laube's been the Clerk, eight years. I don't think anybody has ever raised an objection about the form and format of the petition to discharge.

LEG. KENNEDY:

Through the Chair --

MR. NOLAN:

(Inaudible).

LEG. KENNEDY:

Term this legislation and this legislation in final form; otherwise, we'd be a kangaroo court. Thank you.

D.P.O. HORSLEY:

Thank you.

LEG. MONTANO:

Through the Chair. If I may, Mr. Horsley?

D.P.O. HORSLEY:

So --

LEG. MONTANO:

Yes, I may.

D.P.O. HORSLEY:

Legislator Montano, real quick.

LEG. MONTANO:

Thank you. The rule that I think you're referring to is Rule 6-C, part II.

D.P.O. HORSLEY:

Okay.

LEG. MONTANO:

And it says, *"Legislation which has been defeated or tabled subject to call in its assigned committee is eligible to be discharged from the committee by a petition to discharge."* Legislator Kennedy's point is that at the time that this -- these signatures were acquired, the bill -- and I don't want to put words in your mouth, Legislator Kennedy, and correct me if I'm incorrect in terms of what you're saying -- but you're saying that this bill had not been defeated or tabled subject to call in its

assigned committee.

LEG. KENNEDY:

Not only had it not been defeated, it was not even, as you just said, in its final form, signatures were obtained prior to a significant and substantive amendment presented to us 15 minutes and to the general public. So we are not in conformance with the rules and it is not properly before us.

LEG. MONTANO:

Oh, by the way, I was the --

D.P.O. HORSLEY:

Okay, after hearing those arguments, I have discussed this with Counsel and Counsel says that the petition is fine. So we have -- Mr. Clerk, do we have any motions on the floor? It's been so long.

MR. LAUBE:

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

D.P.O. HORSLEY:

Okay. Let's -- roll call vote. Let's go to -- the tabling motion takes precedent. Tabling motion, roll call.

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

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. KRUPSKI:

No.

LEG. SCHNEIDERMAN:

No.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

No.

LEG. ANKER:

No.

LEG. CALARCO:

No.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

No.

LEG. GREGORY:

No to table.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. SPENCER:

No.

D.P.O. HORSLEY:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Five (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay, the motion to table fails.

Motion to approve. Roll call vote.

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

LEG. GREGORY:

Yes.

D.P.O. HORSLEY:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Abstain.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Abstain.

LEG. CILMI:

No.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Protest the validity to vote; no.

LEG. NOWICK:

No.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Twelve (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay, the motion -- okay, the motion passes.

All right, we're going to move to **Parks & Recreation** on our agenda, that's page nine, starting with 1526.

1526-13 - Authorizing use of Cupsogue Beach County Park by Barrier Beach Preservation Association for its 5k Race Fundraiser (County Executive).

LEG. SCHNEIDERMAN:

Motion.

D.P.O. HORSLEY:

Motion -- I'm sorry, I didn't hear. That was --

MR. NOLAN:

Schneiderman.

D.P.O. HORSLEY:

Schneiderman? Legislator Schneiderman makes the motion. Seconded by --

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

-- Legislator Nowick. All those in favor? Opposed? So moved, it has been approved.

1527-13 - Authorizing --

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

-- ***use of the Long Island Maritime Museum by the Rotary Club of Sayville for Annual Beefsteak Fundraiser (County Executive).***

P.O. LINDSAY:

I'll make a motion.

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen.

MR. NOLAN:

Skip the next one.

MR. LAUBE:

Sixteen (Not Present: Legislator Montano - Absent: Legislator Muratore).

D.P.O. HORSLEY:

1528 apparently has been amended and we understand that there's going to be a CN in our packet on this issue, so we're going to skip it at this point in time.

1549-13 - Appropriating funds in connection with Repairs to Historic Structures (CP 7510)(County Executive). I'll make --

LEG. KENNEDY:

Motion.

D.P.O. HORSLEY:

Okay, motion by Legislator Kennedy. I'll second the motion.

All those in favor? Opposed?

LEG. KRUPSKI:

On the motion?

D.P.O. HORSLEY:

So moved -- oh, I'm sorry. Who said that? On the motion, Legislator Krupski.

LEG. KRUPSKI:

Which structures?

LEG. CALARCO:

Gil is out there.

D.P.O. HORSLEY:

We do have questions.

Okay. Mr. Vaughn, do you have the answers to that? I know there was a list when we saw it in committee. I think it was Sagtikos Manor. I get fuzzy after that.

MR. VAUGHN:

Yeah, I'm sorry, I just picked up the wrong binder. One moment.

D.P.O. HORSLEY:

Okay.

LEG. SCHNEIDERMAN:

Sagtikos Manor, Sayville Country Club and Meadow Edge Park.

D.P.O. HORSLEY:

And Meadow Edge Park. Okay; does that answer your question?

LEG. KRUPSKI:

Well, the comment, I guess, is that we have buildings that people are working in that need repair, and maybe we should look to prioritize the money borrowed to spend -- you know, I mean -- and I'm all for historic structures, I think that's very important. And the Commissioner is not here?

D.P.O. HORSLEY:

No, I don't believe he is. Mr. Vaughn, could you answer that question?

MR. VAUGHN:

No, I'm sorry, the Commissioner is not here. Mr. Krupski, we understand the concerns that you just raised. This is a fund that is set for this purpose. It was part of the Capital Budget and that's why we have brought it forward. But yes, there are certain buildings that could probably use some work and we don't disagree with that.

D.P.O. HORSLEY:

Okay?

LEG. KRUPSKI:

Thank you.

D.P.O. HORSLEY:

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

Same motion, same second on the corresponding Bond Resolution *(1549A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$250,000 bonds to finance the cost of partial reconstruction to historic structures (CP 7510.342))*, roll call vote.

MR. LAUBE:

Sixteen on that vote.

D.P.O. HORSLEY:
Thank you.

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

LEG. KENNEDY:
Yes.

D.P.O. HORSLEY:
Yes.

LEG. KRUPSKI:
Yes.

LEG. SCHNEIDERMAN:
Yes.

LEG. BROWNING:
Yes.

LEG. MURATORE:
(Absent).

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. CALARCO:
Yes.

LEG. MONTANO:
Yes.

LEG. CILMI:
Yes.

LEG. BARRAGA:
Yes.

LEG. NOWICK:
Yes.

LEG. GREGORY:
Yes.

LEG. GREGORY:
Yes.

LEG. STERN:
Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

P.O. LINDSAY:

(Not Present).

MR. LAUBE:

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

D.P.O. HORSLEY:

Thank you very much. It's been approved.

1509-13 - Reappointing William J. Sanok as a member of the Suffolk County Vocational, Education, and Extension Board (County Executive). Legislator Krupski?

LEG. KRUPSKI:

So moved.

D.P.O. HORSLEY:

So moved. Second; anybody second?

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

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

MR. LAUBE:

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

D.P.O. HORSLEY:

Thank you.

Public Works & Transportation

1347-13 - Reappointing William J. Sanok as a member of the Suffolk County Vocational, Education, and Extension Board (County Executive).

Doc Spencer?

LEG. SPENCER:

Motion to table.

LEG. SCHNEIDERMAN:

Second.

D.P.O. HORSLEY:

Motion to table. Second by Legislator Schneiderman. All those -- oh, on the motion, Legislator Cilmi.

LEG. CILMI:

If -- through the Chair, if --

D.P.O. HORSLEY:

Through the Chair.

LEG. CILMI:

-- Dr. Spencer could elaborate on why the tabling motion?

LEG. SPENCER:

I have had a chance to meet with the Commissioner to address my concerns and he's working with me. And before I move it, he's kind of expressing to me what his issues are and I want to work with him.

LEG. CILMI:

Fair enough. Thank you.

D.P.O. HORSLEY:

Okay. We have a motion to table. All those in favor? Opposed?
So moved.

MR. LAUBE:

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

D.P.O. HORSLEY:

Thank you.

1511-13 - Appropriating funds in connection with removal of toxic and hazardous building materials and components at various County facilities (CP 1732) (County Executive).

LEG. SCHNEIDERMAN:

Motion.

D.P.O. HORSLEY:

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

MR. LAUBE:

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

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution ***(1511A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$80,000 bonds to finance the cost of the removal of toxic and hazardous materials at various County facilities (CP 1732.124 and 329).***

LEG. CILMI:

On that motion. I know this is unusual, but the question escaped me during the vote on the initial resolution.

D.P.O. HORSLEY:

Well, we don't want any escapees.

LEG. CILMI:

Thank you very much. These -- the various County facilities, Commissioner, are they occupied?

COMMISSIONER ANDERSON:

Most likely, yeah. It will be when -- if we're doing work in a specific facility, let me go to the specific one to see if we had it actually listed.

LEG. SCHNEIDERMAN:

Is that microphone on?

COMMISSIONER ANDERSON:

Yes, it is. I'll speak closer.

D.P.O. HORSLEY:

There you go.

COMMISSIONER ANDERSON:

And this is 1511. Again, this is not for any specific location at this time, but when we do do work and we do open up the ceiling, you know, we have in the past gone through and we've -- everything is either encapsulated or removed. But there are cases where we do come in, we're doing some work and we open it up and we find it and that's when we would have to remove it.

LEG. CILMI:

Okay. The nature of my questions is twofold; one, to make sure that our employees are safe.

COMMISSIONER ANDERSON:

Yes.

LEG. CILMI:

And two, to make sure that we're not spending money, you know, remediating buildings that might not be occupied when we have potential problems, as Legislator Krupski said, in buildings that are currently occupied. So if you say that these are occupied and we take appropriate safeguards to ensure the safety of our employees, then that's enough for me.

COMMISSIONER ANDERSON:

We do.

LEG. CILMI:

Thank you.

D.P.O. HORSLEY:

Thank you very much. We have -- this is on the corresponding Bond Resolution which we have a -- it's been motioned. Roll call vote, Mr. Clerk.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. ANKER:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

I'm sorry, yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay.

1513-13 - Appropriating funds in connection with Median Improvements on Various County Roads (CP 5001) (County Executive). Legislator Schneiderman makes the motion. Seconded by Legislator Krupski. All those in favor?

LEG. HAHN:

Where are they?

D.P.O. HORSLEY:

Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay, thank you. We have the same motion, same second on the corresponding Bond Resolution ***(1513A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$475,000 bonds to finance the cost of median improvements to various County roads (CP 5001.316)***, roll call vote.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

What was that?

LEG. HAHN:

Bond on median improvement.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay. *1514-13 - Appropriating funds in connection with Intersection Improvements on CR 80, Montauk Highway at CR 31, Old Riverhead Road, Town of Southampton (CP 5569) (County Executive).*

LEG. SCHNEIDERMAN:

Motion.

D.P.O. HORSLEY:

Legislator Schneiderman makes a motion to approve. Second by Legislator Krupski. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Same motion, same second on the corresponding Bond Resolution *(1514A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$160,000 bonds to finance the cost of appraisals for land acquisition in connection with intersection improvements on CR 80, Montauk Highway at CR 31, Old Riverhead Road, Town of Southampton (CP 5569.210)*, roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1515-13 - Appropriating funds in connection with Reconstruction of CR 48, Middle Road from Horton Avenue to Main Street, Town of Southold (CP 5526)(County Executive).

LEG. KRUPSKI:

So moved.

D.P.O. HORSLEY:

Legislator Krupski makes the motion. Second by Legislator Schneiderman. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you. Same motion, same second on the corresponding Bond Resolution ***(1515A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,000,000 bonds to finance the cost of engineering services and land acquisition in connection with the reconstruction of CR 48, Middle Road from Horton Avenue to Main Street, Town of Southold (CP 5526.112 and 211),*** roll call vote.

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

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

1529-13 - Amending Resolution No. 1396-2006 to reallocate funding in connection with improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial (CP 8126) (County Executive).

LEG. KENNEDY:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Kennedy.

LEG. CILMI:

Second.

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1546-13 - Appropriating funds in connection with Energy Conservation at Various County Facilities (CP 1664) (County Executive).

LEG. ANKER:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Anker.

LEG. CALARCO:

Second.

LEG. HAHN:

Second.

D.P.O. HORSLEY:

Second by Legislator Hahn.

LEG. CILMI:

On the motion?

D.P.O. HORSLEY:

On the motion.

LEG. CILMI:

Just if we could get on the record what the -- what the bond amount is on this?

D.P.O. HORSLEY:

Gil, do you want to do that?

MR. LIPP:

Five million seven hundred and fifteen thousand.

D.P.O. HORSLEY:

Oh, thank you, Mr. Lipp.

LEG. CILMI:

Five million seven hundred and fifteen thousand dollars?

MR. LIPP:

Yes.

LEG. CILMI:

And what's the annual debt service on that?

MR. LIPP:

It would be an estimated 436,000 a year for 18 years.

LEG. CILMI:

Four hundred and thirty-six thousand dollars a year is the debt service?

MR. LIPP:

Correct.

LEG. CILMI:

For 18 years.

MR. LIPP:

But understand, these are energy improvements.

LEG. CILMI:

I understand.

MR. LIPP:

And there is offsetting savings, blah, blah, blah.

LEG. CILMI:

Right. And are the -- is the efficiency that we gain at this point -- because I know we've made these investments in the past. Is it exceeding the amount -- the cost or not, or is it a wash?

What's the --

MR. LIPP:

Well, it does depend upon the specific case. But these are -- we do our projects that have relatively quick payback period, so if it's not right away, it's within a few years, typically.

COMMISSIONER ANDERSON:

If I may?

D.P.O. HORSLEY:

Gil, you want to add in?

LEG. CILMI:

Please.

COMMISSIONER ANDERSON:

Just briefly. The estimated operating savings will be a million dollars a year or greater by these projects that we'll be initiating under this specific Capital Program.

LEG. CILMI:

Terrific. So we're netting roughly a half of million plus.

COMMISSIONER ANDERSON:

Yes.

LEG. CILMI:

Okay. Thank you.

D.P.O. HORSLEY:

That's great. Okay. Again, we have a motion and second on 1546. All those in favor? Opposed?
So moved.

Same motion --

MR. LAUBE:

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

D.P.O. HORSLEY:

Thank you. Same motion, same second on the corresponding Bond Resolution *(1546A, Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$5,715,000 bonds to finance the cost of energy conservation improvements at various County facilities (CP 1664.118 and 320)*, roll call vote.

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

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1547-13 - Appropriating funds in connection with Dredging of County Waters at Various Locations (CP 5200)(County Executive).

LEG. KENNEDY:

Motion.

LEG. NOWICK:

Second.

D.P.O. HORSLEY:

Motion by Legislator Kennedy. Second by Legislator Nowick.
All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

Same motion, same second on the corresponding Bond Resolution ***(1547A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$7,400,000 bonds to finance the cost of dredging County waters and the acquisition of related equipment (CP 5200.449 and 512)***, roll call vote.

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

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. GREGORY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1548-13, and we're on to ***Veterans & Seniors, Amending the 2013 Operating Budget and transferring funds within the Office of the County Executive to provide funding for Legal Assistance to the Elderly (County Executive)***. Legislator Stern?

LEG. STERN:

Motion to approve.

D.P.O. HORSLEY:

Seconded by?

LEG. CILMI:

Second.

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1464-13 - Adopting Local Law No. -2013, A Local Law to improve the process of Procuring, Surveying and Environmental Assessment Services (Krupski). Legislator Krupski?

LEG. KRUPSKI:

So moved.

D.P.O. HORSLEY:

Motion is to approve. Seconded by?

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

1543-13 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Babylon (SCTM No. 0100-057.00-01.00-016.000) (County Executive). Legislator Gregory?

LEG. GREGORY:

Yes.

D.P.O. HORSLEY:

Says yes. I'll second the motion. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

1552-13 - Authorizing the lease of portions of LIPA owned right-of-way from Crystal Brook Hollow Road East to Wading River for a pedestrian and bicycle path (County Executive).

LEG. ANKER:

Motion.

D.P.O. HORSLEY:

Legislator Anker makes the motion. Seconded by Legislator Hahn. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

All right, everyone to the manilla folder. Okay. We're going to be doing the prospective override, Resolution *443-2013 - Adopting Local Law No. -2013, A Local Law to enhance and improve Suffolk County's E-911 Service (Kennedy)*.

LEG. KENNEDY:

Yes. Mr. Deputy Presiding, I'm going to ask if we take this up. I'm going to make a motion to override the County Executive's veto. This is on the PSAP funding bill, as a matter of fact, that you know very well, you cosponsored with me.

D.P.O. HORSLEY:

I do, uh-huh.

LEG. KENNEDY:

And at this time, I'm going to ask the body to consider this resolution and consider an override of the County Executive's veto.

D.P.O. HORSLEY:

You're making a motion to override?

LEG. KENNEDY:

Yes, I am.

D.P.O. HORSLEY:

Is there a second on the motion?

LEG. NOWICK:

Second.

D.P.O. HORSLEY:

Seconded by Legislator Nowick. We have a motion to override. Any other motions? That's all we've got to do, right? Okay, we have a motion to override.

LEG. KENNEDY:

And on the motion, I would just like --

D.P.O. HORSLEY:

On the motion.

LEG. KENNEDY:

-- to bring to everybody's attention, once again, we heard from the Executive Director of the Smithtown Fire District this morning, Mr. Curtis. It is the request of the Smithtown District, notwithstanding the meetings that have gone on with the County Executive's Office. As you'll recall, this bill implements many important protections that came out of Comptroller Sawicki's audit that we in this body specifically asked for and requested, not the least of which is the reinstatement of the inter-municipal agreements, a movement to quarterly distribution for our PSAPs, and ultimately for the preservation and protection of that all important safety dispatch function, and to keep our local fire district residents from incurring additional property tax burdens and for not doing what we constantly complain the State does to us. We are funding and sharing to keep local entities viable and functional by keeping this resolution in place. So I'm going to ask my colleagues to go ahead, vote with me again as you did the last time around and override the County Executive's

veto.

D.P.O. HORSLEY:
Legislator Gregory.

LEG. GREGORY:

Yes, Thank you, Mr. Vice-Chair. Let me just say that I appreciate the prime sponsor's efforts here and working with the PSAPS. I was actually -- he asked me to cosponsor and I did, so I very much supported his efforts. But I had the opportunity to speak yesterday with the PSAPs in my areas, the representatives that were able to attend some of the most recent meetings, and I think the climate has changed. There was not a -- there weren't conversations being had with the Administrations and the different representatives and the PSAPS; those conversations are now being had. And they are comfortable with working out an agreement with the County Executive and I feel comfortable that they feel comfortable in doing that. And given also the timing of this measure, with the budget, next year's budget just around the corner, I think if those arrangements and agreements aren't made, we can certainly address it in next year's budget at the appropriate time.

So I will not be supporting the override of the veto. I will put the trust of the representatives of the PSAPs, you know, giving them the -- you know, believing that they -- you know, believing in their trust in working with the County Executive and the Administration on resolving this issue. But I do certainly appreciate the sponsor's efforts, and should those efforts and negotiations not come to the conclusion that we sought to come to, I will certainly work with the prime sponsor to ensure that we do it in a Legislative manner. Thank you.

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

LEG. SCHNEIDERMAN:

Of the 10 independent PSAPs, four of them are in my district. And let me say all four of them are not secondary PSAPS, they are primary PSAPS, they do all -- they answer the 911 calls, they dispatch for Police and ambulance, they're critical. This is one of their funding sources, it's an important one.

You know, I have reached out to all of them, too, I've been talking with them, and really the only criticism really I've heard is that it didn't go far enough because it didn't include the land-lines. But they were okay with the 20% toward the independent PSAPS and the equal split among them. So I'm going to support this override. I may later try to amend to include the land-line which was left out. You know, I can't imagine what it would cost if we did not have these PSAPS, particularly these primary PSAPS, and the County, FRES or PD had to cover it. It would be so much more expensive. I have to recognize that these fees, these 911 fees, the surcharge is on the voice-over IP's or the cell phones, they are whole County revenue. Everybody pays, everybody pays, and it's really only fair to distribute them throughout the County to all the people who are answering those 911 phones. So I'm going to support Legislator Kennedy and I, too, am a cosponsor on this bill.

D.P.O. HORSLEY:

Thank you very much, Legislator Schneiderman. Let me weigh in on this as well, since I've been fighting this battle for more than the County Executive.

Maybe Mr. Vaughn, maybe you might want to stand up. And I just wanted to -- you know, the County Executive, they have been in consultation, the Executive's Office, with the -- with my fire departments in my district, and also Central Alarm which runs the 911 Center in the Town of Babylon which are critical, as Legislator Kennedy and Legislator Schneiderman said, for the 911 system. It is part of the 911 system, it doesn't work without it.

But the County Executive has reached out to my fire departments and he has offered them not only additional dollars in the budget, but a whole host of benefits that they deserve moving into the future through the budget process. And through consultation with them, they believe in the County Executive that he is going to -- he is going to fulfill his promises on this matter. And you know -- let me -- Legislator Cilmi is going to love this, I'm going to quote Ronald Reagan; *"Trust but verify"*. (Laughter).

LEG. KENNEDY:

(Laughter).

D.P.O. HORSLEY:

I do trust the County Executive that he is going to fulfill his promises to the 911 system. But no matter where I am, I'm going to come back and I'm going to work through other people to make sure that if these promises are not fulfilled, that the 911 system, the PSAPs are made whole, and I just wanted to say that to you. So I will vote to sustain the veto.

LEG. KENNEDY:

Wayne? To my colleagues and certainly to the County Executive. Notwithstanding the fact that he elected to go ahead and portray me as being somewhat disingenuous with my resolution to go ahead and withhold funding. Nevertheless -- and I'll ask my colleagues to consider this and let's vote. We all have things to do and it's been a long day.

County Executive Bellone has made this representation. I wasn't invited to the meeting, although I'm a sponsor, we're all cosponsors here. Look, the Exec is going ahead and working with these PSAPs about an important function, and I want to believe that he's going to go ahead and do what he said he would do.

We've talked a lot today about cycles and funding and roles. Anybody here around the horseshoe knows, the fire district funding cycles operate, as usual, different than everything else. By December of this year, when our 2014 budget becomes final, the fire districts will already be dealing with 2015. Just like us, Fire Commissioners have a duty to adopt a balanced, responsible and fiscally prudent budget. They cannot book a representation or a wish or a commitment or a whim. If we don't put the degree of certainty and regularity in for them to budget this funding now, then we'll guarantee a tax increase to our district residents going forward from today, notwithstanding the good intentions of County Executive Bellone.

Why would we want to encourage a year-by-year process in which people who perform such a critical function, hat-in hand, to an entity to seek funding? I don't see this as being something where we are being imprudent, unreasonable. As a matter of fact, we're doing just the opposite; we're giving people who help save lives a degree of certainty and regularity going forward budget-wise. That's why we should override this. Not because we don't trust the County Executive, because we want to free up our dispatchers and our fire safety folks to do the stuff that they do well. I think we should vote for it. Let's have the vote.

D.P.O. HORSLEY:

Thank you very much, Legislator Kennedy. Would anyone like to be heard on this?
Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Well, I think Legislator Kennedy said it actually very well. And it's not about County Executive Bellone. I take him at his word, he's going to put the money in the budget and I'm sure we'll adopt the budget with the money in it. It is about the future. He is not going to be here as our County Executive forever, nor are we as the Legislature, but these PSAPs will gone go. They'll go on as long as they have adequate funding to operate. They don't -- they shouldn't have to come back every

year and wonder if there's the political will to take what is whole County money and share it equitably; that is just crazy.

And we've seen this before with other issues. It's got to be a statute. And this is/this is a Local Law. This makes it a guarantee that they will have that funding. They're not at the whim of a County Executive; not this one, he'll take care of them, but some future one who will say, "*That's not really a priority,*" or "*I don't believe in independent PSAPs. The County should be doing it all so I'm not going to fund them,*" or whatever the reason might be. It's not fair to them and that's why we have to have it codified and that's why I'm supporting the override.

D.P.O. HORSLEY:

All right. Anyone else like to be heard? We're good? Okay. We have one vote.

LEG. SCHNEIDERMAN:

Tom.

D.P.O. HORSLEY:

Oh, Tom, I'm sorry.

MR. VAUGHN:

Thank you very much. And I certainly don't want to belabor this anymore.

The County Executive, first of all, Legislator Horsley, completely understands what you just said.

D.P.O. HORSLEY:

Okay.

MR. VAUGHN:

Okay? Number two; Legislator Schneiderman, we understand the need for the codification, and that is why we believe that this is a two-pronged approach. We will be submitting a Local Law that does codify and does address a number of the issues that FRES has been working through with the PSAPs. If we fail to live up to our obligations and our promises under representations that we're making here, I fully expect that we will be held accountable for that, vehemently held accountable for that (*laughter*), I have no doubt.

We will be putting money in the budget. We did always believe that the proper place to have this debate was during the budget process. That was -- when you strip everything else away from this veto, that is what we were saying. We would ask you to consider sustaining this -- upholding this veto, and we do pledge our commitment to working with the PSAPs to not only develop a budgetary solution as part of the budget, but also to codify going forward. Thank you.

D.P.O. HORSLEY:

Thank you very much, Mr. Vaughn. And again, trust but verify (*laughter*).

MR. VAUGHN:

Yes, sir.

D.P.O. HORSLEY:

I do appreciate your comments, though. Okay. We're -- we only -- we have a vote? We're good?

LEG. SCHNEIDERMAN:

And I'm still voting to override. But I do appreciate the County Executive reaching out to the PSAPs, which I know he has. And I think he's learned a lot, as we all have, about the vital function these PSAPs play. So I just wanted to send that message, that I do appreciate that. But I think this bill is

before us and it should be voted on its merits.

D.P.O. HORSLEY:

Thank you very much, Legislator. Okay, I guess we'll have a roll call vote.

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

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. MURATORE:

(Absent).

LEG. HAHN:

This is to override, so no to override.

LEG. ANKER:

No.

LEG. CALARCO:

No.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

No.

LEG. GREGORY:

No to override.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

No.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eight; sustained.

D.P.O. HORSLEY:

Okay. The motion fails and the County Executive's veto has been sustained.

Okay. Where am I going?

MR. NOLAN:

Bond Resolution 1600A.

D.P.O. HORSLEY:

Okay, we have a Bond Resolution *(1600A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,450,000 bonds to finance the cost of acquisition of a Suffolk County New Microsoft Enterprise Agreement (CP 1815.110)(County Executive).*

Do we have a motion?

MR. LAUBE:

Can I have the number?

MS. MAHONEY:

1600A.

MR. LAUBE:

Thank you.

LEG. D'AMARO:

What are we doing now?

D.P.O. HORSLEY:

Okay, this is -- in your vanilla -- manilla -- okay, hang on a second, I'm answering what we're doing. This is 1600A. Legislator, are you listening? Okay. 1600A.

P.O. LINDSAY:

Maybe they withdrew the bill.

D.P.O. HORSLEY:

I didn't know that.

MR. VAUGHN:

I apologize, sir. We did not intend to have this voted on tonight.

D.P.O. HORSLEY:

Oh. Never mind.

All right. We have a ***Procedural Resolution No. 13-2013 - Approving partial settlement of AWP Litigation (King Pharmaceutical) (Presiding Officer Lindsay)***. Do we have a motion?

LEG. CALARCO:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Calarco. Seconded by; anybody? I'll second the motion. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

All right, let's move to the CN's.

Okay, the first ***Certificate of Necessity*** provided by us -- by the County Executive is ***1528-13 - Authorizing use of Southaven County Park, Show mobile and Pavilion by Contractors for Kids for their Family Fun Day and Picnic Fundraiser (County Executive)***.

LEG. BROWNING:

Motion.

D.P.O. HORSLEY:

Motion by Legislator Browning.

LEG. D'AMARO:

Second.

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

All right. The next one is ***1604-13 - Authorizing the County Executive to execute an Inter-municipal Agreement with the Town of Southampton and accepting funds associated with the cost of part-time assignment of a Veterans Service Officer to the Town (County Executive)***. Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Motion.

D.P.O. HORSLEY:

Makes the motion. Second by Legislator Krupski. All those in favor?

LEG. HAHN:

On the motion?

D.P.O. HORSLEY:

On the motion, Legislator Hahn.

LEG. HAHN:

Tom, I just want to make sure -- I mean, I know this is good when they get to -- the Veteran Services officers get to go around the County and be accessible to veterans where they need them, but we also have a large number of veterans who do show up in Hauppauge. I really think -- and I guess this will have to be addressed in our budget, and I hope that you address it first, but I really think that they're understaffed in this agency. And so I just -- I want to know what having someone one day less a week present in Hauppauge will mean for them.

MR. VAUGHN:

We've spoken to Director Ronayne about that and he feels that this helps improve access to services for veterans, and the residents of Southampton and East Hampton and the East End are just as much residences as anyplace else. And I don't think that you were trying to imply otherwise, Legislator. I certainly understand your concerns about their staffing levels, and you are right. The budget process and the opportunity to sit down and discuss his staffing levels is coming up very soon for the Director, and if he has greater concerns about the levels of staff that he has, we can talk about them then. But he does feel that he can accommodate this program at this point in time with the current staffing levels that he has.

LEG. HAHN:

Right. So I know -- you know, and I agree and I preface my remarks with *(laughter)*, you know, this makes it more accessible to people on the East End. But I just know how understaffed they are. And so, you know, I'm supportive of making -- of increasing accessibility, it's just they do a tremendous amount of work that brings in an extraordinary number of dollars into Suffolk County helping veterans access, you know, Federal dollars, etcetera. And so it's very, very, very important that they're better staffed, and I just wanted to take this opportunity to say that. Thank you.

D.P.O. HORSLEY:

Thank you very much, Legislator Hahn. Anybody else? We're all good?

LEG. KRUPSKI:

(Raised hand).

LEG. SCHNEIDERMAN:

Wayne?

D.P.O. HORSLEY:

Oh, I'm sorry. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Yeah, I would be remiss if I didn't comment on this. It is in my district, I have a high percentage of vets in my district. A lot of them rely on public transportation. Hauppauge is a long way away. I would put forth that it's the County's responsibility to do outreach throughout the county and to all these vets. And in this case, we're getting help doing it; the Town of Southampton is funding those travel costs. So this is a win/win for us here at the County, it's also a win for the vets on the East End. We did this for Brookhaven not too long ago, we had a similar arrangement there. So this is certainly a good thing and I think it's the least we can do to honor the men and women who have served our country so valiantly.

D.P.O. HORSLEY:

Thank you, and a very cogent argument. Legislator Krupski?

LEG. KRUPSKI:

Question for the Administration. The personnel who will be going to Southampton, will they be coming from Northport or Riverhead?

MR. VAUGHN:

Legislator Krupski, to be honest with you, I would have to double check on that. It is my understanding that they are coming from Hauppauge, that they are coming from Hauppauge. That is my understanding.

LEG. KRUPSKI:

Thank you.

D.P.O. HORSLEY:

Okay? Anybody else? We're all good? All right. We have a motion and a second. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay. *Certificate of Necessity 1667-13 - Accepting and appropriating a grant in the amount of \$1,185,880 from the New York State Division of Criminal Justice Services for the Operation Impact X Task Force with 89.91% support (County Executive).*

LEG. D'AMARO:

Motion.

D.P.O. HORSLEY:

Legislator D'Amaro makes the motion.

LEG. STERN:

(Raised hand).

D.P.O. HORSLEY:

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

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay, *Certificate of Necessity, 1675-13 - Amending the 2013 Capital Budget and Program and appropriating funds in connection with the County share for reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510, PIN 075987) (County Executive).*

LEG. D'AMARO:

Motion.

D.P.O. HORSLEY:

Motion by Legislator D'Amaro. Second by Legislator Gregory; is that correct?

LEG. GREGORY:

Yes.

D.P.O. HORSLEY:

All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Thank you.

LEG. SCHNEIDERMAN:

We need to do a roll call on that.

D.P.O. HORSLEY:

I have a corresponding Bond Resolution (*1675A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$18,520,833 bonds to finance the cost of the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510.310)*), same motion same second. Roll call vote.

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

LEG. D'AMARO:

Yes.

LEG. GREGORY:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. MURATORE:

(Absent).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. MONTANO:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

D.P.O. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay, we're ready?

IR 1691-13 - Adopting Local Law No. -2013, A Local Law to strengthen and improve regulating certain home improvement contractors (County Executive). I'll make the motion.
Is there a second on the motion?

LEG. BARRAGA:

Second.

D.P.O. HORSLEY:

Second by Legislator Barraga. Okay, on the motion, everybody good?

LEG. ANKER:

No.

D.P.O. HORSLEY:

No, you're not? Legislator Hahn.

LEG. HAHN:

I just am curious. I mean, does having this insurance mean that they know how to raise a house?

D.P.O. HORSLEY:

I wouldn't say that. Sammi Chu.

COMMISSIONER CHU:

Good evening. Thank you. Thank you for the question, Legislator.
Our home improvement --

LEG. KENNEDY:

(*Laughter*)

COMMISSIONER CHU:

Our home improvement license -- I'm used to him laughing down the hallways from us.

D.P.O. HORSLEY:

It's been a long day.

COMMISSIONER CHU:

Yeah. Our home improvement license doesn't actually -- is not actually a technical license. It's primarily -- any of you that are familiar with the test, the requirements of the licence are actually mostly -- fall within the realm of a business license.

The home improvement license, as it exists now, provides for the fact that a home improvement contractor knows how to enter into contracts, knows its responsibilities that it should be entering into contracts and understands how to perform proper business practices when going into a transaction with a homeowner. So that being the condition of the home improvement license, which is the way it's been for many years, we do have other professional trade licenses such as our electrical -- a master electrician licenses and master plumber licenses which do account for technical acumen when issuing licenses and do have a testing process which are written, as well as a practical portion of a test to assess technical ability, our home improvement licence does not. So I would put this bill very much in a category of not letting perfect be the enemy of good.

I am -- since we've come in from -- since the consolidation has happened, all of our licenses are under review and how we do things, everything from how we test to licenses that exist that may not be necessary to licenses that don't exist that may be necessary. But for this particular -- for this particular piece of legislation, what this does in the short term is make sure that those who do enter into a contract and do decide to take on a job when elevating a house, properly protect the homeowner and, quite frankly, also protect the business. This -- the level of insurance that this would make a requirement, I would question any business owner that was in the business of elevating homes that did not carry this level of insurance, because anyone who's seen -- and certainly those on south shore districts know the site; it requires very expensive equipment, materials and is quite a process. So this simply addresses the fact that within the context of the home improvement license that elevating a house is not the same as building a deck.

D.P.O. HORSLEY:

Okay. Legislator, is that okay?

LEG. HAHN:

Yes. And I just -- and I recognize this is not within what we are debating in this bill, but I would argue that elevating a house probably does require a technical expertise that we should license and that probably several other elements of home improvement contracting due as well, and I look forward to having that discussion with you at a future date.

COMMISSIONER CHU:

In response to that, Legislator, we are working very actively in conversations, as you heard earlier this morning during the public hearing, with Long Island Housing Partnership and the State. This is very much on the State's plate and they are operating the program that is distributing the lion's share of the funds to homeowners. And certainly this -- the conversation of what the technical requirements should be for home elevators is a much -- is a much larger conversation and would be a much longer conversation. What this legislation does is provide immediate protection for those who are already in the process or who will shortly be embarking upon the process of procuring a home elevation contract.

LEG. HAHN:

Thank you.

D.P.O. HORSLEY:

Okay? Boy. All I've got to say is I was at the house, the house that they dropped; it's a big issue. Legislator Montano.

LEG. MONTANO:

Yeah, just a brief question. The -- just so I'm clear, the existing liability or the existing policy requires 500,000 and you're elevating that, for lack of a better word, to two million; is that what you're doing here?

COMMISSIONER CHU:

The current requirements for a home improvement license, if you came in just to get a general home improvement license, would be 500,000 aggregate, and then there's specific categories for coverage; 100,000 for bodily injury and then property damage is \$50,000 per occurrence. What this bill does is for the specific --

LEG. MONTANO:

When you say property damage, you mean furnishings.

COMMISSIONER CHU:

Damage to the physical property.

LEG. MONTANO:

The house itself or the furnishings?

COMMISSIONER CHU:

Physical property, the house would be included in that; house, furnishings.

LEG. MONTANO:

So the 500,000 is liability.

COMMISSIONER CHU:

Five hundred thousand would be aggregate, yeah, and liability for home improvement. That's aggregate for all claims.

LEG. MONTANO:

But that's to a third party, is it not?

COMMISSIONER CHU:

The insurance?

LEG. MONTANO:

Yeah.

COMMISSIONER CHU:

Yeah, it will be through third party insurance. You know, someone would purchase --

LEG. MONTANO:

Right, if -- so what does this bill do again? It just simply raises the limits from the aggregate 500 or one million to two million; is that what it does?

COMMISSIONER CHU:

For the subcategory of home elevation contractors, those performing home elevations, it would increase it to 500,000 per occurrence for all categories, for bodily injury and property damage.

LEG. MONTANO:

So it would be a million dollars now, is that what you're saying?

COMMISSIONER CHU:

Two million dollars aggregate. It's 500,000 per occurrence and \$2 million aggregate.

LEG. MONTANO:

Existing or under this bill?

COMMISSIONER CHU:

Under this bill. This bill would create a subcategory for home elevation contractors that will increase it for those contractors, it will require them to carry those new levels, the higher levels.

LEG. MONTANO:

All right. So the insurance -- just so I'm clear, the insurance company, you can purchase additional insurance simply to cover home elevation apart from home improvement?

COMMISSIONER CHU:

It's a matter of requiring additional levels of insurance. So contractors could -- you know, contractors that are doing smaller work can carry smaller insurance, you have commercial contractors that carry insurance up into the hundreds of --

LEG. MONTANO:

Right. No, I understand that. I'm just trying to --

COMMISSIONER CHU:

We're just addressing that this particular type of project is certainly in a category that is being experienced by many people who are --

LEG. MONTANO:

Right. No, I've read up on that. This is not -- this elevation doesn't require a special license today. Any home improvement contractor can basically tell you that he's going to elevate your home properly?

COMMISSIONER CHU:

Under current law.

LEG. MONTANO:

Under current law. So you're looking to create a subspecialty for those home improvement contractors that do elevation work.

COMMISSIONER CHU:

A subcategory of the current home improvement license, yes.

LEG. MONTANO:

All right. And then the only question I really have is what is the difference -- how much is this going to cost? Do you have any estimates on how much this is going to cost a contractor to get this type of insurance? Because I'm assuming it's not readily available.

COMMISSIONER CHU:

No, this is -- the insurance level -- in fact, the insurance levels that we're raising them to are not untypical of insurance that's carried by a typical home improvement contractor, even remodeling contractors. It's certainly not an onerous amount. Specific cost will be dependent upon the contractor.

LEG. MONTANO:

Right. But what I'm asking you is have you done -- you know, have you inquired as to what the cost is going to be? If you haven't you haven't, but I'm just asking you if you've done that in consideration of introducing the bill.

COMMISSIONER CHU:

I am familiar. And quite truthfully, insurance costs for contractors, there's many factors besides actually the type of work you're doing that get figured into insurance costs.

LEG. MONTANO:

Right. No, I get that.

COMMISSIONER CHU:

So it would range. It would be different for the customer. Just as anyone in this room purchasing car insurance, the rates would be very different; there would be a wide range of cost.

LEG. MONTANO:

Right, but --

COMMISSIONER CHU:

Depending on assigned risk.

LEG. KENNEDY:

But the difference is that if I go and I purchase insurance through a company I get a certain rate, and if I don't qualify I get an assigned risk, and I know I get a certain rate based on how many accidents I had, etcetera; that's not what I'm asking. What I'm asking is have you done an analysis of contractors and how much -- you know, whatever people you use to do your analysis, if you've done that, how much is the increase in this insurance from where they're at now to where they're going to be with the \$2 million? That's what I'm asking.

COMMISSIONER CHU:

The research where this came in, where these figures came from, we looked to similar resolutions that got passed and these were the levels that they raised their requirements to in Louisiana.

LEG. MONTANO:

Well, what -- how much was the amount in Louisiana?

COMMISSIONER CHU:

For similar work.

LEG. MONTANO:

How much was --

COMMISSIONER CHU:

Not the cost of the insurance. Again, the cost of insurance is going to be ranging -- is going to have a wide range depending on the specific contractor for the levels of protection.

LEG. MONTANO:

George just told me to keep trying, I'm about exhausted. I'm going to do this one more time. I just want to get -- do you have -- and if you haven't done it, I do understand, but do you have an idea of the dollar figure? What increase, you know, dollar-wise or percentage-wise, is this going to fall -- I used a bad word again, but is this going to, you know, affect the contractor? Is this going to be a 50% increase in his premiums, a hundred percent increase or a thousand percent increase; do you know the answer to that?

COMMISSIONER CHU:

I count, but I could tell you this much; someone doing home elevation shouldn't be doing home elevations if they don't have this current level of insurance. We're not going above --

LEG. MONTANO:

Well, yeah, I agree with you. Home elevation is a speciality. You have to use the hydraulic jacks, you have to use the beams, I get that.

COMMISSIONER CHU:

Yeah.

LEG. MONTANO:

I'm just wondering how much the cost is, And if you don't have those figures, then you don't have them. But I'm looking for a clear answer as to whether or not you have them; if you do have them, what do they tell you?

COMMISSIONER CHU:

Legislator -- and again, I'm trying to tell you as clearly as possible that it's impossible for me to tell you and it would be irresponsible for me to tell you --

LEG. MONTANO:

You don't have them, right.

COMMISSIONER CHU:

No. Because --

LEG. MONTANO:

Thank you.

COMMISSIONER CHU:

-- it would range from contractor --

LEG. MONTANO:

Yeah, I know it would range, but you don't have any. Okay, thanks.

D.P.O. HORSLEY:

Okay. We're good? Great. Okay, we have a motion and a second on 1691. All those in favor? Opposed? So moved.

MR. LAUBE:

Seventeen (Absent: Legislator Muratore).

D.P.O. HORSLEY:

All right.

CN 1697-13 - Approving use of Suffolk County Parkland for passive recreational use (Walkway) (SCTM Nos. 0900-118.00-02.00-014.000, 015.000, 016.000, 017.000, 018.000 and 020.001) (County Executive).

Motion by Legislator Schneiderman. Is there a second on the motion?

LEG. CALARCO:

Second.

D.P.O. HORSLEY:

Second by Legislator Calarco.

LEG. MONTANO:

Question.

D.P.O. HORSLEY:

Okay, question on the motion.

LEG. MONTANO:

Yeah, to Legislator Schneiderman from the Chair. Jay, is this the one that you spoke to me about this morning where we're using the park as some sort of offset for our contribution to the improvements?

LEG. SCHNEIDERMAN:

Right. So this is a -- the Town of Southampton is making an application to New York State through the Consolidated Funding applications. It's like a Downtown Revitalization Grant, and one of those programs is a park improvement program.

LEG. MONTANO:

So this is not costing us.

LEG. SCHNEIDERMAN:

No, there's no --

LEG. MONTANO:

We've already incurred the expense on purchasing the property, so there is no fiscal impact on this.

LEG. SCHNEIDERMAN:

I'll make it short. There's a required match for this grant, and you can use the purchase price of the park as long as it's within three years. And the town would like to use our purchase price, which was 2.6 million, toward that match. So they're looking for a million dollars in State funds, our purchase price is more than enough to cover it but we have to consent and potentially for this foot bridge to come to our park. And this doesn't obligate us to take the grant, it just allows the town to move forward with the application.

LEG. MONTANO:

Okay. And just one question to Mr. Lipp. Robert, I'm sorry. Is there a fiscal impact? I mean, I did have a conversation this morning with Legislator Schneiderman about this. But from the stand point of the bill being introduced, is there a fiscal impact, other than the fact that we already spent \$2.6 million to purchase the park and they're going to use that as an offset? Did I go -- I know you were speaking and I apologize for that.

MR. LIPP:

Yes. I beg your pardon, I don't think so, but I'm not exactly sure. I'd have to check into it.

LEG. MONTANO:

There's no impact, right? Fiscal?

LEG. SCHNEIDERMAN:

No. We're not doing anything.

LEG. MONTANO:

Okay. All right, I'm good.

LEG. SCHNEIDERMAN:

Okay? And it is contingent upon Southampton Town passing this as well as Riverhead Town.

LEG. MONTANO:

Right.

D.P.O. HORSLEY:

Okay.

LEG. MONTANO:

Just to be clear, we spent the two million, we don't have to spend any more, that's good, that's our investment.

D.P.O. HORSLEY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

When my colleague across the river brought this to my attention, I just wanted to make sure that the people in Riverhead had an opportunity to weigh in on this. Because it's going to affect them, because if you put a foot bridge over, it's going to have to be high enough so that you don't restrict boat traffic. It's going to have to be handicapped accessible, which might mean elevators; because of the floodplain, the elevators are going to have to be at a certain height. So then how, in fact, do you get from the parking lot to the elevators above flood plain? So there's a lot of complicating factors here. And exactly where is it going to be? Is it going to affect parking? Is it going to affect the roadway there and everything? I didn't want to -- I didn't want to go up the river without a paddle, so to speak, on this because --

*(*Laughter*)*

You know, without talking to people in Riverhead, I looked -- I reached out to the Supervisor, the Chamber of Commerce, people in the BID and some of the local citizens. But then Jay put in the bill, he amended the bill to say that it had to pass the approval of Riverhead Town Board, which then gives it local control and then they can make all those decisions in Riverhead and in Southampton.

LEG. MONTANO:

Okay.

LEG. HAHN:

The real challenge will be to make it look pretty.

LEG. SCHNEIDERMAN:

If I may. It's about a hundred feet at that the point, near where the aquarium is, across the river. You know, that's why the price is actually so high, those considerations that Legislator Krupski is bringing up; the height of it, the ADA accessibility. That's why DPW estimated it at just over a million dollars, so that's where that came from.

D.P.O. HORSLEY:

Okay. So Al, you're okay with this, representing Riverhead?

LEG. KRUPSKI:

(Shook head yes).

D.P.O. HORSLEY:

You are, okay. This is like our version of the peace bridge.

*(*Laughter*)*

All right. Okay, we have 1697. We have a motion and a second on the motion. All those in favor? Opposed? So moved.

MR. LAUBE:

Sixteen (Not Present: Legislator Kennedy - Absent: Legislator Muratore).

D.P.O. HORSLEY:

Please move to the yellow folder, we have the Late Starters.

MR. LAUBE:

Fifteen (Not Present: Legislators Kennedy & Anker - Absent: Legislator Muratore).

D.P.O. HORSLEY:

Okay. We have a motion to waive the rules and lay on the table the following Late Starters:

Okay, Government -- the first one, Home Rule Message No. 9 goes to Government Operations, Personnel, Housing & Consumer Protection; 1692 goes to Health; 1693 goes to Ways & Means and to set the public hearing for September 12th at 6:30 PM in Hauppauge; 1694 goes to Ways & Means, set the public hearing for September 12th at 6:30 in Hauppauge; 1695 goes to Parks; 1698 goes to Public Safety and set the public hearing for 9/12 at 6:30 in Hauppauge.

MR. NOLAN:

1696.

D.P.O. HORSLEY:

Okay, apparently I skipped 1696 which will go to Public Safety. Okay, I'll have a second by Legislator Cilmi. All those in favor? Opposed? So moved.

MR. LAUBE:

Fifteen (Not Present: Legislators Kennedy & Anker - Absent: Legislator Muratore).

D.P.O. HORSLEY:

I think that concludes our business. Have a good August.
We're adjourned.

*(*The meeting was adjourned at 7:10 PM*)*

{ } - Denotes Spelled Phonetically