

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

ELEVENTH DAY

September 12, 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*

*Lucia Braaten & Alison Mahoney - Court Reporters*

*(\*The following testimony was taken & transcribed by  
Lucia Braaten - Court Reporter\*)*

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

Okay. Mr. Clerk please call the roll.

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

**LEG. KRUPSKI:**

Here.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

Present.

**LEG. ANKER:**

(Not Present)

**LEG. CALARCO:**

Present.

**LEG. MONTANO:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

(Not Present)

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

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**LEG. SPENCER:**

Here.

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

Here.

**MR. LAUBE:**

Fifteen. (Not Present at Roll Call: Legislators Anker and Nowick/Vacant Seat: District 8)

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

Thank you very much, Mr. Clerk. And we will now proceed with the salute to the flag, led by Legislator Gregory.

**(\*Salutation\*)**

The invocation will be given by Reverend Father Demetrios Kazakis, Presiding Priest of the Saint Nicholas Church, Orthodox Church in West Babylon, guest of Legislator DuWayne Gregory.

**LEG. GREGORY:**

Thank you, Wayne. Excuse me. I'd like to welcome to our proceedings today Father Demetrios Kazakis of Saint Nicholas Greek Orthodox Church in West Babylon. Father, while we are happy to have you here with us today, as all of us are too painfully aware, today is the single saddest day this Legislature has endured since I'm sure -- since any of us can recall. So, if I may just for a minute, I'd like to speak on behalf of my colleagues, indeed all those that are gathered here today, when I say that we are eager to hear your words, Father, eager to hear them in the hope that they might offer us a momentary quantum of solace in the midst of our profound and consuming grief. But before I tell you a little bit about Father, I hope you all indulge us -- indulge me, excuse me, for the briefest of moments while I share with you a passing word about our father -- excuse me, our friend. He was a father figure to me, and leader, Bill Lindsay.

While there is so much I could say about him, I will still -- and will and still impart -- I'm nervous -- only this. And in my entire life, I have never met a person equal to Bill's integrity and character. And as a tribute to him and the great work he accomplished here in this hall and in union halls all over Long Island, I pledge to serve this body and the hardworking people of this County the way he taught me and taught all of us to, honestly, faithfully, humbly and stalwartly.

At 29, Father Demetrios is the youngest Priest ever assigned to Saint Nicholas. Born in Syracuse, Father Demetrios is an Eagle Scout who met his wife Diana when he was only nine years old. Not willing to rely solely on divine inspiration on how to preach the word of the Gospel, Father Demetrios studied communications for two years at SUNY before transferring to Hellenic College in Brookline, Massachusetts to begin his theological studies. He received his Bachelor's Degree in Religious Studies from there in 2008, and then immediately continued his training at the Greek Orthodox Seminary, also in Brookline. He concluded his tenure after receiving his Master of Divinity from Holy Cross Greek Orthodox School of Theology in 2011. He was first made a Deacon later that same year, and in 2012 was ordained as a member of the priesthood.

Since taking over Saint Nicholas, Father Demetrios has put an emphasis on revitalizing the parish's youth programs and enhancing the church's community outreach efforts. His ambitions and abilities to connect with those whose faith are beyond the confines of the 250 families that make up his flock seem to be right on point, this because Saint Nicholas proudly boasts one of its highest percentages of mixed marriages of all Greek Orthodox churches in America today. Father Demetrios is a wonderful new addition to our community, who I am grateful to confer and work with regularly. Colleagues, Ladies and Gentlemen, would you all please join me in giving a warm, grateful, heartfelt

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welcome to Father Demetrios Kazakis as he offers us today's very special invocation. Father?

(\*Applause\*)

**FATHER DEMETRIOS KAZAKIS:**

Thank you, Legislator Gregory. If we could all please bow our heads in prayer.

Let us pray to the Lord. Lord, have mercy, in the name of the Father, the Son and the Holy Spirit. Amen. Our God and Heavenly Father, Creator and Sustainer of all that is or will ever be, accept our thanks for this day and all its blessings, both known and unknown.

We hold in memory the victims of the attacks on September 11th; that the memory of those who have lost their lives may forever be eternal. In addition to those tragically lost, we hold in memory our Presiding Officer, Bill Lindsay, that his soul may be granted peace within the Kingdom of Heaven, offering solace and grace to his family and loved ones.

We ask you, most Holy Father, that you guide and direct our national leaders, and our men and women serving within our armed forces, as we slowly approach a hostile endeavor overseas and throughout the entire world. We entreat you, oh, Lord, our God, that you bless and strengthen our County leaders, along with their staff and families. Grant that each of us may feel and understand our responsibility to our towns, county and nation as a whole. Bless our fellowship in gathering today to know that all things are made possible through your grace, always now and forever and on through the ages of ages. Amen.

May God bless you all, and the memory of Presiding Officer Bill Lindsay forever be eternal. God bless you. Thank you for the invitation.

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

Thank you very much, Father.

**FATHER DEMETRIOS KAZAKIS:**

Thank you.

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

That was very nice.

**FATHER DEMETRIOS KAZAKIS:**

God bless you.

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

God bless you, too. Thank you very much, Legislator Gregory, as well.

I can't count the times that I heard Bill Lindsay comment that, "You know, it is our custom now to have a moment of silence," and I can hear him saying that.

Yesterday we lost a true public servant, Presiding Officer William Lindsay, who possessed an unstoppable determination to serve the people of Suffolk, even at the midst of battling cancer. Bill was the longest serving Presiding Officer in the history of this Legislature. He possessed an ability to use common sense during his interactions with his fellow Legislators and constituents. Bill's background as a union leader provided him with the skills that enabled him to forge a bipartisan consensus in this Legislature on any number of difficult and contentious issues. He will be missed by all.

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Bill was a true friend and an extraordinary public servant who dedicated his entire life to serving others. Bill, to this Legislature, was our friend, he was our mentor, he was our leader. He was truly the Lion of the Legislature. And God bless Bill Lindsay.

We have a -- we now have a tribute to Bill, which was created by the Long Island Federation of Labor. It was a dinner that they had given him a couple of months ago and he was unable to attend. I think you'll enjoy this. This is Bill Lindsay.

Please sit, and we'll continue with the moment of silence.

*(Video Presentation)*

*(\*Applause\*)*

May we please all stand again, please. Boy, that's -- yes.

Also, during this month, we remember all of the victims of the terrorist attack 12 years ago on September 11th, 2001. Never forget. We are all Americans, no matter how great or small, or -- every act of patriotism makes the nation stronger. Every act of kindness fills the nation's heart. Every act of service makes the nation more whole. God bless the souls of 9/11, and God bless America.

Let us all remember all those military men and women who put themselves in harm's way every day to protect our country. And God bless the soul of William Lindsay.

*(Moment of Silence)*

All right. We will move into our proclamations, we have several tonight. Legislator Browning will present a proclamation recognizing the Smith Point Lifeguards as the United States Lifesaving Association 2013 National Champions. Kate, are you all right for this? Good?

**LEG. BROWNING:**

Yeah.

**LEG. CALARCO:**

I'm going to start with the introductions here to give Legislator Browning a moment here.

We have with us here several of our lifeguards from the Smith Point Beach. Smith Point Beach is one of our most popular and most attended parks and beaches in Suffolk County, and we have a top rate staff of lifeguards there who have a record that few are able to match. So with us is Bob Kolar, Chief of the Guards, Kevin Kolar, the Assistant Chief, Michael Branca, Chris DeLuca, Daniel Wynn, Charlie Appel, Zach Gallo, Ron Kister, Erik Gorman, who is a Captain, Brian Costello, the four times National Champion, Beach Flags Champion, and Mariusz Borowski (phonetic) -- Borkowski, I'm sorry, another Captain, and Captain Marty Viera from the Combat Rescue, Officer from the 106th Rescue Wing.

These gentlemen, along with all of their colleagues, have a spectacular record at Smith Point Beach in that we have never lost a single life at Smith Point Beach. They have a perfect record of saves whenever anybody needs them.

So I'm going to pass it off to Legislator Browning before I take up all of her comments. But being that Smith Point Beach is actually part of my District, though I know Legislator Browning's constituents use it quite frequently, we want to congratulate you and thank you for all of your hard

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work on behalf of the County. And, you know, really it's a record that few can match. So congratulations, guys, and thank you very much for everything you do.

*(\*Applause\*)*

**LEG. BROWNING:**

Okay. So -- and the reason they are here is because this year the Smith Point Lifeguards became the United States Lifesaving Association's 2013 National Champions. This is the seventh time they've won this competition, and over the past nine years they have been named National Champions for 2005, 2006, 2007, '8, '11, '12 and '13.

The Smith Point Lifeguards have been protecting the patrons of Smith Point County Park since July 8th of 1959. And during this time, as Rob said, they have had zero drownings within this protected bathing area. The Smith Point Lifeguards are well-known throughout the County as the pinnacle of lifeguarding, and are also -- and sportsmanship. In 2008, the entire Smith Point Team received the Billy George United States Lifesaving Association's Sportsmanship Award, being the only full team ever to receive this honor. Chief Bob Kolar received the Billy George United States Lifesaving Association's Sportsmanship Award this year. Lifeguards, Kevin Kolar and D.J. Simonton jointly received the 2013 New York State Joe W. Dooley Lifeguard of the Year Award.

And I have to say I'm very proud. I know that it's Rob's District, but I know a lot of residents in my community use the Smith Point Beach. And I can tell you -- and a number of them are my constituents also, so I'm very proud to say that we have the best lifesaving lifeguards here in Suffolk County. They are the best trained, and no matter where they go in Suffolk County or anywhere here on Long Island, when people hear they were trained as Suffolk County lifeguards, absolutely, they'll be hired.

So I wanted to say a special thank you. I have a proclamation for you. But before I go, Lynne, if you want to say something.

**LEG. NOWICK:**

Just quickly. As the Chair of Parks, I want to congratulate all of you. And I want to thank Legislator Calarco and Legislator Browning for bringing the lifeguards, our Suffolk County lifeguards into the Legislative Building, because until you came into my office a few weeks ago, I didn't realize, and you forget all that they do. They save lives on the beach, they take care -- they are -- they take care of our people. And I'm so glad you brought this to everybody's attention. And I want my fellow Legislators to realize these are the men -- are there any women? Okay.

**LEG. BROWNING:**

Yes, there are.

**LEG. NOWICK:**

Okay. These are the men and women that protect us. Yay. Thank you.

*(\*Applause\*)*

**LEG. BROWNING:**

So we do have a proclamation for them. And I have to make note, this is a special one, because it does have the signature of our Presiding Officer, Bill Lindsay. Thank you.

*(\*Applause\*)*

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**MR. KOLAR:**

I just want to thank everybody here for having us, and we appreciate everything the County's done for us, and appreciate all the Legislators here. Thank you.

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

Congratulations, guys. Nice going.

*(\*Applause\*)*

Congratulations, guys. All righty. Excuse me. Legislator Calarco, while you're there, will present a proclamation to Specialist Marc Lamorgese, who is returning home from his first tour in -- from Afghanistan.

**LEG. CALARCO:**

Thank you, Legislator Horsley. And if Specialist Lamorgese could come up, please.

I feel that this is only fitting that we -- that I invited specialist Lamorgese to be here today, because the very first meeting that I served as a Legislator at, Legislator Lindsay, our Presiding Officer, had a young man home who had also just recently returned from overseas, and he wanted especially to have him here to welcome home our heroes. So I'm very happy to be able to do this today.

Specialist Lamorgese from the U.S. Army Reserves Military Police became a Reservist in 2010. He was deployed recently to Afghanistan for eight months. This was his first tour. And he's returned home to us this past August, and we're so happy to have him home safe and sound. And it's so fitting that we're also here today, the day after September 11th terrorist attacks that prompted us to go to war in Afghanistan and to require Specialist Lamorgese to put his life on the line for us. And we want to thank you very much for being there for our country, for serving us so well, and to welcome you home. We're happy to have you home back safe and sound, and we hope that you never have to put yourself in harm's way again. And we thank you for your service to our country.

So if everyone would just please take a moment to thank Specialist Lamorgese.

*(\*Applause\*)*

And I do have a proclamation here for Specialist Lamorgese, just to thank you on behalf of the whole County Legislature. And would you like to say a few words. Put you on the spot?

**SPECIALIST LAMORGESE:**

You totally put me on the spot. I thank you very much for the proclamation and the support. Thank you.

*(\*Applause\*)*

**LEG. CALARCO:**

Thank you. And thank you to your parents as well for -- you know, it is very tough for the parents of our men and women overseas who have to worry about the safety of their children. Those of us with children, I'm sure we all worry about them every night, but it's a whole other level of worry when they're in harm's way. So thank you to the parents. Thank you, Specialist, for everything you do for us.

*(\*Applause\*)*

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

And thank you, Legislator Calarco. Legislator Anker and Legislator Hahn will present a proclamation to Police Officers James Comstock and Joseph Devlin from the Marine Bureau, who will be honored for saving boaters in Port Jefferson Harbor from an accident that occurred earlier this summer.

**LEG. ANKER:**

I just wanted to again thank our Police Force for their heroic, you know, duties that arise when people need help, and that's exactly what happened.

This summer, there was a boater, actually two passengers on a jet ski and they capsized. And, bravely, our Marine Bureau Police Officers Joseph Devlin and James Comstock were there to basically save lives. So I'm here to proudly present them proclamations. We have James Comstock from Port Jeff Station and Joseph Devlin from Miller Place.

I have Kara Hahn here. Basically, they acted quickly in the Port Jefferson Harbor with their rescue. So, Legislator Hahn, would you like to comment on this also?

**LEG. HAHN:**

Sure. Suffolk County has 1,000 miles of coastline and our Marine Bureau does quite a job protecting it, and I thank you. Thank you for what you do to protect us every day, and we very much appreciate that.

And being September 12th, the day after September 11th, I want to say to you, to your families, the firefighters in the room and their families, to the veterans in the room and their families, in memory of those who were lost, thank you for all that you do every day to protect us. So thank you again.

*(\*Applause\*)*

**LEG. ANKER:**

Thank you.

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

Congratulations, guys.

*(\*Applause\*)*

Legislator Stern will present a proclamation to Fred Reithel, Dix Hills Volunteer Fire Department, for 50 years of continued service to the Dix Hills community. And he is 92 years young, I understand.

*(\*Applause\*)*

**LEG. STERN:**

A special day as we recognize so many of our local heroes in our community who just epitomize service to all of us. And this is a very special proclamation to recognize a special individual who is certainly deserving of praise in our local community.

Fred Reithel is celebrating 50 years of continuous service to our community as a member of the Dix Hills Volunteer Fire Department. Years ago, Fred started his service in the military serving our great nation, and has continued to serve all of us in our local community in so many different positions in the Dix Hills Fire Department. He is truly an inspiration, an inspiration to us all, and exemplifies a lifetime of service.

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It really is a great pleasure to present this Legislative proclamation to Fred Reithel for his 50 years of continuous service to our community. And to you I say congratulations, but, most importantly, thank you.

*(\*Applause\*)*

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

All right. Moving along. Legislator Cilmi will present a proclamation to Neal Rae Fitz, who is -- apparently is an artist, and whose work is on display in the lobby.

**LEG. CILMI:**

Thank you, Mr. Deputy Presiding Officer. Nell. If Nell could -- certainly not Neal.

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

I'm sorry.

**LEG. CILMI:**

No, that's quite all right. It's easy to -- hello, Nell.

So -- come right over here. So, Nell -- Mom, if you want to take pictures, that's fine. Nell Fitz, who's standing next to me, is a Bay Shore resident, lives right around the corner from me, actually. And if you walk outside of the auditorium, you'll find in the -- Art in the Alcove some artwork that Nell created. And if you don't know, Art in the Alcove is a program that was founded by our very own Lynne Nowick a few years ago, back in 2009, to showcase our local artists. And, hopefully, as Lynne leaves us at the end of this year, it's a program that will continue here.

We're joined today by some folks from Suffolk Community College, because Nell here is a graduate from Saint John the Baptist High School in West Islip, and also Suffolk County Community College, with an Associate's Degree in Visual Arts. And so we have Richard Guarino, who's the Executive Director of Suffolk County Community College Foundation, and Russ Malbrough, the Director of Alumni Relations, is here to say congratulations as well to Nell. And Nell also just received her Bachelor's Degree in Ceramics and Fine Arts from SUNY New Paltz.

What happens is Legislator Nowick selected this committee. Allison Cruz, who's from the Smithtown Arts Council, and David Haussler, who's a sculptor from Fort Salonga, and Susan Eckert, who's one of Lynne's Aides, to select art that gets regularly presented in our alcove right here in the auditorium. And Nell's piece is entitled High Tide. And it's a sculpture basically that sort of brings you to the shore. And I know it was inspired by Nell's time at the shore, right? And some of her experiences throughout the years, not the least of which was during Hurricane Sandy.

And we're very proud that -- I'm very proud, as one of my constituents, as a Bay Shore resident, that we're able to showcase your art work here. So congratulations. And, please, everyone, on your way out today, take a look at Art in the Alcove at Nell's beautiful piece. Nell, congratulations.

*(\*Applause\*)*

**MS. FITZ:**

Thank you.

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

Thank you very much, Legislator Cilmi. And congratulations, Nell.

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Legislator Spencer will present a proclamation to one of his constituents, David Mordaski, who pulled a woman from her car that had been involved in an accident just before it burst into flames. Wow.

### **LEG. SPENCER:**

David, would you join me? And I'm going to ask if your colleagues, I know we have from Greenlawn, and your parents are here also, if you can come up.

Occasionally, I have the privilege of really being able to recognize true heroes and David fits that definition. This is a true hero, and it's -- the story that is behind what he did is absolutely amazing. But since then, there's more.

So on August the 2nd, just while running errands, David, who's a seven-year member of the Greenlawn Fire Department, came upon an accident on Pulaski Road in Greenlawn, a very serious accident. So he stopped, as you would expect just a citizen to do, to make sure everything was okay, and he found a woman sitting in the car who was in the passenger seat. I think she was slightly disoriented and unable to get out of the car. There was smoke and flames coming out of the car at the time in the dashboard area, and recognizing that he didn't have much time, he was able to extricate the woman seconds before the vehicle burst into flames; is that correct?

### **MR. MORDASKI:**

*(Nodded yes).*

### **LEG. SPENCER:**

So you could imagine, I mean, just to be in that situation. And, you know, on T.V., where you know it's staged or whatever, but this was a real life situation where he put his life on the line to save another individual, and I find that really overwhelmingly incredible. You really did. I mean, you could have said, you know, "This is dangerous, I don't know when this car is going to burst into flames," but you went above and beyond.

Now, my understanding is subsequent to that time, you came upon another accident, where there was someone who had a severe leg injury, a severed leg, and he instinctively stopped and, to prevent that person from bleeding out, put a tourniquet on. He's going to get a second proclamation for that, but it's just, you know -- so we see that, you know -- I think that it's great to know that there are citizens out there that would do something to help their fellow man or woman, but when you put your own life on the line, that's really going above and beyond.

So, with great pride, I recognize David with this proclamation. Thank you, and, really, congratulations.

*(\*Applause\*)*

I asked him if he wanted to say a word or so, but he declined. And just in the true vein of a hero, he's also modest. So thank you.

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

Okay, fair enough.

*(\*Applause\*)*

### **LEG. SPENCER:**

Thank you so much. He came with -- he was well escorted by a group of heroes, so we appreciate it. And these guys are right up the street from my house, so I got to make sure they're well taken care of, so I really appreciate it.

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*(Laughter)*

I'm so proud of you.

I have a second proclamation and this -- thank you so much. Not to be outdone, I also have a second proclamation, and I'd like to ask if Bill Ober would join me at the podium. And he's also well escorted with his wife, and also with other Marines who work with him. And if you all would join up and surround Bill, so we can kind of be able to make sure he's well escorted.

So Bill joined the Marine Corps League in Huntington, the 792, in 2002, and he was appointed Chaplain. Within two years, he was elected to serve as the Commandant. And, additionally, he was named as representative for the Town of Huntington's Veterans Advisory Board.

In 2009, Bill was awarded the Marine Corps League Distinguished Citizen's Award, and in 2012, he was selected as the keynote speaker of the Town of Huntington Veterans Day Ceremony. This year, because of his dedication and commitment to the Marine Corps League, Bill was named New York State Marine of the Year by the National Commandant at the State Convention in Albany.

So, on behalf of the Legislature, and also the 18th District, it gives me great pride to present you with this proclamation for your distinguished service and just your outstanding recognition. Thank you.

**MR. OBER:**

Thank you.

*(\*Applause\*)*

**LEG. SPENCER:**

Thank you very much. Mr. Deputy Presiding Officer, thank you.

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

All right. That finalizes our proclamations, I believe. Is that correct, everybody, I'm good?

We'll be moving into the Public Portion of the agenda, which I have several cards. Is my trusty timekeeper ready to go on this?

**LEG. CILMI:**

Yes, sir.

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

Okay. Of course, we have three minutes to speak in the Public Portion, so we will commence right away. The first speaker that I have is a John Turner, who is going to speak on the acquisition of property.

**MR. TURNER:**

Good afternoon, Mr. Horsley, and Members of the Legislature. Let me first begin expressing my condolences to you as well. I, unfortunately, didn't have really the privilege of knowing Legislator Lindsay on a, you know, personal basis or work with him all that much. I've worked with other Legislators in the past on a lot of different environmental matters, but everything I've always heard was just everybody had such great love and respect for him. So, again, my sympathies to the pain that you're feeling today.

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

Thank you.

**MR. TURNER:**

Good afternoon. My name is John Turner, and I'm a consultant to the Town of Brookhaven's Land Acquisition Program, and I appear before you today on behalf of Town Supervisor Ed Romaine and Councilwoman Jane Bonner, both of whom cannot be here because they are currently having a Town Board meeting, though, actually beginning very shortly. And I'm here to express their and the Town's strong support for the passage of Introductory Resolution 1610.

This resolution authorizes the purchase of two adjacent properties, totalling 44.3 acres of environmentally significant land that's situated in Mount Sinai. The Town has committed to provide 25% of the overall funding of 4.43 million dollars by providing 1.107 million. The County will, of course, be providing the other 75% if it indeed is approved by this Board.

The Town has made a commitment to this because of our working with the owners of the property, the recognition of the value of the property. And, by the way, these owners that have this, the Society of Saint Francis, who also own two adjacent properties, upon one of which is situated, their Little Portion Friary, which provides wonderfully tasting fresh bread baked every Friday. I know Legislator Anker's affirming nod. I've gone there a few times and bought bread, it's really delicious.

The Town has made a commitment to partner with the County on this project, because in addition to the killer cinnamon raisin bread offered for sale, the properties involved have a number of significant environmental and ecological attributes. They are heavily forested with a variety of species, which constitute a Coastal Oak Beech Forest, which is a New York State Natural Heritage Estuary ranked community. This and other community types of North Shore forests on Long Island have been extensively diminished, if you just think about development across the North Shore of Long Island, the Gold Coast of Nassau County, right through to the North Fork, you know how overdeveloped it is. So the natural forests that were there at one time have been extensively developed and fragmented. But, nevertheless, the ones that do exist like this one have a great deal of value. A number of rare and exploitably vulnerable plant species occur on the property, and it does provide habitat for a variety of resident migratory bird, mammal, reptile and amphibian species.

Given its position on the Harbor Hill Moraine, the younger of the two glacial moraines found on Long Island that were created by the continental ice sheet which created the Island, the topography of the property, not surprisingly, is highly dramatic, with slopes in excess of 35%. And when you walk the property, quite frankly, you almost feel like you're off Long Island, you feel like you're up in New England. It's not often when you walk on Long Island where you truly get tired very, very quickly. Your thighs start burning.

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

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

**MR. TURNER:**

Yeah, I'm almost done.

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

Thank you.

**MR. TURNER:**

The vegetation, topography is such that you do get that sense there. Based on the topography and vegetation together, they do provide an opportunity for the establishment of a network of trails.

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One last point I'll make is the property is situated adjacent to Mount Sinai Harbor, and, therefore, is within the watershed or catchment area of the harbor. Most notable about this fact is that the property recharges, therefore, approximately 25.2 million gallons a year of water to the underlying aquifer which discharges into the harbor, and thus, like the County's nearby Chandler Estate, provides a large volume of pure water to this important coastal embayment.

In summary, for all the aforementioned reasons, the Town is pleased to partner with Suffolk County on this important acquisition, and we urge the Legislature's support for I.R. 1610. Thank you.

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

Thank you very much, Mr. Turner. The second speaker is Maria Artese-Giordano.

### **MS. ARTESE-GIORDANO:**

Hi. Good evening, everyone. My name is Maria Artese Giordano. I live in Suffolk County, and I got a whole bunch of signatures who -- people who are against the red light cameras. They get flashed, they get a ticket right away. And not only do they charge \$50, now they charge \$80, and all to do with the people who have to put food on their table to feed their children, and people who are out of work. The economy, the way it is, people are all upset about it. And, also, for the assessment fees.

I got a whole bunch of signatures here, I have petitions signed, and they're quite upset about it. And I was wondering hopefully they could do something about it to stop it. I know that they stopped it in Florida, and they're looking to stop it also in New Jersey. People are quite upset about it and angry. And, hopefully, with the grace of God, they can really do something about stopping this. Even when they go over the line at a light, automatically the light flashes and they wind up getting a ticket.

My husband and I went -- he's on workmen's -- on a long-term disability. I'm unemployed. We can't afford -- we can't afford to pay \$80. Unfortunately, you know, he stopped, looked, nobody was coming, he proceeded. He got a red light ticket. We're quite upset about that. And also, like I said about the assessment fees, all right, if somebody -- I'm not saying it's right to get a ticket for a moving violation, so they get a -- so they get a ticket, they pay it. Why do they have to add on more money, 3- to \$500? I think it's ridiculous. People are all upset about that, too.

So, if there's something that they can do about that, it will be well appreciated. I think it should really -- there should really be something done about it.

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

Thank you very much. All righty. Next on deck is Cesar Malaga, and on deck from there is Nanci Dallaire.

### **MR. MALAGA:**

My name is Cesar Malaga, President of the Hispanic American Association.

Good evening, Legislators. You know, we are very sorry and our condolences to the family of William -- our Presiding Officer William Lindsay. He was one of the best Legislators and Presiding Officer Suffolk County ever had. I had dealt with him for many years.

Just two little things. You have on the calendar 11 properties to be sold. Now, for many years, we've been asking that Suffolk County Legislature do not sell any of those properties, but reserve for our returning servicemen as affordable housing. And also, you know, young people do not have a place to go, so it should be reserved for them. You should not be selling to contractors who will build a house at the value of 350,000 up. They need affordable housing for young people. The other thing, lately, you'll be talking about, you know, taxes and how you're going to keep up

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with the increase -- the revenue, the decreased revenues. We, the Hispanic American Association, had made studies several years and had suggested that, you know -- like the one thing is that we had to cut expenses. One thing we have suggested, I know you don't like it, that the Legislature of Suffolk County should decrease their salaries comparable to Nassau Legislators and Westchester. They should eliminate their, you know, offices, district offices, which Nassau just do not have. Also, the number of Aides you have, I mean, Nassau and Suffolk do not have, and they do the same type of work that you do.

We are not a rich County. Right now we are falling. We're falling down and down, and the future, you know, you're thinking of increasing taxes, you know, for revenue, because you don't have no revenues. You know what, that's not a solution. You have to work us -- you have your own home, you have a budget. You cannot just keep increasing taxes or borrow money for expenses. It's about time you start economizing. Cut expenses.

Another thing now you -- now, you know, even have your -- County Executive proposed eliminating the Treasurer. That's completely wrong. You know, the Board of Elections, who works primarily for the Republican Party and the Democratic Party, it should be eliminated. We don't need that obstruction from the Board of Elections, eliminating people who want to be elected. You know, people who are good citizen without any criminals, but his name or her name should be put in the ballots to be elected. So you do not need that number of people that are working in the Board of Elections. Plus, since they work only for the Republican and Democratic Party it should be funded by those two parties, not by us, the County people, you know, to defend -- to defend primarily the work of those two parties. So why should we spend our money?

The other thing is Legislature proposed using Foley for a jail, and stop building a new jail system. I don't know why we keep increasing jail. We should be doing something for the -- you know, to eliminate the number of prisoners that we have. And the use of Foley for a prison I think is a good idea. As a matter of fact, prior to that, we were thinking of using part of the empty space you have at Dennison Building. Many people have said that there is lots of space in the Dennison Building. You can take part of that and use as prisoners. Why spend 200 million or 100 million-plus to build a new jail? We don't need it. We don't need new jails. We have to do something to eliminate the number of people that are arrested and work with the justice system. Not everyone needs to --

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

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

### **MR. MALAGA:**

Okay. The only thing is this. The only thing is like your County Executive said about people are upsetting -- you know, Legislators or elected people are upsetting other people. You know, it's about time. You know, many of you are only working for your political party. You don't work together with the Republican or Democratic Party. You have to represent us, the people of Suffolk County, for the betterment of our County. Thank you very much.

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

Thank you very much, Mr. Malaga. Okay. Nanci Dallaire, and on deck is Randall Parsons.

### **MS. DALLAIRE:**

Thank you. My prayers go out to Mr. Lindsay, his family, and his colleagues and friends. He was a good man whose good works deserve to be remembered.

Mr. John J. Foley was a good man and his works deserved to be remembered. His legacy, the John J. Foley Skilled Nursing Facility, contributed to our community right to the very end. The closure of this historic health care center helped support the surrounding facilities, filling their beds and raising

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their revenues, while John J. Foley waited to be compensated for vital services rendered, while we wait for vital questions to be answered. And rather than calling for an investigation and insisting on answers, I hear this Legislature will decide to call for another study, this time to determine if John J. Foley can be refit for use by that jail. Am I alone in feeling outrage by this insensitive and insulting suggestion? Instead of restoring the skilled facility to provide essential services, as was its intent, by refocusing services for use by our returning wounded war veterans. Rather than treat these brave men and women suffering from post-traumatic stress disorders, this Legislature will surrender this County asset to that jail, proving to me once again criminals are given top priority over the taxpayers in our County, and, sadly, across our country, another example being that Cleveland man responsible for abducting and imprisoning those three women for 10 years. He recently killed himself in jail and the Civil Liberties Union of Ohio called for a full investigation.

The Executive Director stated, and I quote, "As horrifying as Mr. Castro's crimes may be, the State has a responsibility to ensure his safety from himself and others." That monster is deserving of that respect? He's granted that right of protection, but we are not entitled to a full investigation into our tragic loss? Where is our Civil Liberties Union demanding answers. We do not deserve to watch as this County expands that jail as we're forced to forfeit our County assets. The services for inmates improves while our vital public services are abolished. This is our justice?

Taxpayers deserve a full explanation. This is our community that has been left unprotected. It is our vital citizens who will be suffering these consequences. We cannot wait for another storm to be on our shores to realize that without the resources of John J. Foley, this County will struggle to protect the vulnerable residents who relied on that County facility.

And I'll continue to pursue an investigation and call for these answers before it's too late. I will continue to hold my representatives accountable and my government responsible, because good men and their good works deserve to be remembered and honored.

*(\*Applause\*)*

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

Thank you very much, Ms. Dallaire. The next speaker is Randall Parsons, and on deck is Bobby Blasingame.

### **MR. PARSONS:**

Deputy Presiding Officer Horsley, Members of the Legislature, again, my condolences to you and Legislator Lindsay's family.

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

Thank you.

### **MR. PARSONS:**

I'm here to speak on behalf of the Nature Conservancy in strong support of Resolution 1610, I.R. 1610, authorizing the acquisition of land under the New Suffolk Drinking Water Protection Program, open space component, for the Society of Saint Francis American Province, Incorporated, Property, Town of Brookhaven.

*"Dear Legislator Anker, the Nature Conservancy strongly supports the acquisition by Suffolk County and the Town of Brookhaven of over 44 acres in Mount Sinai from the Society of Saint Francis. The two parcels before you are part of a larger assemblage of some 70 acres of land and buildings at the Little Portion Friary site, a quiet sanctuary of woodland, fields and wetlands sloping down from hilltops with over 200 feet of elevation to the waters of Mount Sinai Harbor.*

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*The two parcels which are in contract at this time, totaling 44 acres, are entirely wooded, with walking trails over the hilly terrain, and views out to Mount Sinai Harbor and the Long Island Sound National Estuary. The owners of the property, the Society of Saint Francis, have expressed a willingness to sell their remaining acreage in this assemblage to the State, County or Town as funding becomes available and when and if the friary is closed.*

*In addition to being a scenic woodlands sanctuary along Shore Road in Mount Sinai, which offers lovely walking trails already made available to the public by the Brothers, this site has critically important natural resource value. It is part of the Harbor Hill Moraine, soils and boulders deposited during the last Ice Age some 15,000 years ago. The two parcels before you overlie an important freshwater aquifer with a vertical depth ranging from 200 to 800 feet. The clean freshwater recharged to the ground by this site provides potable freshwater to local residents, and contributes clean freshwater to Mount Sinai Harbor and the larger Long Island Sound Estuary System. The quantity and quality of freshwater recharged at this site is best maintained by a preservation purchase, which leaves the natural forest cover intact, and avoids additional nitrogen loading that comes with residential development.*

*The 2009 New York Open Space Plan includes the Little Portion Friary site in its Mount Sinai Highlands priority protection area. The State plan describes the area as 'hardwood forest in the Mount Sinai Harbor watershed.' The area contains some" --*

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

Mr. Parsons, you're going to have to start wrapping it up. Thank you.

**MR. PARSONS:**

*Okay. "The Nature Conservancy has worked with the Brothers at Little Portion Friary, along with the staff from the State, County and Town, since the summer of 2008 to bring this acquisition before you today. In my first conversation with the Franciscan Brothers who live at the monastery, they expressed the reverence for the natural world that their order is known for, their desire to protect their property in perpetuity for everyone to enjoy."*

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

Please wrap it up. Thank you.

**MR. PARSONS:**

*"And their financial need to fund their monk retirement program. This acquisition is a proposal that allows them to fund the retirement program and protect the land in perpetuity."*

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

Thank you.

**MR. PARSONS:**

Thank you.

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

Bobby Blassingame, and on deck is Virginia Bolla.

**MR. BLASSINGAME:**

Shalom, shalom. I'm Mr. Blassingame, also known as the 16th Unofficial Mayor of Wyandanch. Sorry for the passing of our Presiding Officer. I'm down here to ask the Legislature the same thing --

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

Bobby, you want to -- yeah.

**MR. BLASSINGAME:**

I'm down here to ask the Legislature the same thing I asked the Town of Babylon. As we develop the Hamlet of Wyandanch, we would like them to decide to remove the "weed and seed" signs. These were put in by the Justice Department. That's how -- they have served their purpose at the time, but we're asking that Wyandanch be labeled like any other community, Wyandanch Rising. And that's how -- that we no longer be listed as a red zone.

Wyandanch wants to rise in any other way like any other place, and y'all are doing an excellent job in helping her to rise. By, also, to reach those goals, when businesses come into our hamlet to build, we don't want them to assume that they're building in a red zone or they're building in a weed and seed area up on the Justice Department. We want to be listed like Deer Park, North Babylon, anywhere to get us out of the gate like any other place.

The work has gone on and it's a great work, but also with the great work, when it came up at a meeting, we looked at the -- listed in the red zone. We asked that to be no longer listed, and no longer listed as a weed and seed. These things did serve their purpose and they served a good purpose to Wyandanch, and at the time we really did need them, so -- but now we don't need them no more. Wyandanch is just now looking into the future we know that y'all are looking to there. And we know that the night I stood here and that's how I spoke, the Legislator to be turned to me and he said that's how -- I spoke good. I'm the unofficial Mayor, but I try to speak my best as a Mayor. We are the 16th unofficial, but we do the best to help in this hamlet, and Wyandanch just is moving forward because of great men and women, and one who passed, and I believe he wanted Wyandanch to move forward. And in the history of what he did and what Maxine did, let the history go forward that this hamlet would speak of great things to this body. I want it to shine as just a beacon to show the Legislature what could happen when a community come together and work to build to make it better.

I am not going to stay before you that long, but that's how -- please, as we move the hamlet forward, let these things that get tagged on to us, red zone, weed and seed, no longer can be tagged to us. I thank you again for giving me this much time, and, again, I'm sorry to hear about the passing.

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

Thank you. Bobby, you should be speaking to Mr. Gregory as well. Would you when you get --

**MR. BLASSINGAME:**

I did.

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

Okay, good. Thanks.

**MR. BLASSINGAME:**

I did. I tell him, you know, about it.

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

Thank you. All righty. Virginia Bolla, and on deck is Mary Cascone.

**MS. BOLLA:**

Good evening, Mr. Horsley, and Members of the Legislature. I, too, would like to pass along my condolences on the passing of Legislator Lindsay.

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I'm Virginia Bolla. I'm President of Windcrest Homeowners Association at Smithtown Galleria. I represent 187 homeowners who are very, very anxious to see the conclusion of the County takeover of Sewer District 4. I'm here to support that process to go forward with the public hearing, which is scheduled for October the 8th, with regard to the finalization and formation of Sewer District 4.

We have just received our -- the documents very, very recently and we're still in the process of going through, so we reserve any other comment at this time. Thank you.

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

Thank you very much, Ms. Bolla, and good luck. Mary Cascone. It's good to see, Mary.

**MS. CASCONE:**

My condolences on the loss of Mr. Lindsay.

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

Thank you.

**MS. CASCONE:**

I work for the Town of the Babylon Office of Historic Services, and I'm here in support of I.R. 1695, to advance funding to the Babylon Town Historical Society for restoration of headstones in Conklin Cemetery in Wheatley Heights.

The Colonial Conklin Family cemetery dates back to 1741. The family patriarch, Jacob Conklin, is well known in the early history of the Towns of Babylon and Huntington as a rumored pirate who sailed with Captain Kidd, but later in life as a dedicated public official.

A total of 69 headstones and footstones comprise the half-acre site where 39 persons, spanning six generations, were interred between 1741 and 1892, including two Town of Huntington Supervisors that predate the Revolutionary War, two Revolutionary War soldiers, and Nathaniel and Phoebe Conklin, the mother and son credited with naming Babylon.

For many of the persons interred, these headstones represent the only physical record that they lived and died in our communities. Funding will be used to repair broken stones and stabilize those in potential danger. I have visited the site over the past four years and observed deterioration of the stones.

Without the advancement of funding at this time, the Historical Society cannot undertake this restoration project. The Babylon Town Historical Society formed in 2006 and currently has headquartered in the Van Bourgondien House, a Suffolk County historic property in West Babylon.

The Historical Society operates with a modest budget and realized a profit of less than \$400 last year. The advanced funding will allow the Historical Society to repair, restore and conserve the headstones in this historic cemetery in honor of the past and for our future.

We appreciate the generosity of the Legislature in supporting the grant in the 2013 Operating Budget. We respectfully ask that you -- for your further support to advance funds so that we can bring this restoration project to fruition. Thank you very much for your consideration.

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

Thank you, Mary, and thank you for coming down.

**MS. CASCONE:**

Thank you.

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

All right. That is all the cards that I have in front of me. Would anyone else like to speak? Would anyone else like to speak? Okay. Seeing none, I'll close the Public Hearing -- Public Portion. I'll get a motion by Legislator Cilmi; I'll make the second. All those in favor? Opposed? So moved, it has been closed.

**MS. ORTIZ:**

Thirteen.

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

Would all Legislators please come to the horseshoe? All right.

**MR. LAUBE:**

Twelve. (Not Present: Legislators Anker, Montano, Kennedy, Nowick and Gregory)

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

I would like to turn to Page 6, the Consent Calendar. Motion by Legislator Nowick, seconded by Legislator Stern. All those in favor? Opposed? So moved, the Consent Calendar has been passed.

**MR. LAUBE:**

Fourteen. (Not Present: Legislators Browning, Montano and Kennedy/Vacant Seat: District 8)

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

All right. If you would go to Page 9. It, apparently, is not numbered. It's *Resolutions Tabled to September 12th, 2013*, starting with 1119. Everyone there? Are we all good? Everyone got it? Page 9, unnumbered.

Okay. All right. The first Resolution, *1119 - 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.

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

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. *1307 - A Charter Law adopting and incorporating 2% Property Tax Cap into the County budget process (Cilmi)*. Legislator Cilmi?

**LEG. CILMI:**

Motion to table, please.

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

Motion is to table; seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. *1347 - Directing the Department of Public Works to conduct a traffic study on a portion of County Road 86 (Spencer)*. Doc Spencer? I'm sorry.

**LEG. SPENCER:**

Motion to table.

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

Motion is to table; second by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

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

**LEG. CILMI:**

Motion to approve.

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

Motion is to approve.

**LEG. BARRAGA:**

Second.

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

Second by Legislator Barraga. We have a motion to approve. Are there any other motions?

**LEG. CILMI:**

Mr. Chair, just briefly on the motion. I just wanted to --

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

Sure, on the motion.

**LEG. CILMI:**

I just wanted to thank the Department of Public Works. I'm not sure that there's anybody here from the Department, but I wanted to thank the Department of Public Works and the County Executive's Office for working with me on this bill.

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

It's good to hear. Working together, that's our motto. We have a motion to approve. All those in favor? Opposed? So moved, it has been approved.

**LEG. SCHNEIDERMAN:**

Tim, add me as a cosponsor --

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

**LEG. SCHNEIDERMAN:**

-- as I worked on this with Legislator Cilmi as well.

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

I'm sorry. Jay, would you say that again?

**LEG. SCHNEIDERMAN:**

I said I'd like to be added as a cosponsor.

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

Oh, I'm sorry. Okay, cosponsor.

**LEG. SCHNEIDERMAN:**

I worked with Legislator Cilmi on this.

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

Congratulations to you as well. Okay, we're good?

**MR. LAUBE:**

Yup.

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

*1538 - 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.

**LEG. D'AMARO:**

Second.

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

Motion is by Legislator Spencer, second by Legislator D'Amaro. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

### **BUDGET AND FINANCE**

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

All right. Moving to Page 10, Budget and Finance. *1665 - Amending the 2013 Operating Budget and appropriating funds in connection with bonding for a settlement for medical malpractice case against the County Executive.*

**MR. NOLAN:**

Against the County.

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

I'm sorry, against the --

**(\*Laughter\*)**

Parks are now out for me, I see that. It's been a rough week, guys. Motion's by -- who made the motion?

**MR. NOLAN:**

Calarco.

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

By Legislator Calarco; seconded by? I'll make the second. All those in favor? Opposed?

**LEG. SPENCER:**

Opposed.

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

Okay? Abstentions? It's been approved.

**MR. LAUBE:**

Fifteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

The same -- we have the corresponding bond resolution. Same motion, same second. All those in favor? Roll call vote, rather. I'm sorry.

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

**LEG. CALARCO:**

Yes.

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

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. CILMI:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. SPENCER:**

No.

**MR. LAUBE:**

Fifteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Okay, thanks. All righty. The motion for the bond has been approved.

**ECONOMIC DEVELOPMENT AND ENERGY**

And moving along to Economic Development and Energy.

***1635 - Authorizing the lease agreement with Gibson and Cushman Contracting LLC for use of property at Francis S. Gabreski Airport (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion, I'm sorry, by Legislator Schneiderman, seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. ***1646 - Accepting and appropriating \$100,000 in grant funding from New York State for the Path Through History Heritage Tourism initiative (County Executive).***

**LEG. HAHN:**

Motion.

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

Legislator Hahn makes the motion to approve. Second on the motion?

**LEG. ANKER:**

Second.

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

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. ***1680 - Reappoint Susan Gatti to the Suffolk County Motion Picture/Television Film Commission (County Executive).***

**LEG. STERN:**

Motion.

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

Motion by Legislator Stern, seconded by -- I'll second the motion. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. ***1681 - Reappoint Lenny Stucker to the Suffolk County Motion Picture/Television Film Commission (County Executive).*** Same motion same second, unless someone would like to do that. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. ***1682 - Reappoint Greg Pace to the Suffolk County Motion Picture/Television Film Commission (County Executive).***

**LEG. BARRAGA:**

Motion.

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

Motion by Legislator Barraga, second by Legislator Cilmi. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

***1683 - Reappoint Dylan Skolnick to the Suffolk County Motion Picture/Television Film Commission (County Executive).*** Okay. Same --

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by Legislator Schneiderman, seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

*1684 - Reappoint Robert Beuka to the Suffolk County Motion Picture/Television Film Commission (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by Legislator Schneiderman, seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

*1686 - Reappoint Naomi Hogarty to the Suffolk County Motion Picture/Television Film Commission (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by Legislator Schneiderman, second by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

**LEG. SCHNEIDERMAN:**

Cosponsor.

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

Good? *1687 - Reappointing Campbell Dalglish to the Suffolk County Motion Picture/Television Film Commission (County Executive).*

**LEG. CALARCO:**

Motion.

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

Legislator Calarco makes the motion, second by Legislator Schneiderman. All those in favor?

**LEG. CALARCO:**

Tim, cosponsor.

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

Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. *1688 - Reappointing Steven Taub to the Suffolk County Motion Picture/Television Film Commission (County Executive).*

**LEG. MURATORE:**

Motion.

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

Motion by Legislator Muratore.

**LEG. SCHNEIDERMAN:**

Second.

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

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

*1689 - Reappoint Gregory Schimizzi to the Suffolk County Motion Picture/Television Film Commission (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

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

Legislator Schneiderman makes the motion. All those -- seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

**LEG. SCHNEIDERMAN:**

Cosponsor on that one.

**MR. LAUBE:**

Got it.

**EDUCATION AND INFORMATION TECHNOLOGY**

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

Okay. We're moving to Education and Information Technology.

*1609 - Accepting and appropriating a grant award amendment from the New York State Urban Development Corporation D/B/A Empire State Development for an Entrepreneurial Assistance Program Center 50% reimbursed by State funds at Suffolk County Community College (County Executive).*

**LEG. ANKER:**

Motion.

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

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8).

**ENVIRONMENT, PLANNING & AGRICULTURE**

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

**1232** -- We're on Page 11 -- ***Authorizing the granting of a permanent easement to the Suffolk County Water Authority for the production, distribution and transmission of drinking water on a parcel acquired by the County of Suffolk under the Old Drinking Water Protection Program - (Aldrich Lane, Mattituck New York bearing SCTM No. 1000-125.00-01.00-001.000) (County Executive).***

**LEG. KRUPSKI:**

Motion.

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

Motion by Legislator Krupski, second by Legislator Schneiderman. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8).

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

Thank you. **1553** - ***Authorizing the inclusion of new parcels into existing certified agricultural districts in the County of Suffolk – 2013 and updating annual enrollment period (County Executive).***

**LEG. KRUPSKI:**

Motion.

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

Legislator Krupski makes the motion.

**LEG. HAHN:**

Second.

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

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8).

**LEG. CALARCO:**

Tim, cosponsor.

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

Thank you. **1572** - ***Making a SEQRA determination in connection with the proposed Pedestrian Safety Improvements on CR 10, Elwood Road, in the Town of Huntington(Presiding Officer Lindsay).***

**LEG. SPENCER:**

Motion.

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

Legislator Spencer makes the motion, and second by Legislator D'Amaro. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. **1573 - Making a SEQRA determination in connection with the proposed Improvements To CR 92, Oakwood Road, from Craven Street to NYS Route 110, CP 5576, Town of Huntington (Presiding Officer Lindsay).** Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

Thank you. **1574 - Making a SEQRA determination in connection with the proposed Shoreline Protection at Indian Island County Golf Course Hole No. 5 Bulkhead, CP 7166, in the Town of Riverhead (Presiding Officer Lindsay).** Legislator Krupski makes the motion; seconded by?

**LEG. HAHN:**

*(Raised hand).*

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

Legislator Hahn. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8).

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

Thank you. **1602 - Making a SEQRA determination in connection with the proposed Sewer District No. 6 Kings Park, Sewer Extension, Town of Smithtown (Presiding Officer Lindsay).**

**LEG. KENNEDY:**

Motion.

**LEG. NOWICK:**

Second.

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

Mr. Kennedy makes the motion, seconded by Legislator Nowick. All in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen. (Not Present: Legislator Montano/Vacant Seat: District 8)

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

*1610 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Society of St. Francis, American Province, Inc. Property – The Little Portion Friary - Town of Brookhaven – (SCTM Nos. 0200-067.00-02.00-013.000 and 0200-093.00-01.00-001.006) (County Executive).*

**LEG. ANKER:**

Motion.

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

Motion is by Legislator Anker.

**LEG. HAHN:**

Second.

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

Second by Legislator Hahn. On the motion.

**LEG. CILMI:**

On the motion.

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

Legislator Cilmi.

**LEG. CILMI:**

It looks like this is 4.4 million, roughly, at a County -- and a County investment of 3.3 million, is that?

**MR. NOLAN:**

75/25, yeah.

**LEG. CILMI:**

75/25. Just to -- I guess one of you maybe could help answer this question. Just in the context of our program and the dwindling funds therein, how does -- how do you see this parcel?

**LEG. ANKER:**

Sarah, would you like to come up to the microphone?

**DIRECTOR LANSDALE:**

Sure.

**LEG. CILMI:**

Oh, I didn't see -- I didn't see Sarah here.

**LEG. ANKER:**

I think, Tom, just for your information, I believe it's, I could be wrong, \$100,000 per acre. Now those acres in Mount Sinai by the water are going for probably over \$200,000.

**LEG. CILMI:**

Right.

**LEG. ANKER:**

It's a really good deal. So Sarah will give you more details.

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

Director, I guess we're asking you.

**DIRECTOR LANSDALE:**

Can you repeat the question? I'm sorry, I didn't hear the whole thing.

**LEG. CILMI:**

Sure. This resolution calls for the purchase of some open space. The County's portion of that purchase price is 3.3 or so million, 75% from the County, 25% from the Town. And I'm wondering, in the context of our dwindling resources in terms of the Open Space Preservation Fund, how this fits within that context. It seems like a lot of money. Admittedly a good -- at \$100,000 an acre, probably a good price. But can you speak to us a little bit about what's left in the fund and how this sort of fits into our plans?

**DIRECTOR LANSDALE:**

Sure. The Chairwoman of the EPA Committee, Legislator Hahn, earlier this week asked me to present the status of the funding through the Quarter Percent Water -- Quarter Percent Open Space and Farmland Funding balance sheet, and all of the acquisition resolutions that are before you tonight are accounted for in the information I'm about to give you.

So the opening fund balance is -- as of August 31st, 2013, was approximately 20 million dollars, and then there are several lines. For instance, there's properties in contract that account for approximately 4.4 million, and the resolutions that are before you tonight account -- are factored into that 4.4 million dollar price. And then there's other properties that are -- that have accepted -- accepted offers for about 13.9 million, and then in negotiation for 1.5 million. And then there's parcels that are in the acquisition pipeline for which we don't have a set price yet, and those are six acquisitions.

So the total projected expenditures amount to approximately 19.9 million, leaving an available fund balance of 380,526 dollars. But, again, just to reiterate, these properties, these acquisition properties, this being the first one, 1610, are already reflected in that calculation as properties in contract.

**LEG. CILMI:**

And the -- thank you very much for that information. And the score of this property?

**DIRECTOR LANSDALE:**

So there are two ways of looking at the score. You can look at the entire assemblage area and then the individual parcels. So this -- this acquisition, which is part of a larger assemblage of parcels, rates a 34, and that's what was presented when this parcel was before the Legislature and when the Legislature approved it for planning steps.

**LEG. CILMI:**

Okay.

**DIRECTOR LANSDALE:**

If you take out -- and that was originally for four parcels.

**LEG. CILMI:**

Okay. So this particular parcel among the assemblage scored a 30 --

**DIRECTOR LANSDALE:**

Four.

**LEG. CILMI:**

Thirty-four. What did the entire assemblage score as a grouping?

**DIRECTOR LANSDALE:**

That's -- the entire grouping scored a 34. And then if you --

**LEG. CILMI:**

For the entire grouping? Okay.

**DIRECTOR LANSDALE:**

Yeah.

**LEG. CILMI:**

And what did this particular -- and this particular parcel also scored a 34?

**DIRECTOR LANSDALE:**

No. The two parcels that are for your consideration right now scored an 18. If you take out some of the -- the parcel that is closest to the water, that, you know, that's where points were given for wetlands and other features. But it was the County's decision to pursue these two largest parcels that are wooded and that have the highest development pressure on these parcels. The parcel that's to the north that has wetlands on it already has a conservation easement. So, from a strategic point of view, we support the acquisition of these two parcels that are before you today.

**LEG. CILMI:**

Okay. So -- and the score is out of a possible 100?

**DIRECTOR LANSDALE:**

That's right.

**LEG. CILMI:**

Is it -- it sounds -- I mean, given the description of the parcel, it sounds like it should have scored higher to me. Why did it not?

**DIRECTOR LANSDALE:**

Well, it -- again, it lost some points because of an original parcel that was adjacent to the Mount Sinai Harbor. So it received originally in the 34-point assemblage area, it received points for wetlands, being in the flood zone, for hydric soils, which are wet soils, and --

**LEG. CILMI:**

But even 34 points is relatively low, isn't it?

**DIRECTOR LANSDALE:**

You know, this is a guidepost for the Legislature.

**LEG. CILMI:**

And you said that the property to the north -- so the property to the north you said has a conservation easement on it now.

**DIRECTOR LANSDALE:**

That's right.

**LEG. CILMI:**

So that's not this property.

**DIRECTOR LANSDALE:**

Correct.

**LEG. CILMI:**

It's not part of that assemblage that you were talking about, it's a separate parcel?

**DIRECTOR LANSDALE:**

The parcel to the north that I've been referring to was part of the original -- there were four parcels originally part of the planning steps resolution that was before the Legislature.

**LEG. CILMI:**

Okay.

**DIRECTOR LANSDALE:**

Now this acquisition resolution has just two parcels out of the four that were originally part of the original acquisition -- part of the original resolution.

**LEG. CILMI:**

And what happened to the other two parcels?

**DIRECTOR LANSDALE:**

The County decided to prioritize and pursue the two parcels that had the largest development pressure on them, instead of going for the entire four parcels, because of scarce funding resources.

**LEG. CILMI:**

I'm sorry to belabor this, but it's just -- it's curious to me. So the entire assemblage scored 34. These parcels that we're talking about scored an 18. So the other two parcels that we're not purchasing scored higher than these parcels?

**DIRECTOR LANSDALE:**

When you take all of the parcels together, it scores --

**LEG. CILMI:**

Okay. So, individually, they also may be down in that range.

**DIRECTOR LANSDALE:**

Precisely. Assemblage, when you look at assemblages, which are larger tracts of land, holistically, the score is going to be increased, rather than just looking at a parcel on its own merits.

**LEG. CILMI:**

And can you tell us what is the development pressure on these particular parcels? What are we afraid of?

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

**DIRECTOR LANSDALE:**

The parcels are surrounded by residential development. There's no current structures on these two parcels, so there could be a potential for development.

**LEG. CILMI:**

Are they currently zoned for any type of development?

**DIRECTOR LANSDALE:**

Yes. The property is zoned for A1 Residential.

**LEG. CILMI:**

Okay. And you feel that -- that these are important parcels for Suffolk County given the challenges of the Open Space Fund, monetary challenges of the Open Space Fund.

**DIRECTOR LANSDALE:**

Yes.

**LEG. CILMI:**

Okay. Thank you.

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

All righty. Thank you. Anything further? We have a motion to approve. On that motion to approve, all those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen.

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

Thank you.

**MR. LAUBE:**

Fourteen (Not Present: Legislators Montano, Barraga & Kennedy - Vacant Seat: District #8).

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

***1611-13 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component - for the Country View Properties, Inc. Property - Country View Estates Town of Brookhaven – (SCTM Nos. 0200-290.00-01.00-008.003, 0200-290.00-01.00-013.000 and 0200-290.00-01.00-014.000) (County Executive).***

**LEG. ANKER:**

Motion.

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

Motion by Legislator Anker. Seconded by Brookhaven people?

**LEG. CALARCO:**

Second.

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

Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

*1612-13 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program (1986) – for the Rizzi Property- Mastic/Shirley Conservation Area II Town of Brookhaven – (SCTM Nos. 0209-033.00-07.00-007.000, f/k/a 0200-983.40-07.00-007.000)(County Executive).*

**LEG. BROWNING:**

Motion.

**LEG. HAHN:**

Second.

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

Motion by Legislator Hahn, second -- oh, Legislator Browning, rather. And second by Legislator Hahn. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

*1647-13 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component - for the Mary Lou Manfredi and Richard Manfredi property – Marion Lake Town of Southold - (SCTM Nos. 1000-031.00-07.00-020.001, 1000-031.00-07.00-020.003, 1000-031.00-07.00-020.002 and 1000-031.00-07.00-020.004)(County Executive).*

**LEG. KRUPSKI:**

Motion.

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

Legislator Krupski makes the motion. Second by Legislator Hahn. All those in favor?

**LEG. CILMI:**

On the motion.

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

Oh, hang on one second. On the motion.

**LEG. CILMI:**

So this is a total of \$1,185,000. It looks like it's a number of lots. Could I, through the Chair, ask Ms. Lansdale to join us at the microphone again, if she's still here? I can't see behind there. Hi, Sarah.

**DIRECTOR LANSDALE:**

Hi.

**LEG. CILMI:**

You're with us in terms of where we are on this here?

**DIRECTOR LANSDALE:**

Yep.

**LEG. CILMI:**

What's the -- what was the score on this particular acquisition?

**DIRECTOR LANSDALE:**

Forty-two.

**LEG. CILMI:**

Forty-two. And again, this was included in the -- in-contract, the \$4.4 million in-contract --

**DIRECTOR LANSDALE:**

That's right.

**LEG. CILMI:**

-- amount that you itemized before. Okay, thank you.

**LEG. KRUPSKI:**

On the motion?

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

On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

Yeah, I would just like to add on this parcel that it adds to another preserved parcel to the east and it ends on Marion Lake which is a town-owned underwater land which is a sensitive lake, and it makes for a nice passive trail system for that area.

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

Thank you.

***1648-13 - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) for the Post-Morrow Foundation, Inc. Property – Hamlet Organic Garden Town of Brookhaven – (SCTM No. 0200-974.20-02.00-021.001 p/o) (County Executive).***

**LEG. BROWNING:**

Motion.

**LEG. CALARCO:**

Second.

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

Okay. Motion by Legislator Browning. Second by Legislator Calarco. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

Thank you.

**1655-13 - To appoint member of the Suffolk County Planning Commission (Ramon F. Accettella, Jr.) (County Executive).** I'll make that motion. Is there a second?

**LEG. GREGORY:**

Second.

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1676-13 - 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, Boom Development Corp., Town of Riverhead (SCTM No. 0600-017.00-01.00-001.001) (County Executive).**

**LEG. GREGORY:**

Tim, cosponsor.

**LEG. KRUPSKI:**

Motion.

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

Legislator Krupski makes the motion. Second by Legislator Muratore. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

Thank you.

Page 12, **1677-13 - 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, Szcepankowski, LLC Town of Southold (SCTM No. 1000-068.00-04.00-018.000) (Krupski).**

**LEG. KRUPSKI:**

Motion.

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

Legislator Krupski makes the motion. Second by Legislator Muratore. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**Government Operations, Personnel, Housing & Consumer Protection:**

***1613-13 - Approving the reappointment of Michael S. Towers as a member of the Suffolk County Electrical Licensing Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy. Seconded by?

**LEG. MURATORE:**

*(Raised hand).*

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

Legislator Muratore. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1614-13 - Approving the reappointment of Robert J. Kohlmeyer as a member of the Suffolk County Electrical Licensing Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy, seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1615-13 - Approving the reappointment of Donald J. Fiore as a member of the Suffolk County Electrical Licensing Board (County Executive).***

**LEG. KENNEDY:**

Mr. Chair, that was withdrawn, I believe.

**MR. NOLAN:**

Yes.

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

Okay. I've been advised by everybody that that was withdrawn.

***(\*Laughter\*)***

**LEG. CILMI:**

That was withdrawn, yes.

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

*(Laughter)* Mr. Cilmi just advised me that it was withdrawn.

**1616-13 - Approving the reappointment of Frank DiFazio as a member of the Suffolk County Electrical Licensing Board (County Executive).**

**LEG. KENNEDY:**

Motion.

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1617-13 - Approving the reappointment of Michael Daly as a member of the Suffolk County Electrical Licensing Board (County Executive).**

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy.

**LEG. CALARCO:**

Second.

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1618-13 - Approving the reappointment of Russell J. Calemno --**

**LEG. KENNEDY:**

Motion.

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

**-- as a member of the Suffolk County Electrical Licensing Board (County Executive).**

Legislator Kennedy makes the motion. Second by Legislator Schneiderman. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

**LEG. SCHNEIDERMAN:**

Cosponsor.

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

**1619-13 - Approving the reappointment of Anthony T. Warrenski as a member of the Suffolk County Plumbing Licensing Board (County Executive).**

**LEG. KENNEDY:**

Motion.

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1620-13 - Approving the reappointment of Daniel J. Meehan as a member of the Suffolk County Plumbing Licensing Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy. Is there a second on the motion?

**LEG. MURATORE:**

*(Raised hand).*

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1621-13 - Approving the reappointment of Robert Ruggiero as a member of the Suffolk County Plumbing Licensing Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy. I've got a second by Legislator Muratore. All those in favor?  
Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1622-13 - Approving the reappointment of Mario Mattera as a member of the Suffolk County Plumbing Licensing Board (County Executive).*** Legislator Lynne Nowick makes the motion.

**LEG. MURATORE:**

*(Raised hand).*

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

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

**LEG. SPENCER:**

Cosponsor.

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

Cosponsor over there; did you get it?

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

We're good?

**MR. LAUBE:**

I got the co.

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

Okay. Thank you.

***1623-13 - Approving the reappointment of Christian B. Lister as a member of the Suffolk County Plumbing Licensing Board (County Executive).***

**LEG. CALARCO:**

Motion.

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

Motion by Legislator Calarco. Is there a second on the motion? I'll make the second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1624-13 - Approving the reappointment of Salvatore Escaldi as a member of the Suffolk County Plumbing Licensing Board (County Executive).***

**LEG. CALARCO:**

Same motion.

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

Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1625-13 - Approving the reappointment of Richard M. Leo as a member of the Suffolk County Plumbing Licensing Board (County Executive).***

**LEG. CALARCO:**

Motion.

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

Legislator Calarco makes the motion. Seconded by?

**LEG. GREGORY:**

*(Raised hand).*

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

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

Thank you.

***1626-13 - Approving the reappointment of Robert Ritter as a member of the Suffolk County Home Improvement Contracting Board (County Executive).*** Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

All right, page 13, ***1627-13 - Approving the reappointment of Linda Perlow as a member of the Suffolk County Home Improvement Contracting Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy. Second by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

**LEG. KENNEDY:**

***1628-13 - Approving the reappointment of Angelina M. Marketta as a member of the Suffolk County Home Improvement Contracting Board (County Executive).***

**LEG. KENNEDY:**

Same motion, same second.

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

Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

***1629-13 - Approving the reappointment of William C. Macchione as a member of the Suffolk County Home Improvement Contracting Board (County Executive).*** Same motion, same second; are we good? All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1630-13 - Approving the reappointment of William Garthe as a member of the Suffolk County Home Improvement Contracting Board (County Executive).** All those in favor? Opposed?

**MR. NOLAN:**

Same motion.

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

Oh, same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1631-13 - Approving the reappointment of Robert N. Falk as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).**

**LEG. KENNEDY:**

Go, go.

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

Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

If anyone objects to the motion, just let me know.

**1632-13 - Approving the reappointment of Richard L. Crescenzo as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).** Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (Not Present: Legislator Montano - Vacant Seat: District #8).

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

**1633-13 - Approving the reappointment of Clarence W. Coleman as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).** Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Sixteen (AMENDED VOTE: Seventeen - Vacant Seat: District #8).

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

1634 --

**LEG. HAHN:**

I bet you're glad you're not going to have to say that too many more times (*laughter*).

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

Yeah, really. How often do they meet?

**MR. LAUBE:**

That's 17 on the last one.

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

Okay, thank you.

***1634-13 - To approve the lease of one 1) replacement mini-van in The Suffolk County Department of Labor, Licensing and Consumer Affairs in compliance with Local Law No. 20-2003 (County Executive).***

**LEG. CALARCO:**

Motion.

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

Motion by Legislator Calarco. Second by Legislator Muratore. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

I'm glad these things aren't controversial.

***1649-13 - Approving the appointment of Kevin M. Harvey as a member of the Suffolk County Electrical Licensing Board (County Executive).*** Motion by Legislator Nowick. Second by Legislator Kennedy. I'll also cosponsor that as well. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

**LEG. KENNEDY:**

Tim, you got me on that one?

**LEG. NOWICK:**

Yeah, me, too.

**LEG. GREGORY:**

Me, too.

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

***1650-13 - Approving the appointment of D. Jerry Flaherty as a member of the Suffolk County Electrical Licensing Board (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Motion by Legislator Kennedy. Second by Legislator Calarco. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1651-13 - Approving the appointment of Michael Murtha as a member of the Suffolk County Home Improvement Contracting Board (County Executive).*** Same motion, same second; we're all good?

**LEG. NOWICK:**

Cosponsor.

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

All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1652-13 - Approving the appointment of Sean A. Brennan as a member of the Suffolk County Home Improvement Contracting Board (County Executive).*** Same motion, same second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**MR. NOLAN:**

The next two were tabled in committee, they shouldn't be on the agenda.

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

Okay. I understand that legislation 1653 and 1654 were tabled in committee and will -- should not be on our agenda.

Okay, we're moving to **Parks & Recreation:**

***1569-13 - Authorizing the use of Smith Point County Park, Cathedral Pines County Park, Southaven County Park, and Smith Point Marina by the Long Island 2 Day Walk to Fight Breast Cancer, Inc., for Breast Cancer Walk in 2014 (Browning).*** Legislator Browning.

**LEG. BROWNING:**

Motion.

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

Legislator Browning makes a motion. Second by Legislator Schneiderman. I'll cosponsor that as well. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**LEG. HAHN:**

Tim?

**LEG. ANKER:**

Tim, cosponsor.

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

All right, page 14, *1590-13 - Authorizing use of Smith Point County Park for Mercy Center Ministries 5K Race (Browning)*. Legislator Browning?

**LEG. BROWNING:**

Motion to table.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

*1606-13 - Naming the Pine Barrens Trail Center after Raymond P. Corwin (Krupski)*.

Legislator Krupski, is that one yours?

**LEG. KRUPSKI:**

Motion.

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

Makes the motion --

**LEG. SCHNEIDERMAN:**

Second.

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

Second by Legislator Schneiderman. All those --

**LEG. KRUPSKI:**

On the motion?

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

I got you.

**LEG. KRUPSKI:**

Okay.

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

Yep, I gotcha. Krupski motions, second by Schneiderman. All those in favor?

**LEG. KRUPSKI:**

On the motion.

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

Oh, on the motion. I'm sorry, I thought you were -- I thought I was moving too quick.

**LEG. KRUPSKI:**

You are.

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

On the motion.

**LEG. KRUPSKI:**

Okay. I didn't have the opportunity to know Ray Corwin, but from what I've learned about him, he was instrumental in the protection of the Central Pine Barrens and all of us have benefitted from his experience, his dedication and his hard work.

Ray served on the Board of the Long Island Pine Barrens Society and the Long Island Greenbelt Trails Conference, as well as being a long-standing member of the Suffolk County Parks Commission. He was the first Executive Director of the Central Pine Barrens Joint Planning and Policy Commission. Ray's work included research and field observation, but he also worked with his colleagues in successfully acquiring and preserving many acres of parkland, and he helped create and maintain numerous trails, including the Paumanok Trail which scores of Long Islanders enjoy every year.

I'd also like to acknowledge Mindy Block, Ray's wife, who was not only his partner in life, but shared his passion and is a steward of the Pine Barrens in her own right.

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

Okay. Legislator Schneiderman. Thank you very much, Mr. Krupski.

**LEG. SCHNEIDERMAN:**

I didn't know him well, but I did have the pleasure to meet Ray on several occasions. I think the first time I met him he was on CEQ, years ago, long before I was at the Legislature, and a matter was before CEQ that I was interested in, and then as a Park Trustee.

I can say Ray was not only extremely smart, but just this very dedicated environmentalist. He dedicated his life to protecting the environment and I think this is really a fitting tribute to him and his work for the County and his work for Suffolk -- for the parks in the County.

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

Okay. Thank you very much, Legislator, for those comments. Anybody else? Okay. We have a motion to approve 1606. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1640-13 - Authorizing use of Cupsogue Beach County Park by the American Cancer Society, for the Amazedness Kite Fly Fundraiser (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by Legislator Schneiderman. Second by Legislator Muratore. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

**1695-13 - Advancing funding for the Babylon Town Historical Society (Horsley).** I'll make the motion to approve. Second by Legislator Gregory. All those -- and Legislator Stern, you want a piece of that? Okay, we can have one, all right, we're good. All right. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you, everyone, on that.

**Public Safety:**

There is a discharge petition on this, **1696-13 - Authorizing the Sheriff to issue a Request for Proposal for an independent study of the effectiveness of the County's Alternative to Incarceration Programs (Hahn).** Legislator Hahn?

**LEG. HAHN:**

Motion.

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

Makes a motion. Is there a second on the motion?

**LEG. BROWNING:**

*(Raised hand).*

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

Second by Legislator Browning. Everybody good? On the motion, are we all good?

**LEG. BARRAGA:**

On the motion.

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

Yes, Legislator Barraga.

**LEG. BARRAGA:**

I just have a couple of questions. It's my understanding that this task force is created to advise the Sheriff in developing an RFP with regard to determining the effectiveness of current alternative to incarceration programs in Suffolk County, and maybe the Legislator can be of help to me.

It is my understanding that it's an 11-member task force. It's going to take time to develop the task force and put them together, and I'm sure they're going to meet several times with regard to making recommendations to the Sheriff. And once that's done, the entity that's awarded the contract, as I understand the bill, has up to 270 days to complete the study. So we can be realistically calling for about a one-year study, between the task force being formed, making their

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recommendations, the contract being awarded, and it could take up to nine months before they actually come in with their recommendations. That's about right, right? It is. Say yes, it's really -- realistically it's right.

**LEG. HAHN:**

*(Nodded head yes).*

**LEG. BARRAGA:**

Okay. The only question I have, Legislator, is this: I want to make sure that this particular piece of legislation is not in conflict with the possibility of another RFP going out indicating interest in the former nursing home, the Foley Nursing Home and the property. So for example, when you take a look at this study, there is the feasibility that some of the recommendations with reference to these alternative to incarceration programs could have to do with utilizing the John J. Foley Nursing Home, that building and that property. I just want to make sure it's clear that if an RFP goes out separate and requests interest in the building and property formerly known as the Foley Nursing Home, and a corporation, say, comes in in five or six months and they want to buy it, they want to give us 23 or 25 million, I don't really want to hear that -- from members that we cannot do anything with reference to that sale because this study is ongoing and we should wait.

**LEG. HAHN:**

No, no, no. This -- the purpose of this is to look at the programs that we already have, alternatives to incarceration, to keep individuals out of the jail system so that we don't have to pay for them to be in the jail system. And so I can't imagine how there would be any kind of conflict between --

**LEG. BARRAGA:**

So this particular proposal has nothing to do with the John J. Foley Nursing Home. For example, I recently read --

**LEG. HAHN:**

Not at all.

**LEG. BARRAGA:**

-- where Legislator Browning met with the Sheriff, they were taking a look at the buildings, I think I heard the terms "alternatives to incarceration" coming up in the conversation; this has nothing to do, this particular legislation has nothing to do with that?

**LEG. HAHN:**

No, the intent of this legislation has nothing to do with that. But Kate is a cosponsor and I think she can better tell you about her meetings with the Sheriff.

**LEG. BROWNING:**

Well --

**LEG. HAHN:**

Oh, yeah. Well, that was -- what about the John J -- he's asking about your meeting with him about the John J. Foley.

**LEG. BROWNING:**

Okay. No, no, this is -- we had a separate meeting with the Sheriff, Probation, I know Patrice is here, and basically there are programs that exist right now. And the Sheriff, I believe, is using funding out of his department, I believe Asset Forfeiture money, to pay for this study --

**LEG. BARRAGA:**

Right.

**LEG. BROWNING:**

-- to look at the programs that currently exist to say are they working, because clearly, look at the problems we have. So we want to make sure that whatever programs exist, are they working and should we be continuing those programs? And if they're not working, then what else should we be doing?

**LEG. BARRAGA:**

Would he also be recommending a change of location for certain programs?

**LEG. BROWNING:**

No, no, no, that's -- no, no, this has nothing to do with facilities. This is programs for -- you know, I don't know if, Patrice, if you would be able to explain some of the stuff, too. But this is absolutely nothing to do with the nursing home or anything in relation to the other bill that I have. You know, Patrice can probably explain some of the programs that exist.

**LEG. BARRAGA:**

No, I'll take -- that's okay. No, you really don't have to.

**LEG. BROWNING:**

Okay.

**LEG. BARRAGA:**

As long as there's no relationship between the two.

**LEG. BROWNING:**

Absolutely none.

**LEG. BARRAGA:**

All right. Thank you.

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

Okay, we have a motion to approve. Are there any -- anyone else on the motion? Okay. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**LEG. HAHN:**

I would like to thank Sheriff DeMarco for his willingness to use the Asset Forfeiture Funds and for all his work on this issue.

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

That's great, thank you. Legislator Barraga, would you mind if I go to school on your technique; "*Just say yes*" (*laughter*). I like that. I'll use that next time.

**LEG. BARRAGA:**

The time frame was right (*laughter*).

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

Thank you.

**Public Works and Transportation:**

**1472-13 - Adopting Local Law No. -2013, A Local Law to amend Local Law No. 26-2004 to further reduce light pollution from County-owned facilities (Schneiderman).** Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion to approve.

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

Makes a motion to approve. Is there a second on the motion?

Is there a second on the motion?

**LEG. HAHN:**

Second.

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

Second by Legislator Hahn.

**LEG. SCHNEIDERMAN:**

Thank you.

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

Okay, Legislator Hahn makes the second.

**LEG. CILMI:**

On the motion.

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

We have a motion to approve. On the motion, Legislator Cilmi.

**LEG. CILMI:**

Just a brief explanation from either the sponsor or Counsel?

**LEG. SCHNEIDERMAN:**

You'll probably wish you didn't ask, but. You know, years ago we passed a law, a lighting law for the County that required fully shielded lights, basically to eliminate the glare into the skies and focus the light where it needs to be. This is an amendment to that law, it deals with what's called the correlated color temperature of light. It has to do with how much blue is actually in the light. Apparently blue is a problem particularly for senior citizens, because the glare can be blinding at night as the eye ages, so it puts a threshold at 3500 for these new LED bulbs and it lowers that within two years to 3000 kelvin for that temperature. And I've worked with DPW extensively on this bill and they're on board with it. There is exemptions within it, the Commissioner can waive it for public safety if he feels there's concerns. There's no associated costs, it just prevents, basically, too much blue in the light from blinding particularly senior citizens.

**LEG. CILMI:**

So before I get into the merits --

**LEG. BARRAGA:**

*(Inaudible)*.

**LEG. CILMI:**

Jay, does this require us to retrofit or to change any of our current fixtures, or do we just change the bulbs as they need to be changed?

**LEG. SCHNEIDERMAN:**

Yeah, it doesn't make us go tear down anything that's currently there. As new fixtures go up, they would have to meet the standard. And yes, as bulbs burn out and they're replaced, they would meet the standard as well.

**LEG. CILMI:**

So the fixtures that we currently have will accept these different bulbs, it's just a matter of using different bulbs?

**LEG. SCHNEIDERMAN:**

No, there's different types of light.

**LEG. CILMI:**

Or are they different fixtures that we have to --

**LEG. SCHNEIDERMAN:**

There's high pressure sodium and metal halide bulbs, there's all kinds of bulbs, but they meet those standards already in terms of blueness. It's really just the LED's that are a problem with the extent of blue light and that wavelength, that blue wavelength. And there aren't too many that are above this threshold now, and this bill doesn't require you to take them out, but when they do burn out they will have to be replaced with the lower --

**LEG. CILMI:**

Okay. So just to reiterate my question, then, the fixtures themselves don't have to be -- I understand that nothing has to be changed right now, but when a bulb burns out and we want to change it to one of these types of bulbs, we don't have to change the fixture at all, it just requires use to use a different bulb; correct?

**LEG. SCHNEIDERMAN:**

Commissioner? Yes, that's correct. If it's a metal halide, it's not going to fit a LED bulb. It's going to -- but that metal halide already meets these standards, so it can just be replaced by a metal halide.

**LEG. CILMI:**

Okay. Now on to the other question, which I feel is significant. There have been -- some of the towns in the County have passed legislation and changed the policy in terms of using lights that are more environmentally friendly, that emit less light pollution. And we've gotten actually quite a number of complaints in our office that the new lights that they're using are too dim and people are concerned about their safety. So I recognize that you said that the Commissioner can waive this in the event he believes that there's a public safety issue, but, Commissioner, have you considered that in supporting and working with Legislator Schneiderman on this legislation?

**COMMISSIONER ANDERSON:**

Well, the legislation is specific only to County -- non-roadway areas, so it would be parking lots, things like that.

**LEG. CILMI:**

But I would assume some employees come out of our -- you know, come out of our County facilities at night and they're walking to their cars alone.

**COMMISSIONER ANDERSON:**

Right.

**LEG. CILMI:**

We want to make sure that those parking lots are well lit --

**COMMISSIONER ANDERSON:**

Correct.

**LEG. CILMI:**

-- to provide for the most public safety for those employees.

**COMMISSIONER ANDERSON:**

Right, and this legislation basically provides the best light without impacting the dark skies, you know, that legislation that's prompting a lot of the towns to do what they're doing, as you described. So I know my staff felt very comfortable, after discussing it with Joe Schroeder and the Legislator, that they were comfortable with this legislation. That the LED is actually -- the LED program, if you will, is actually moving towards this, and that within two years we may even be able to reduce that blue light limit that this legislation is reducing. So yes, we do keep public safety as a paramount for us and we do look at that.

**LEG. CILMI:**

So if we begin to get complaints from employees that the parking lots are too dark, you'll be able to address that, despite this legislation.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. SCHNEIDERMAN:**

So Tom, could I just add? And I think you're thinking more of wattage in terms of brightness, because --

**LEG. CILMI:**

I don't know. I mean, brightest --

**LEG. SCHNEIDERMAN:**

This doesn't address the brightness of the light, it's just the amount of blue, the extent of blue in the light. So these lights are quite bright, but they're not as blue, that's all.

**LEG. CILMI:**

*(Laughter)*.

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

*(Inaudible)*.

**LEG. CILMI:**

I mean, the color of the light definitely impacts how bright the light is. The brightness is not solely a function of the wattage. So I understand what you're saying, though.

**LEG. SCHNEIDERMAN:**

Like the sodium lights are very yellow, right?

**LEG. CILMI:**

Uh-huh.

**LEG. SCHNEIDERMAN:**

They appear yellow, sulfury in color, but they're very bright. White lights, this is just that blue portion of the wavelength.

**LEG. CILMI:**

And what's the point?

**LEG. SCHNEIDERMAN:**

Again, so it's as eyes age, it can be really -- it could be blinding to people driving down the road, seeing these lights that are so high into this blue, like that 4000 kelvin blue color temperature.

**LEG. CILMI:**

They must use that blue with the red light camera flashes.

*(\*Laughter\*)*

All right, thank you.

**LEG. SCHNEIDERMAN:**

This is blue light, not red light.

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

Legislator Krupski.

**LEG. KRUPSKI:**

I have a question for the Commissioner. You said there's a waiver provision in this law.

**COMMISSIONER ANDERSON:**

There is. Actually in the original law there was a waiver that the Commissioner, if for public safety reasons or any other reason, can override this, but he does have to file, I believe, a findings with the Legislature. So if we have an issue --

**LEG. KRUPSKI:**

So if you want to change a light bulb, you have to file a report with us and --

**COMMISSIONER ANDERSON:**

No, only if --

**LEG. KRUPSKI:**

Only if it's a blue light bulb.

**COMMISSIONER ANDERSON:**

It's a blue light bulb and there's a reason that we feel that it needs to be -- you know, the legislation needs to be overridden.

**LEG. KRUPSKI:**

My concern is doesn't it become such an arduous paperwork process if you find -- in fact, find something that's a safety concern, then it becomes, well, you can't file anything for a while, or it becomes a time sensitive issue where you can't make a correction in a timely manner.

**COMMISSIONER ANDERSON:**

No. I think, again, this is really more addressing an upgrade or if there's an LED section, you know, of a parking lot, we would come in and do what we have -- my -- the matter of the finding, my staff would basically just advise me, I would advise the Legislature, it could be something as simple as a one-paragraph memo that just goes into a file somewhere, so that in case of the future we have that and we can refer to it.

**LEG. KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

You're welcome.

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

Okay? Legislator Spencer.

**LEG. SPENCER:**

I have two questions. The replacement bulbs, to achieve this, are they more expensive?

**COMMISSIONER ANDERSON:**

I believe they are. I believe they are.

**LEG. SPENCER:**

How much more expensive and how many do we typically replace? So what would the budget impact be in terms of just the replacement cost of the upgraded bulb?

**COMMISSIONER ANDERSON:**

Well, I mean, as -- again, you would have to do a comparison of the energy savings compared to the, you know, replacement. Something we would do as far as part of a cost benefit analysis of any type of project we would do. I don't know the figures, I can get them for you, but, again, I would say my staff who would be concerned with that, you know, we're comfortable with this legislation. We are, in fact, putting LED's in various parking lots as we, you know, retrofit or rehabilitate the parking lots, but I can't really give you the information that you're asking.

**LEG. SCHNEIDERMAN:**

Doc, these have really long lives in general, these LED bulbs.

**COMMISSIONER ANDERSON:**

Right.

**LEG. SCHNEIDERMAN:**

You know, in some cases LED may be more expensive than conventional bulbs.

**COMMISSIONER ANDERSON:**

Well, and I would state that, you know, my staff, the technical guys are telling me that the cost is going to go down as the LED industry ramps up, you know, production, and certainly in these types of lights. So they were confident that the price would reduce within a year or two, so we should see some substantial reductions in those costs, but I don't know the actual cost.

**LEG. SPENCER:**

Jay, my question for you, just the statement that having less of this particular hue of light, it's better for eye strain. Is that information coming from scientific data, ophthalmology, or where is that -- you know, I just --

**LEG. SCHNEIDERMAN:**

I wish you were there at the committee (*laughter*), and with your skill as a physician. The advocates, you know, the literature I've read has mentioned this, but it also mentions other things, circadian rhythms and all kinds of physiological impacts of blue light on both human and wildlife. So, you know, I'm not an expert in that area, Doc; I thought maybe you would know more about that in terms of eye strain. But at least the people who advocated for this, they strongly brought that point forward.

**LEG. SPENCER:**

I get it. I know that when you're talking about circadian rhythms and a light cycle in terms of sleep, awake, makes -- that's very important. But as far as the strain side of things, that's where I was a little less. I hadn't really come across that. And I guess what I wonder is -- and again, my tendency is to support this, it sounds like something that's reasonable. But the advocates for it, were they coming with anecdotal evidence or were they coming with strong -- were there scientists that were presenting, you know, researched, documented information?

**LEG. SCHNEIDERMAN:**

There was a number of pieces of literature that was distributed to the committee. And in terms of the circadian rhythm, although I don't understand it, apparently the blue light and the morning light is what causes us to feel that sense of awakesness. And with that blue at night, I guess it throws off our ability to go to sleep at night. Something that -- do you know what I'm talking about? Something to that effect.

**LEG. SPENCER:**

I do. I do.

**LEG. SCHNEIDERMAN:**

Okay.

**LEG. SPENCER:**

Okay. Thank you.

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

Okay. Anyone else? We have a motion to approve. We're good? All those in favor? Opposed? So moved, it has been approved.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

All right.

***1593-13 - Appropriating funds in connection with Replacement/Clean-Up of Fossil Fuel, Toxic and Hazardous Material Storage Tanks(CP 1706)(County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by -- who was that, Schneiderman? And seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

On the pending Bond Resolution, motion to --

**MR. NOLAN:**

Same motion.

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

Same motion, same second on the pending Bond Resolution *(1593A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance \$100,000 Bonds to finance the cost of replacement/clean-up of fossil fuel, toxic and hazardous material storage tanks (CP 1706.332), roll call vote.*

*(\*Roll Called by Ms. Ortiz - Chief Deputy Clerk of the Legislature\*)*

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. MONTANO:**

Uh-huh.

**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.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

All right, thank you.

***1594-13 - Appropriating funds in connection with Installation of Fire, Security and Emergency Systems at County Facilities (CP 1710) (County Executive).*** How are we doing on that one?

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion by Legislator Schneiderman. Seconded by Legislator Krupski. All those in favor? Opposed? So moved.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Same motion, same second on the pending Bond Resolution ***(1594A, Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$407,043 bonds to finance the cost of installation of fire, security and emergency systems at County facilities (CP 1710.116 and 324),*** roll call vote.

***(\*Roll Called by Ms. Ortiz - Chief Deputy Clerk of the Legislature\*)***

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**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.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1595-13 - Appropriating funds in connection with Reconstruction of Culverts (CP 5371) (County Executive).***

**LEG. KRUPSKI:**

Motion.

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

Motion by Legislator Krupski. Seconded by Legislator Gregory. All those in favor? Opposed?  
So moved.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you. Same motion, same second on the pending Bond Resolution *(1595A, Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$575,000 bonds to finance the cost of reconstruction of culverts (CP 5371.113 and 5371.321),* roll call vote.

*(\*Roll Called by Ms. Ortiz - Chief Deputy Clerk of the Legislature\*)*

**LEG. KRUPSKI:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**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. D'AMARO:**

Yes.

**LEG. SPENCER:**

Yes.

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

Yes.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1656-13 - Appropriating funds in connection with Fuel Management/Preventive Maintenance and Parts Inventory Control System (CP 1616)(County Executive).*** Do I have a motion? Motion? I'll make the motion. Second by Legislator Hahn. All those in favor? Opposed? So moved.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

Same motion, same second on the pending Bond Resolution ***(1656A, Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$250,000 bonds to finance the cost of fuel management/preventative maintenance and parts inventory control system (CP 1616.314)***, roll call vote.

***(\*Roll Called by Ms. Ortiz - Chief Deputy Clerk of the Legislature\*)***

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

Yes.

**LEG. HAHN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

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.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1657-13 - Appropriating funds in connection with Installation of Guide Rail and Safety Upgrades at Various Locations (CP 5180)(County Executive).*** Motion on this?

**LEG. CALARCO:**

Motion.

**LEG. KRUPSKI:**

Motion.

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

Motion by Legislator Calarco. Second by Legislator Muratore. All those in favor? Opposed?  
So moved.

Same motion same second.

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**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

On the pending Bond Resolution *(1657A, Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$225,000 bonds to finance the cost of construction in connection with installation of guide rail and safety upgrades at various locations (CP 5180.349)*, roll call vote.

*(\*Roll Called by Ms. Ortiz - Chief Deputy Clerk of the Legislature\*)*

**LEG. CALARCO:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. ANKER:**

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.

**MS. ORTIZ:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

*1658-13 - A resolution making certain Findings and Determinations in relation to the establishment of Suffolk County Sewer District No. 24 - Gabreski-Municipal (County Executive).* Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Motion.

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

Makes a motion. I'll second the motion. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

*1659-13 - A resolution making certain Findings and Determinations in relation to the establishment of Suffolk County Sewer District No. 16 - Yaphank-Municipal (County Executive).* Legislator Browning, you want that one?

**LEG. BROWNING:**

I guess. Go ahead.

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

Okay; she guesses, okay. Seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

We're on page 15, **1661-13 - Authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for intersection improvements on CR 80, Montauk Highway at CR 31, Old Riverhead Road, Town of Southampton, Suffolk County, New York (CP 5569)(County Executive).** Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion.

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

Makes the motion. Is there a second on the motion?

**LEG. MURATORE:**

*(Raised hand).*

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

Legislator Muratore makes the second. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

**1662-13 - A resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 12 - Birchwood/Holbrook (CP 8143)(County Executive).**

**LEG. MURATORE:**

Motion.

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

Makes the motion, Legislator Muratore. Second on the motion?

**LEG. ANKER:**

*(Raised hand).*

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

**1663-13 - A resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 9 - College Park (CP 8163)(County Executive).**

**LEG. MURATORE:**

Motion.

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

Makes the motion -- Legislator Muratore makes the motion, I'll make the second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1664-13 - Amending the 2013 Capital Budget and Program and accepting and appropriating 100% New York State Department of Transportation SDF Funds for the purchase of New Hybrid Electric Transit Buses for the Suffolk County Transit Bus System (CP 5658) (County Executive).***

**LEG. ANKER:**

*(Raised hand).*

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

Legislator Anker would like to make that motion. Legislator Schneiderman will make the second. All those in favor? Transit buses, Jay. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1666-13 - Calling for a public hearing upon a proposal to form Suffolk County Sewer District No. 4 - Smithtown Galleria (County Executive).***

**LEG. KENNEDY:**

Motion.

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

Legislator Kennedy makes the motion. Seconded by Legislator Nowick. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1673-13 - Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 - Southwest with 1513 Straight Path Wyandanch (BA-1477.1-004) (County Executive).***

Legislator Gregory makes the motion. I'll second the motion. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Okay. *Ways & Means:*

***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).***

**LEG. D'AMARO:**

Motion.

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

Motion by Legislator D'Amaro. Is there a second on the motion?

**LEG. CALARCO:**

Second.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1575-13 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Anthony J. Frazzitta and Teresa Frazzitta, his wife (SCTM No. 0800-027.00-07.00-004.003)(County Executive).***

**LEG. D'AMARO:**

Motion.

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

Motion -- I'm sorry, who? Legislator D'Amaro makes the motion. Seconded by? I'll make the second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

***1576-13 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Stephen Panzini and Cheryl Panzini, husband and wife (SCTM No. 0800-099.00-01.00-027.000)(County Executive).***

**LEG. D'AMARO:**

Motion.

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

Motion -- I'm sorry, who said that; you said that, Lou? Okay, second by -- motion by Lou D'Amaro. Seconded by Legislator Calarco. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

**1577-13 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Marc Helie (SCTM No. 0300-152.00-02.00-022.000) (County Executive).**

**LEG. D'AMARO:**

I'll offer a motion. This is budget mitigation at its best, this particular parcel. This was a --

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

Okay.

**LEG. D'AMARO:**

-- small strip of property.

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

Oh, yes *(laughter)*.

**LEG. D'AMARO:**

One-foot wide.

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

The one-foot wide property.

**LEG. D'AMARO:**

But provided some beach access and it was appraised for \$10 and sold at auction for 120,000.

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

That is, as you say, budget mitigation at its best.

**LEG. D'AMARO:**

It probably holds the record for rate of return on our auctions.

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

*(Laughter)*.

**LEG. D'AMARO:**

And certainly, when it comes to real estate, location is everything.

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

Location, location, location.

**LEG. D'AMARO:**

Location, location, location. So, I'll offer a motion to approve.

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

There's a motion to approve. Is that second by Legislator Schneiderman; are we all set over there? You're good?

**LEG. SCHNEIDERMAN:**

No, I'm not going to second.

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

Oh, you don't have to if you don't want to.

**LEG. KRUPSKI:**

*(Raised hand).*

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

Okay, Legislator Krupski seconds it. Hey, show me the money. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Okay, ***1578-13 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert C. McGowin, as Trustee of the Robert C. McGowin Living Trust (50%); Teresa E. McGowin, as Trustee of the Teresa E. McGowin Living Trust (50%) (SCTM No. 0900-077.00-02.00-052.000) (County Executive).*** Do I have a motion.

**LEG. D'AMARO:**

Motion.

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

I'm sorry; who said that?

**LEG. D'AMARO:**

*(Raised hand).*

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

Legislator D'Amaro makes the motion. Second by Legislator Stern. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1581-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Bernadette Parks (SCTM No. 0200-479.00-03.00-011.000) (County Executive).*** Legislator D'Amaro, you want to clean sweep this?

**LEG. D'AMARO:**

This is 1596?

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

No, 1581.

**LEG. D'AMARO:**

Oh, I'm sorry, 1581. Motion.

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

Motion. Seconded by? I'll make the second. All those in favor? Opposed?

**LEG. CALARCO:**

Opposed.

**LEG. BROWNING:**

Opposed.

**MR. LAUBE:**

Fifteen (Vacant Seat: District #8).

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

Fifteen? Okay.

***1596-13 - Authorizing feasibility study for the use of the Foley Facility, Yaphank (Browning).*** Legislator Browning?

**LEG. BROWNING:**

Motion to approve.

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

Makes the motion to approve.

**LEG. D'AMARO:**

I'll second.

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

Seconded by Legislator D'Amaro.

**LEG. BARRAGA:**

On the resolution.

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

On the resolution, Legislator Barraga.

**LEG. BARRAGA:**

Legislator Browning, again, would this hold up any potential sale of the Foley Nursing Home property and building?

**LEG. BROWNING:**

The bill that -- I actually, I amended the bill as it was written. Legislator Gregory's resolution to do the RFP for the sale or lease is still in place. I visited the nursing home with the Sheriff, as you know, that we're being mandated to build Phase II. I'm always going to be clear, I don't support the sale or anything of this building; however, it's empty.

We have been mandated by the State to build a Phase II, so the Sheriff visited the building with me. He would like to have it looked at for consideration for retrofit for his Phase II program. He has a lot of programs inside the jail, especially for the 16-20 year-olds, which is growing. And he has some other ideas that he thinks that this building would be useful, and I say, well, why would we credit card building a \$150 million Phase II if we could save money and not have to bond as much if we were able to use this building.

**LEG. BARRAGA:**

I certainly understand that. I guess my question is as he's doing his study --

**LEG. BROWNING:**

Nope, that's not --

**LEG. BARRAGA:**

As he is evaluating whatever programs might be applicable, if in the interim someone comes along and wants to purchase that building and land --

**LEG. BROWNING:**

That will be up to us.

**LEG. BARRAGA:**

But there's nothing that would stop that purchase from going forward? This study -- would we have members saying, *"Well, look, you know, we shouldn't do anything on this potential sale because this study is still ongoing"*.

**LEG. BROWNING:**

Well, the engineers -- and I know Gil's here. But the engineers and the architects will look at it and decide whether it is feasible for us to retrofit the building. And the Commissioner of Corrections is coming on the 18 and 19th, he'll be taking a tour of the facility also to make his recommendations as to what he would require. The Sheriff said that he would not necessarily say we can't do it, but he would make his recommendations on the type of staffing that would be needed.

**LEG. BARRAGA:**

Is there a timeframe on his recommendations?

**LEG. BROWNING:**

I believe 120-days, right?

**MR. NOLAN:**

For this resolution, yes.

**LEG. BROWNING:**

I believe it's 120.

**LEG. BARRAGA:**

So within 120 days he has to come in and make recommendations with reference to whether or not this former nursing home has feasibility as far as some of the programs that he --

**LEG. BROWNING:**

For the Phase II. It's right next to the Yaphank Jail. So if we're going to build a Phase II and we can save money and not have to bond building a Phase II to the extent that we are going to be bonding, it kind of makes sense.

**LEG. BARRAGA:**

All right. Because the 120-day limitation, I really don't see anybody coming up on a separate track here wanting to actually purchase the building and the property within that timeframe.

**LEG. BROWNING:**

And I don't believe -- the RFP, has it gone out yet?

**MR. VAUGHN:**

The RFP is set to go out within a couple of days. So no, the RFP has not gone out yet. And we -- you know, as I told the Legislator earlier today, we do -- now that the bill has been amended and

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these are dual tracks and one is not contingent upon the other. For example, the completion of the study is not contingent upon whether or not we are able to bring forward a resolution, if such a resolution were to exist in the future or within that 120 days. We're now fine with the bill.

**LEG. BARRAGA:**

Okay. All right, I'm fine.

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

Legislator Cilmi.

**LEG. CILMI:**

Thank you, Mr. Chairman. Through the Chair to, I guess, Mr. Vaughn, or whomever else might be able to answer. What would -- is there a cost -- other than my two favorite words, "opportunity cost", is there a cost associated with this study?

**LEG. BROWNING:**

Well, I know we approved funding for -- maybe Gil would be the one who could answer, but I know that we had approved the funding for the planning for the Phase II. And Gil, if you could give him -- I know we had the conversation about the architect and the engineers, that you don't necessarily need to do an RFP, am I correct, for the architect or engineer to go look at the building? I mean, can --

**COMMISSIONER ANDERSON:**

Well, yeah. The -- sorry. This resolution, I believe, directs the department to look at the feasibility of it. We would basically develop costs for -- and again, I'm just going to shoot in the dark here. The first, second -- or first two or three floors would be some type of jail facility, the upper floors would become administrative.

**LEG. CILMI:**

But this resolution --

**COMMISSIONER ANDERSON:**

Has no cost to it, I don't believe.

**LEG. CILMI:**

Has no cost to it other than the opportunity cost of you guys looking at it.

**COMMISSIONER ANDERSON:**

Correct. Correct. If we had to rely on some of our consultants, as I think the Legislator was kind of alluding to, we could take advantage of their expertise as well to help us out, and it would be no extra cost to the County.

**LEG. CILMI:**

Right. So I read a letter that came across, and I forget who it was that sent the letter over to us through e-mail from the Commission of Corrections, about -- about the possibility of utilizing that facility.

**LEG. BROWNING:**

Yeah, that was a conversation, I guess, between -- Tom, you mentioned -- you read that at the committee meeting and that was between Fred Pollert and the Commissioner of Corrections.

**LEG. CILMI:**

Right.

**LEG. BROWNING:**

And, you know, I did say it, I think that the Sheriff should also be a part of that conversation. The Commission of Corrections, according to the Sheriff, said that he will not necessarily say, "*No, you can't use the building.*" What he would do is basically say what his recommendations would be if we use the building as far as staffing is concerned.

**LEG. CILMI:**

Yeah, he seemed to suggest in that letter that it would be grossly inefficient to use the building as part of our jail facilities, but if he's -- and you said somebody from the Commission of Corrections is coming down.

**LEG. BROWNING:**

They're coming on the 18th and I believe we'll be going on the morning of the 19th, he's going to take a tour of the building.

**LEG. CILMI:**

All right. As long as that's the case and that our Sheriff is willing to participate in that and there's no cost associated with exploring the option. I think it's a good idea to look at it, sure.

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

Legislator Anker.

**LEG. ANKER:**

I have a question regarding the actual, I guess, overview of evaluating the building. Are you considering a rehabilitation portion of the building, you know, to be used for as part of maybe a drug rehab center?

**LEG. BROWNING:**

We're basically going to look at it -- the initial conversation was Phase II, and the Sheriff has rehabilitation programs within the jail and inside Riverhead. And, you know, he has talked about other things like the Weekenders Program where people who will be sentenced to 30-days in jail, if they have a job, instead of making them spend a full 30-days and lose their job, they do it in other states and other places where you do a weekend in jail and, you know, he said that's pretty minimum security where people sign themselves in on Friday, sign themselves out on Sunday, and he's looking at a lot of ideas to reduce the number of beds that he's going to need in his jail.

**LEG. ANKER:**

You know, my constituents have been writing a number of letters, especially in the past couple of weeks, there was a Newsday article, you know, suggesting, you know, to create some type of rehabilitation center there, you know, as part of maybe your plan. But what happens, I guess, with addiction -- and it's just a huge issue everywhere, throughout the country -- is that we need more long-term care, and this could be, you know, a place that may provide that. The hospitals are closing down, we have psychiatric centers closing down, you know, and it's -- a lot has to do with our kids, but there's just people in general need long-term rehabilitation for addiction. So, I don't know, Kate, do you have some ideas as far as how that might be able to --

**LEG. BROWNING:**

Well, everything is open for discussion. But, you know, when, you know, you talk to the Sheriff and you look at the population that's in the jail right now, the majority of them, probably more than 80%, it's through drug or alcohol addictions. So, again, if this is something that can work for Phase II, then that's what we should be looking at, especially if it's going to save us and we don't have to kick the can down the road and bond out a massive mandate.

**LEG. ANKER:**

All right. Thank you.

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

Okay. Anybody else? We're all good? We have a motion to approve. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen Vacant Seat: District #8).

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

Good luck with that, Kate.

All right, we have five minutes. You want to pull out the vanilla folder?

**LEG. CILMI:**

Manilla.

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

Manilla; that's what I meant.

(\*Laughter\*)

Oh, boy. It's been a long week.

Okay. Okay, the first one we have is Introductory Bond Resolution, a Resolution of the County of Suffolk -- everyone with me, manilla? We're good?

**MR. NOLAN:**

1600A.

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

1600A, right. *1600A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,450,000 --*

**MR. NOLAN:**

They don't want to vote on it.

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

What do you mean they don't want to vote on it?

**MR. NOLAN:**

They do not want to vote on it.

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

We're just going to -- Mr. Vaughn, you want to comment on this?

**MR. VAUGHN:**

We'll pass on this, please (*laughter*). Not vote on it, not inch back into the discussion on Microsoft again. It's a Bond for Microsoft, we really don't feel like engaging in the conversation on Microsoft tonight, if it's okay with the Legislature.

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

You got it, buddy. It's your manilla folder.

Okay, moving to motion ***No. 14, Procedural Resolution, Apportioning Mortgage Tax By: County Treasurer (Presiding Officer Lindsay).***

**LEG. SCHNEIDERMAN:**

Motion.

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

Motion to approve by Legislator Schneiderman. Seconded by -- Legislator Nowick, you're good on this? All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

I just did that because you were a former tax person.

Okay, ***Home Rule No.10, Requesting the State of New York to amend the Retirement and Social Security Law, in relation to performance of duty disability retirement of Suffolk County Probation Officers (Presiding Officer Lindsay).***

**LEG. KENNEDY:**

Motion.

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

Motion by --

**LEG. HAHN:**

On the motion.

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

Legislator Kennedy I think I heard first, Legislator Muratore second, seconds the motion. On the motion?

**LEG. HAHN:**

Can I get an explanation from Counsel?

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

You may.

**LEG. HAHN:**

Thank you.

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

George?

**MR. NOLAN:**

Sure. This law would increase the performance of duty disability requirement allowance for Probation Officers to one-half of their final average salary. Right now it's one-third of their final average salary, so this change would increase that if they were injured in the line of duty and were disabled from working.

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**LEG. KENNEDY:**

Through the Chair? If I can add to what Counsel is sharing with us.

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

Add away.

**LEG. KENNEDY:**

Only that the current line of duty disability retirement that a Probation Officer receives is the same disability retirement benefit you or I or any other civilian would get. Yet, as we all know, the Probation Officers are going into armed and dangerous situations and this has -- they are treated no different than any other civilian municipal employee right now. So this is actually recognizing that, in fact, as peace officers, they are routinely called upon and may, in fact, sustain life-harming, life-injuring, life-ending circumstances in performance of duty.

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

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

**LEG. KENNEDY:**

And I am -- if I can, one other, Chair, cosponsoring this bill, if I will, please, to the Chair.  
Thank you.

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

You may.

**LEG. KENNEDY:**

Thank you.

**LEG. BROWNING:**

Tim?

**LEG. CALARCO:**

Timmy?

**LEG. BROWNING:**

Tim, cosponsor.

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

Cosponsor. Anybody else?

*(\* Legislators Krupski, Schneiderman, Browning, Muratore, Calarco, Cilmi, Hahn, Barraga, Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer raised hand to acknowledge cosponsor of Home Rule No. 10\*)*

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

Anybody not in favor of it? Okay, all cosponsors. Okay, now you got me? Okay, we're good?  
Okay. All these in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

1700 -- oh, I've got two minutes, one more.

**MR. NOLAN:**

No, that's a new copy. That's the last thing.

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

That's the what?

**MR. NOLAN:**

That's the last thing.

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

So what am I doing?

**MR. NOLAN:**

Close it.

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

Just close it, okay. There's no explanation on that one.

Okay, we're about ready for Public Hearings. I've got a minute, so the page number -- okay, page five of our agenda. Mr. Clerk, do you advise us that the Affidavits of Publication are in proper order for the following Public Hearings?

**MR. LAUBE:**

They are.

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

Thank you.

Okay, I think it's 6:30.

**Public Hearings**

***(Public Hearing on) IR 1570-13 - Adopting Local Law No. -2013, A Charter Law to improve the County's Budget approval and amendment process to increase transparency and accountability ("Taxpayer Awareness Act") (Cilmi). Mr. Cilmi?***

**LEG. CILMI:**

No one to speak?

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

Oh, I'm sorry.

**MR. NOLAN:**

Do you have any cards?

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

No, I do not. No, I do not have any cards. Seeing -- would anyone like to be heard on this hearing, 1570? Would anyone like to be heard?

**LEG. CILMI:**

Motion to recess.

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

Legislator Cilmi makes a motion to recess.

**LEG. D'AMARO:**

I'll second.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

*(Public Hearing on) IR 1591-13 - Adopting Local Law No. -2013, A Charter Law to institute a Departmental Omnibus Budget Amendment Process (Cilmi).* I do not have any cards.

Would anyone like to be heard on this, 1591? Would anyone like to be heard on 1591?

Seeing none, Legislator Cilmi --

**LEG. CILMI:**

Motion to recess.

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

-- makes a motion to recess.

**LEG. D'AMARO:**

Second.

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

Legislator D'Amaro seconds the motion. All those in favor? Opposed?

So moved.

IR 1605 --

**MR. LAUBE:**

Twelve (Not Present: Legislators Hahn, Anker, Kennedy, Nowick & Stern - Vacant Seat: District #8).

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

Thank you.

*(Public Hearing on IR) 1605-13 - Adopting Local Law No. -2013, A Charter Law to establish a two-year Budget Planning Process (Cilmi).* I do not have any cards. Would anyone like to be heard on this? Would anyone like to be heard? Seeing none, Legislator Cilmi,

what do you want to do.

**LEG. CILMI:**

Motion to close, please.

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

Makes a motion to close. Is there a second on the motion to close?

**LEG. D'AMARO:**

I'll second.

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

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

**MR. LAUBE:**

Twelve (Not Present: Legislators Browning, Hahn, Anker, Nowick & Stern - Vacant Seat: District #8).

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

Thank you.

*(Public Hearing on) IR 1607-13 - Adopting Local Law No. -2013, A Local Law to improve uniform drinking water distribution system standards in Suffolk County (Horsley).* I do have a card on that and that card is Mr. Pally. Hello, Mitch.

**MR. PALLY:**

Thank you very much, members of the Legislature. We're here today to support our Introductory Resolution 1607 introduced by Legislator Horsley and others. This bill will allow -- provide flexibility for developers and homeowners in building certain types of housing in Suffolk County. It has nothing -- it will not in any way change any of the water quality standards, it will not change any of the distribution standards. In fact, the bill has been agreed to by the Suffolk County Health Department for the water standards and by the Suffolk County Water Authority for their distribution standards. All it will do is give builders an option, in certain circumstances, to have either individual water meters if that's what's appropriate, or one water meter for the entire complex if that's appropriate. And that is appropriate many times where you have homeowners associations and other types of development that is occurring, it's much easier for the Water Authority and the Health Department to have one opportunity to inspect and distribute rather than each one of our individual units or individual homes. So we've developed this piece of legislation with them to try and give everybody an opportunity to have an option in that regard. And that's why we're here tonight, to support the bill and we hope the Legislature will agree.

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

Mr. Pally, the Health Department's okay with this?

**MR. PALLY:**

The Health Department and the Water Authority --

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

And the Water Authority.

**MR. PALLY:**

-- have both signed off on the bill because they believe that the opportunity to have meters in certain circumstances is better for everyone, including them, than individual meters in all circumstances.

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

Okay? We're all good? Thank you very much.

**MR. PALLY:**

Thank you, sir.

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

Appreciate it. All right, I'll make a motion to --

**MR. NOLAN:**

Any more cards on that?

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

No, I do not have any further cards. Would anyone else like to be heard? Would anyone else like to be heard? Okay, seeing none, I'll make a motion to close the hearing. Second by Legislator Cilmi. All those in favor? Opposed? So moved, it has been closed.

**MR. LAUBE:**

Thirteen (Not Present: Legislators Hahn, Anker, Kennedy & Gregory - Vacant Seat: District #8).

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

Thank you.

***(Public Hearing on) IR 1678-13 - Adopting Local Law No. -2013, A Local Law to provide assessment and tax relief to property owners impacted by Superstorm Sandy (Browning).***

Legislator -- no, I do not have any cards on this. Would anyone like to be heard? Would anyone like to be heard on this, on 1678? Seeing none, Legislator Browning, what would you like to do?

**LEG. BROWNING:**

I need to make a motion to recess.

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

Okay. There's a motion to recess. Is there a second?

**LEG. MURATORE:**

*(Raised hand).*

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

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

**MR. LAUBE:**

Fourteen (Not Present: Legislators Anker, Kennedy & Gregory - Vacant Seat: District #8).

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

Thank you.

***(Public Hearing on) IR 1690-13 - A Local Law to Amend Section A13-10 of the Suffolk County Administrative Code to Authorize Donation of Property Held by the Police Property Bureau (County Executive).***

I do not have any cards on this. Would anyone like to be heard on 1690? Would anyone like to be heard on 1690? Seeing none, this is coming from the County Executive, you're -- you're good with that?

**MR. VAUGHN:**

No, would you mind please recessing this one?

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

Oh, okay. I'll make the motion to recess. Second by Legislator Cilmi. All those in favor? Opposed?

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So moved.

**MR. LAUBE:**

Thirteen (Not Present: Legislators Anker, Kennedy, Gregory & Spencer - Vacant Seat: District #8).

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

Thank you.

Okay, *(Public Hearing on) IR 1693-13 - A Charter Law to Accelerate Legislative Consideration of Resolutions to Accept and Appropriate Grant Funds (County Executive)*.

I do have a card on this and the card is from Gerard Frielingsdorf. Good evening.

**MR. FRIELINGSDORF:**

Good evening, Ladies and Gentlemen of the Legislature. I have a statement from the Suffolk County Police Department. My name is Gerard Frielingsdorf, I'm a Sergeant with the Suffolk County Police Department, I work in the Office of Chief of Department.

The Suffolk County Police Department would like to offer the following statement in support of IR 1693-2013. With the advent of on-line grant applications and electronic signatures on grant contractors, grantors have come to expect expedited acceptance of grant awards and often set time limits for acceptance that can be challenging for our current standard operating procedures. Currently, it is not uncommon for full grant award acceptance to take up to three months. In order to expedite acceptance, our department has frequently felt it is necessary to request a Certificate of Necessity for resolution passage in order not to jeopardize funding. This legislation will streamline the grant acceptance process ensuring against potential loss of funding while still affording Legislators the opportunity to ask questions regarding the grant programs. Thank you.

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

You're welcome, Mr. Frielingsdorf. Is that for this one, Brendan? We have another card and here it comes. Thank you. Also for 1693, Bob Marmo.

**MR. MARMO:**

Hi. My name is Robert Marmo, I work for Suffolk County in the Department of Probation under the Criminal Justice Coordinating Council and I'm here in support of this resolution. There's a number of us in the County that are responsible for applying for grants, managing grants. This will allow us to speed up the process in accepting grants. It makes our job easier in terms of accepting it, either Federal or State grants. It also helps us to ensure that the process for signing off on the grants from the State and Federal level is done correctly and within certain timeframes. Some grants will call for a 30-day or 60-day acceptance where the grant might have to be turned back, the funding. So in this case, if it speeds up the process going through a resolution, we can accept it faster. So that was pretty much it, just to ask for the support.

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

Thank you very much. We appreciate you coming down here tonight.

**MR. MARMO:**

Okay, thanks.

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

All right. Would anyone else like to be heard on 1693? Would anyone else like to be heard on 1693? Seeing none, we're good? I'll make a motion to close. Is that the County Exec's -- we're good, Tom, as far as you're concerned?

**MR. VAUGHN:**

We'd appreciate that. Thank you.

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

Thank you. Okay, I'll make the motion to close. Is there a second on the motion? Second by Legislator Anker. All those in favor? Opposed? So moved, it has been closed.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Gregory & Spencer - Vacant Seat: District #8).

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

Thank you.

***(Public Hearing on) IR 1694-13 - A Charter Law to Implement Performance Measurement to Increase Accountability and Enhance Service Delivery by Contract Agencies (Gregory).***

Anyone like to be heard on 1694? Would anyone like to be heard on 1694? I do not have any cards. Seeing none, Legislator Gregory? Is he nearby?

**LEG. SCHNEIDERMAN:**

Motion to close.

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

You want to pass on that and we'll go to the next one?

**MR. NOLAN:**

Yes.

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

Okay.

***(Public Hearing on) IR 1698-13 - A Local Law to strengthen Suffolk County's E-911 Service (Schneiderman).***

I do not have any cards on this. Would anyone like to be heard on 1698? Would anyone like to be heard on 1698? I do not see anyone, so I --

**LEG. SCHNEIDERMAN:**

Motion to close.

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

Motion to close by Legislator Schneiderman. Second on the motion?

**LEG. MURATORE:**

Second.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Legislator Gregory is now back in the room. I'm going to be returning to IR 1694. Again, I do not have anyone here that would like to speak on this matter. And Legislator Gregory, would you like to do what?

**LEG. GREGORY:**

Close.

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

Close; he makes the motion to close. Legislator Cilmi seconds the motion. All those in favor? Opposed? So moved, it is closed.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

All right.

**LEG. SCHNEIDERMAN:**

I'm going to change -- we need to recess the 911 piece, so you have to reconsider it.

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

Okay. You want to make a motion to reconsider?

**LEG. SCHNEIDERMAN:**

Yeah, I'm working with the County Executive on some changes to the bill, so I don't want it to close in its current form because there's some changes coming. So if we could reconsider that --

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

Sure. Why don't you make that motion, Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Yeah, I'll make a motion to reconsider 1698.

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

Okay. There's a motion --

**LEG. CILMI:**

Second.

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

-- and now a second by Legislator Cilmi to reconsider 1698. It is now being reconsidered. The motion, Mr. Schneiderman, is to --

**LEG. SCHNEIDERMAN:**

Don't you have to say "*All in favor*" so we can --

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

Right, yeah.

**MR. NOLAN:**

Call the vote on the reconsideration.

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

Oh, yeah. All those in favor of reconsidering? Opposed? Okay.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you. I'm sorry about that.

**LEG. SCHNEIDERMAN:**

Now I'll make a motion to --

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

Okay, now you'll make the motion; you're correct.

**LEG. SCHNEIDERMAN:**

To recess.

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

To recess. And second by Legislator Cilmi. All those in favor? Opposed? So moved, it has been reconsidered.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Recessed and reconsidered.

Okay, I'll make a motion to set the date for the following Public Hearings, October 8th, 2013, 2:30 PM, at the Maxine Postal Auditorium, in Riverhead, New York. We've got;

*IR 1700, a Local Law amending Chapter 8 of the Suffolk County Code;*

*IR 1716, a Charter Law to improve the accuracy of fiscal impact statements;*

*IR 1718, a Local Law to authorize conveyance of real property previously taken for delinquent taxes;*

*IR 1792, a Charter Law amending Article 2 of the Suffolk County Charter to clarify the requirements of a revenue impact statement.*

I'll need a second on the motion.

**LEG. CILMI:**

Second.

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

Second by Legislator Cilmi. All those in favor? Opposed? So moved, those public hearings have been set for October 8th.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**MR. NOLAN:**

CN's.

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

Right. We have no more in the manilla folder?

**MR. NOLAN:**

No.

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

Okay, nice.

All right, we're going to move to the red folder, the **Certificates of Necessity:**

As you look at the girth of it, just be advised that most of them are grants that -- and the reason why they're here is because the Public Safety Committee meeting was canceled and some of the grants came in and need to be acted upon. Okay?

Let's see. Okay, first one is ***1668-13 - Accepting and appropriating a grant in the amount of \$135,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the 2011 Bomb Squad Initiative Program with 100% support (County Executive).***

**LEG. CALARCO:**

Motion.

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

Motion by Legislator Calarco.

**LEG. D'AMARO:**

Second.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1669-13 - Accepting and appropriating a grant in the amount of \$135,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the 2012 Bomb Squad Initiative Program with 100% support (County Executive).***

**LEG. CALARCO:**

Motion.

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

Motion by Legislator Calarco. Second by Legislator Stern. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1670-13 - Accepting and appropriating a supplemental award of \$10,000 in sub-granted Federal pass-through funding made available pursuant to the FY09 Recovery Act Internet Crimes Against Children (ICAC) Task Force Program from the New York State Police for the Suffolk County Police Department's Participation in ICAC Investigations and Community Outreach Programs with 77% support (County Executive).***

**LEG. BROWNING:**

Motion.

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

Motion by Legislator Browning. Seconded by Legislator Hahn. All those in favor? Opposed?  
So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

*1671-13 - Accepting and appropriating a grant in the amount of \$15,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the Explosive Detection Canine Team FY2012 Grant Program with 100% support (County Executive).*

**LEG. HAHN:**

Motion.

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

Motion by Legislator Hahn. Seconded by?

**LEG. MURATORE:**

*(Raised hand).*

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

It's a good one, Legislator Muratore. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

*1674-13 - Accepting and appropriating a grant from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the Parole Reentry Task Force Grant Program with 100% support (County Executive).*

**LEG. HAHN:**

Motion.

**LEG. BROWNING:**

Motion.

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

Legislator Hahn makes the motion. Legislator Browning seconds the motion. All those in favor?  
Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

*1713-13 - Amending the 2013 Operating Budget and appropriating funds in connection with bonding for a settlement to reimburse the Fashion Institute of Technology for out of County tuition (County Executive).* Anyone want this one? This one's not so good.

**LEG. BROWNING:**

Explanation.

**LEG. SCHNEIDERMAN:**

Explanation.

**LEG. BROWNING:**

How about they explain?

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

Yeah, why don't we have -- Gail Lolis, I knew you were coming. Welcome, and try to explain this one away.

**MS. LOLIS:**

Good evening. We've discussed the underlying matter in the past meetings back in June. This process has taken a long time. We could not officially get the Ways & Means approval letter for the underlying settlement until July, this was supposed to be laid on the table by the July 30th meeting but there was an error and it did not get filed. If it is not voted on tonight, we lose the ability to bond the settlement for this year, and there's insufficient cash and that was why they wanted to go by way of bonding.

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

Okay. Everyone good? Everyone on the motion? We don't have a motion yet, now that I think about it.

**LEG. SCHNEIDERMAN:**

It's a settlement, but is this the exact number we owe them or did we actually settle for something less than we initially were supposed to pay them?

**MS. LOLIS:**

This is the settlement reimbursing them for what we withheld in the past.

**LEG. SCHNEIDERMAN:**

So it's not lower, it's exactly what we owed them.

**MS. LOLIS:**

It's what we owed them.

**LEG. SCHNEIDERMAN:**

No interest and penalty?

**MS. LOLIS:**

No interest and penalties. Well, no interest.

**LEG. SCHNEIDERMAN:**

Okay.

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

They might make good designs, but they are certainly good negotiators.

**LEG. SCHNEIDERMAN:**

Is this -- are we appealing this or is that -- have we exhausted our remedies?

**MS. LOLIS:**

We're not -- we have a lawsuit that is currently pending and if we want to get into the specifics of the lawsuit, we're going to have to ask that we go into executive session.

**LEG. SCHNEIDERMAN:**

So does authorizing this payment weaken our position in that lawsuit in any way?

**MS. LOLIS:**

This is settling the lawsuit.

**LEG. SCHNEIDERMAN:**

Okay. So there is no lawsuit, then, after this.

**MS. LOLIS:**

Correct.

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

Legislator Cilmi.

**LEG. CILMI:**

Maybe Gail can elaborate a little bit specifically on Jay's question. I believe there was something in the newspaper the other day about the Nassau County/North Hempstead lawsuit which is now going before, is it the Board of --

**MS. LOLIS:**

Court of Appeals.

**LEG. CILMI:**

The Court of Appeals. Can you just tell us about that?

**MS. LOLIS:**

The Court of Appeals granted leave, I don't know anything as far as the scheduling or anything on that. I could tell you as far as our lawsuit was concerned, we factored that into the settlement agreement and if the Court of Appeals reverses and finds that the counties are not required to pay for the four years, we will get a reimbursement of these monies that we pay under the settlement.

**LEG. CILMI:**

Will that happen in -- by due course or will we have to go after --

**MS. LOLIS:**

No, it's part of our settlement agreement.

**LEG. CILMI:**

It is part of the settlement agreement, okay.

**MS. LOLIS:**

They have a right -- they have a right to litigate it on the merits, but we have -- we have written

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that in that we get the money back. We don't have to sue for it, we get it back.

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

Anybody else? Anybody else? We're good? All right. We don't have a motion. Would anyone like to make the motion?

**LEG. D'AMARO:**

I'll offer a motion to approve.

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

And I'll second the motion. All those in favor? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed.

**LEG. CILMI:**

Opposed.

**MR. LAUBE:**

Fifteen (Opposed: Legislators Schneiderman & Cilmi - Vacant Seat: District #8).

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

No one's happy with this. Okay? Thank you.

All right. We now have the corresponding Bond Resolution, **1713A**.

Same motion, same second.

**MR. NOLAN:**

Roll call.

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

Let me read the Bond Resolution, though, ***Bond Resolution of the County of Suffolk, New York, authorizing the issuance of not to exceed \$4,926,057 bonds to finance the cost of payment of a settlement to reimburse the Fashion Institute of Technology for out of County tuition.*** Okay, we have a motion and second. Roll call vote.

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

**LEG. D'AMARO:**

Yes.

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

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. MONTANO:**

No.

**LEG. CILMI:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. SPENCER:**

No.

**MR. LAUBE:**

Thirteen (Vacant Seat: District #8).

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

Okay, the motion passes.

All right, 1795- Transferring and reappropriating 100% County funds established in the 2013 Operating Budget for the Suffolk County Department of -- Did I miss one.

**LEG. BROWNING:**

What happened to 1719?

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

I don't have it.

**LEG. KENNEDY:**

Come on, man.

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

I don't have it. What do you want me to do?

**LEG. KENNEDY:**

Here, here you go (*laughter*). You want me to read it?

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

I guess it's not a good one, huh?

**LEG. CILMI:**

It is a good one.

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

I really don't have it (*laughter*).

**LEG. KENNEDY:**

It's an easy one.

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

Okay. All right, you guys. 17 -- I've got people already wanting to cosponsor this thing.

**1719-13** -- I don't even know what it is yet - *Making a SEQRA determination in connection with the proposed demolition of the Bavarian Inn building structure, Town of Smithtown (Presiding Officer)*.

**LEG. KENNEDY:**

I'll make the motion to approve, Mr. Chair. And will the Clerk please list me as a cosponsor?

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

I wasn't pulling your chain, by the way, John. I really don't have it.

**LEG. KENNEDY:**

Famous last words, yeah, yeah.

**LEG. NOWICK:**

Second the motion.

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

Second the motion by Legislator Nowick.

**LEG. NOWICK:**

And cosponsor.

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

Okay, on the motion, everybody good?

**LEG. HAHN:**

Wait, wait, wait.

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

Whoa, whoa, take your time. Was anyone else missing it? I didn't have it.

**LEG. CILMI:**

Tim, cosponsor.

**LEG. HAHN:**

This isn't changing anything that CEO did, right? This is just approving the SEQRA that they --

**LEG. KENNEDY:**

Right.

**LEG. HAHN:**

Okay, good.

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

Okay. There's supposed to be another one of these, too, right?

**MR. NOLAN:**

Later, yeah.

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

Okay. I haven't seen it.

**LEG. KENNEDY:**

It's coming, it's coming.

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

Ah, I see you're on top of this, Mr. Kennedy. Okay, we have a motion and a second on it. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Take down your Bavarian Inn.

**LEG. KENNEDY:**

All right. I can hear the wrecking ball now.

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

*(Laughter)* Happy Smithtowners.

Okay, **1795-13 - Transferring and reappropriating 100% County funds established in the 2013 Operating Budget for the Suffolk County Department of Probation (County Executive)**. Anybody?

**LEG. CALARCO:**

Motion.

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

Motion by Legislator Calarco, second by Legislator Browning. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Okay, *1801-13 - Accepting and appropriating an award of Federal funding in the amount of \$15,000 from the United States Department of Justice, U.S. Marshals Service, for the purpose of retrofitting three vehicles given to Suffolk County by the United States Marshals Service with 100% support (County Executive).*

**LEG. BROWNING:**

Motion.

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

Motion by Legislator Browning. Second by whom; I'm sorry, Kennedy was that? All those in favor?

**LEG. HAHN:**

On the motion?

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

Yeah, on the motion.

**LEG. HAHN:**

Since we're going to be talking about vehicles --

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

Sure, talk.

**LEG. HAHN:**

*(Laughter)* I mean, I want to -- I'm completely in support of accepting a grant for vehicles, but I just want to bring up just how critical the need is for vehicles in our Police Department. And I just -- I'm glad we're getting this and I really think we are at a really bad place, and hopefully that's something we can talk about another time. But, anyway, I'm supportive of this.

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

Thank you, Legislator Hahn.

**LEG. CILMI:**

Can I just add to Legislator Hahn?

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

Legislator Cilmi, sure, please.

**LEG. CILMI:**

How badly in need we are of vehicles that actually fit the Police Officers that we're putting in them.

**LEG. HAHN:**

Say that again?

**LEG. CILMI:**

How badly we are in need of vehicles that actually fit the Police Officers that we're putting in them, so they can properly do their jobs.

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

Okay. Legislator Barraga; you've hit a nerve.

**LEG. BARRAGA:**

Let me just follow-up on Mr. Cilmi. He makes a very good point, because I've gotten several complaints from Police Officers that the newer cars, they're very cramped. There's just not enough room in them. I mean, I don't know how these cars are tested and what sort of personnel they put in, what sort of equipment before they get the cars actually delivered, but maybe someone seriously should take a look at any future purchases because, you know, a Police person who's, say, between five ten and six four in that car, there's a real problem for them. You're waving your hand?

**LEG. HAHN:**

No, I want to be on the list.

**LEG. BARRAGA:**

Oh, okay *(laughter)*.

**LEG. HAHN:**

I want to be on the list.

**LEG. BARRAGA:**

All right. But I don't know if something could be done in the future to really take a look as these cars are coming off the assembly line before we get them in, because I've heard from at least five or six different policemen that these cars are just too cramped. There's just too much equipment, there's not enough room for them.

**LEG. HAHN:**

On --

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

Legislator Hahn?

**LEG. HAHN:**

On August 8th I had written an e-mail to the Public Safety Chair, because I've been told that Suffolk County Police Department is doubling up some sectors in cars -- you know, meaning two sectors, one car -- because we don't have enough because they're waiting for service. There's a lot -- there's like long months, six months or more just sitting there waiting to be serviced, and it's a real problem, real serious problem. And I'm -- obviously I'm very supportive of accepting a grant for vehicles, but it just brought this up to my mind, and we were supposed to have the Public Safety Committee and they were supposed to give us answers for this, to my e-mail at that committee and then it got canceled, you all know why. But I just -- this is such an important issue and we have to make sure that we're addressing it and get a handle on --

**LEG. MURATORE:**

*(Inaudible)*.

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

So it sounds like two issues.

**LEG. HAHN:**

Yeah, I'm off-track, I apologize.

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

Okay, that's all right.

**LEG. HAHN:**

I apologize.

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

Legislator Browning wants to make a statement on the statement.

**LEG. BROWNING:**

Yeah, I was just going to add to that because I have since learned it's not just the marked cars, but also the plain-clothes officers and the vehicles that they have. I found out about one that's been in the shop since June and he still has not got his car fixed. So there's definitely something wrong. I don't know about our contracts. And Tom, I know you're here, and Gil, you're here. I'm trying to figure out who's supposed to be fixing our cars. Gil's here. You know, who's supposed to be --

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

I think we're getting off, a little off topic here.

**LEG. BROWNING:**

Well, being that we had Public Safety was canceled, I mean --

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

All right, all right.

**LEG. BROWNING:**

You know, we have -- we have, you know, contracts for bodywork and different types of work and, you know, I know it is a hold-up and there's a delay, it seems, in getting cars fixed.

**COMMISSIONER ANDERSON:**

Yeah, and it's County-wide. I mean, we are bringing equipment, cars, vehicles to vendors as well as doing them in-house, as best we can. And there is a hold-up with the vendors as it is with our own.

**LEG. BROWNING:**

Right. And again, a lot of it's staffing issues. And I'm just curious, if we were to start bringing back mechanics, having our own mechanics doing a lot of the work, would that alleviate some of our problems? Maybe we should have our Police --

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

Okay.

**LEG. BROWNING:**

I hate to keep talking about --

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

Ms. Browning, this sounds like a perfect opportunity to have a public hearing.

**LEG. BROWNING:**

But, yeah, I mean, I'll get back with you. But it just seems like if we had a Police garage where we had mechanics of our own, things wouldn't be so dire.

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

Okay. Thank you. And again, Legislator Calarco, you'd like to speak, but let's see if we can get back to our --

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**LEG. CALARCO:**

Just to the point that Legislator Browning was making, I actually asked that question just yesterday of Budget Review; in 2003 we had 48 mechanics, in 2013 we're down to 28. So when you hear about cars sitting for three months waiting to get fixed, whether it's Police Officers, you know, Suffolk County PD cars, Sheriff cars or anyplace else in our fleet, that's probably the biggest reason.

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

Okay.

**LEG. CALARCO:**

But it sounds like something we need to deal with in the budget.

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

Okay. There you go, all right. Duly noted, and let's go back to our -- the actual Certificate of Necessity involving the U.S. Marshal's cars, 1801. Do I have a motion on this; I can't remember.

**MR. LAUBE:**

No.

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

We do not.

**LEG. BROWNING:**

Yeah, we do.

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

Motion by Legislator -- we do have a motion?

**LEG. BROWNING:**

Yeah, I thought we did.

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

The Clerk doesn't have it.

**MR. LAUBE:**

Can you repeat it? I didn't get it.

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

It was Hahn and Browning.

**MR. LAUBE:**

Thank you.

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

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

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

Thank you.

*1808-13 - Amending the 2013 Capital Budget and Program and appropriating funds in connection with decommissioning and demolition of County facilities (CP 1665) (County Executive).*

**LEG. KENNEDY:**

Motion.

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

Motion by -- oh, this is the other half of this? Ah, I got you, I see.

**LEG. CILMI:**

Second.

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

Second by Legislator Cilmi.

**LEG. CILMI:**

Cosponsor, please.

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

On the motion, everybody good?

**LEG. KRUPSKI:**

On the motion.

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

Yes, Legislator Krupski.

**LEG. KRUPSKI:**

I have a question for the Commissioner?

**COMMISSIONER ANDERSON:**

Yes, sir?

**LEG. KRUPSKI:**

You would be responsible for the demolition?

**COMMISSIONER ANDERSON:**

We would.

**LEG. KRUPSKI:**

And that would be done in-house or --

**COMMISSIONER ANDERSON:**

No, it would not.

**LEG. KRUPSKI:**

Okay.

**COMMISSIONER ANDERSON:**

This -- originally when we talked about doing the demolition in-house, we were advised that the asbestos had been removed. We then, upon inspection, sent our asbestos team in and found a significant amount of asbestos in the building. So what this will now allow us to do is to actually

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bring an abatement contractor in, they will actually do the full demolition down to the ground. There was asbestos in the ceiling tile, which is pretty normal. We also found asbestos in the plaster. I mean, it was pretty -- I don't want to say invasive, but it was everywhere we looked, so it was really above what we could do in-house. Even to abate the asbestos, we had guys trained, but upon review of the report from our abatement contractor, we determined that the best course of action right now is have him bring it down to the ground and we will then remove the foundation. We've already removed, you know, any remaining liquids that are within the building, so we're ready to go.

**LEG. KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

You're welcome.

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

Okay? All right. Is there anybody else? All good? Okay. We have a motion and a second. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**LEG. KENNEDY:**

Thank you.

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

The house is coming down. We're looking good.

**LEG. HAHN:**

I mean, we're real careful about asbestos? We're really careful about that? (*Laughter*)

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

Okay. Bond Resolution ***1808A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$325,000 bonds to finance the cost of decommissioning and demolition of County facilities (CP 1665.310)***; same motion, same second. Roll call vote. Everybody good? Okay, roll call vote.

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

**LEG. KENNEDY:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. BARRAGA:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. SPENCER:**

Yes.

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

Yes.

**LEG. MONTANO:**

Yes.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

**LEG. KENNEDY:**

Thank you. Thank you to my colleagues. Thank you from the 12th Legislative District.

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

Right, okay. You're welcome.

***1809-13 - Accepting and appropriating 100% Federal funds awarded by the United States Department of Justice, Drug Enforcement Administration to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements (County Executive).*** Motion by Legislator Hahn. Do I have a second on the motion? Legislator Gregory seconds the motion. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

*1811-13 - Authorizing the Suffolk County Police Department to accept and fleet vehicles obtained at no cost to the County through the New York State Division of Criminal Justice Services 1033 Federal Excess Property Program (County Executive).*

**LEG. HAHN:**

Motion and question.

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

Okay. We've got -- how about Muratore on this one and seconded by Legislator Hahn. Okay?

**LEG. HAHN:**

I'd like to speak on the motion.

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

On the motion, Legislator Hahn.

**LEG. HAHN:**

What size are these vehicles (*laughter*) that we're accepting?

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

Let's go find out, I have no idea. Mr. Vaughn, you know what size they are?

**MR. VAUGHN:**

Yes, sir. They are Humvees that are military surplus.

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

Oh, Humvees, yes.

**LEG. HAHN:**

*(Thumbs up sign).*

**MR. VAUGHN:**

I do believe that everybody should be able to fit into that.

*(\*Laughter\*)*

**LEG. KENNEDY:**

How many, Tom?

**MR. VAUGHN:**

Three of them, sir.

**LEG. KENNEDY:**

We've got three?

**MR. VAUGHN:**

Three of them. I've been told that they're in excellent condition, that they just need to be repainted. It was important for us to fleet them, and the reason that we had to do a Certificate of Necessity this evening was so that they -- we had them available to us during hurricane season. PD wanted them

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available for search and rescue during the hurricane season, so that's why we're fleeing them this evening.

**LEG. SPENCER:**

Cosponsor.

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

That's great. We used them down in Lindenhurst this year, they were very helpful during Sandy.

Okay, we have a motion and a second. All those in favor? Opposed?

So moved.

**MR. LAUBE:**

Seventeen (Vacant Seat: District #8).

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

***1813-13 - Authorizing steps to obtain license reciprocity with Suffolk County Towns and Villages in connection with the New York Rising Community Reconstruction Program (County Executive).*** Motion?

**LEG. KENNEDY:**

Motion to approve with a request for explanation, Mr. Chair.

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

Okay, very good. We have a motion to approve. Do I have a second on the motion? Second by Legislator Muratore. On the motion, explanation.

**COMMISSIONER CHU:**

As New York Rising has begun to be implemented by New York State, we've been having frequent meetings with the Long Island Housing Partnership who's acting as advisors to New York State, as well as various State agencies. This came out of a request from them last week from the particular agency, the Dormitory of the State of New York, that it would -- it would be in there. It would expedite their processes if we were -- if they were able to have assuredness that there was not only uniform licensure and not having to worry about the myriad of various licensing jurisdictions, but also uniforming enforcement.

So to be clear, what this bill does, it doesn't impose anything on any town or village. What it does is it empowers our department to negotiate with towns and villages, reciprocity agreements, just for the purposes of this program, it doesn't go outside that bounds. So we can not only grant reciprocity, they can grant reciprocity in return, but also for uniformity of enforcement for the New York Rising Reconstruction Program. So if there was any consumer complaints or issues that came out of a project specific to this program, there would be no discrepancy as to who would be the enforcement agency.

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

Thank you, Mr. Chair. Legislator Cilmi.

**LEG. CILMI:**

Sam, thanks for that explanation. Could you just draw us a picture? I'm failing to sort of grasp what you're --

**COMMISSIONER CHU:**

So, for instance, the Dormitory of the State of New York has been asked -- as part of the New York

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Rising Program, they have been designated to not only contract with contractors to implement the program, but also certify contractors. So what this would allow for --

**LEG. CILMI:**

Certify contractors --

**COMMISSIONER CHU:**

For the program, to participate in the program, for the rebuilding program.

**LEG. CILMI:**

Okay.

**COMMISSIONER CHU:**

And they've also asked to partner with us as an enforcement agency to make sure that we're following up consumer complaints throughout the program. For one, the first part, what this would allow, provided the towns and villages did sign on to the reciprocity agreements, would allow for them to know that there was some uniformity across jurisdictions in terms of, you know, the credentials for the contractors. And it would not -- it would not precipitate contractors who are participating in the program from having to get individual licenses in many different jurisdictions that they might normally have to do if they were going to do business in those jurisdictions. So it's also a way of making sure that we're best using local workforce to take on this additional work that's been created by Sandy. And it also allowed them to have a single entity in us to go out and enforce any consumer complaints produced from the -- from the program.

**LEG. CILMI:**

Why -- I'm a little concerned with this. Why -- is there any reason why we couldn't put this through committee?

**COMMISSIONER CHU:**

This just came as a result of conversations last week, and the draft reso wasn't -- you know, wasn't prepared in time.

**LEG. CILMI:**

Okay. So there --

**COMMISSIONER CHU:**

This was a request that came out of conversations from -- with Long Island Housing Partnership and DSNY.

**LEG. CILMI:**

So, but there's nothing about this that --

**COMMISSIONER CHU:**

It was too late to lay on the table.

**LEG. CILMI:**

Okay. But we -- so we could put it through committee, and that would be acceptable to you?

**COMMISSIONER CHU:**

Well, it was also expressed to us that they would appreciate it if we did it as soon as possible, and of course the soonest we could do it was as a Certificate of Necessity today.

**LEG. CILMI:**

Yeah. So I'm just a little -- I need to learn more about this before I vote on it. I would appreciate if we could put this into --

**MR. NOLAN:**

Make a motion.

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

Make a motion.

**LEG. CILMI:**

Yeah, I'll -- what is it, commit, a motion to commit?

**MR. NOLAN:**

Yes.

**LEG. CILMI:**

I'd like to make a motion to commit, if that's okay, Sammy, with you.

**COMMISSIONER CHU:**

Sir, to your initial question of painting a picture. For instance, if you have a jurisdiction, let's say, Southampton that has their own electrical licensing, what this would do for the purpose of this program, and that's a topic you and I have also discussed.

**LEG. CILMI:**

Right.

**COMMISSIONER CHU:**

That if there was -- if they signed on to reciprocity, just for the purposes of this program, we would be able to enforce in that jurisdiction, whereas we wouldn't normally enforce in that jurisdiction because they have their own jurisdiction and their own licensure process.

**LEG. CILMI:**

Okay. So I guess it's really just -- I need to learn a little bit more about the circumstances under which we would have that authority. So I guess I really need to explore what this -- what New York Rising exactly is.

**COMMISSIONER CHU:**

That would only happen under the circumstances if the town or village signed on to reciprocity agreement. Again, this doesn't impose anything upon another municipality, it just allows us to negotiate and come into agreements with them.

**LEG. CILMI:**

Sure. I think I still have too many questions to --

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

Do we have a second on the motion? Legislator Spencer makes a second to the motion. We have a second -- a motion and a second on committing to committee. Legislator D'Amaro.

**LEG. D'AMARO:**

Okay, on the motion. There's only one -- okay. So there are two RESOLVED, operative RESOLVED clauses, the third is the SEQRA determination. One allows Suffolk County towns and villages to take actions to enter into an MOU or -- yeah, an MOU with the County, and then the second RESOLVED

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clause authorizes the County to take steps necessary to obtain license reciprocity from the towns and villages. So for the purposes of this program only, are you saying that, in effect, that the County's role is only with respect to enforcement or does it have something to do with the actual license that's granted?

**COMMISSIONER CHU:**

No, it's for license and reciprocity as well as enforcement.

**LEG. D'AMARO:**

It is, okay.

**COMMISSIONER CHU:**

We can only enforce our own licenses, so the two go hand-in-hand.

**LEG. D'AMARO:**

All right. So what would happen, in effect, is that the County is one jurisdiction, let's say a town is another jurisdiction. For the purposes of this program only, a contractor may have a town license but not a County license, but yet the County would still recognize the town license.

**COMMISSIONER CHU:**

Correct, which we have a mechanism to do already.

**LEG. D'AMARO:**

Right.

**COMMISSIONER CHU:**

What this would do, it would cut out the red tape and the process of that contractor who already has a town license having to come in and file a separate application with us, pay a separate fee --

**LEG. D'AMARO:**

Correct.

**COMMISSIONER CHU:**

-- and then get the -- you know, get that --

**LEG. D'AMARO:**

So you're granting like a blanket reciprocity between licensing jurisdictions for the purposes of this program only.

**COMMISSIONER CHU:**

What this does is authorize that, but it would still require -- it would still require those agreements to be met with the towns and villages. It's not something we can impose on our own, it's something that we would have to do --

**LEG. D'AMARO:**

Right, it has to be negotiated and the town has to agree. But if a town should agree --

**COMMISSIONER CHU:**

That's exactly what it does.

**LEG. D'AMARO:**

Then you will be speeding up the recovery process.

**COMMISSIONER CHU:**

Correct.

**LEG. D'AMARO:**

Because a contractor could go ahead and start work despite the fact that they may not have the appropriate license in place, or didn't apply for reciprocity and go through that whole process. This would automatically make their license reciprocal and effective for both jurisdictions.

**COMMISSIONER CHU:**

Correct, just specific to this program and provided that that jurisdiction had come into agreement with us.

**LEG. D'AMARO:**

Is it important -- this program is recovery, it's for recovery, right?

**COMMISSIONER CHU:**

This is for the housing recovery, the applications that have been filed through New York Rising.

**LEG. D'AMARO:**

From Hurricane Sandy; is that correct?

**COMMISSIONER CHU:**

Technically the program is for Sandy, Irene and Lee because that's what the money is available for, but the vast majority I would imagine most of it, if not all, would be homes impacted by Sandy.

**LEG. D'AMARO:**

Okay. And it's only for this program, the State is requesting that we do this.

**COMMISSIONER CHU:**

Yes.

**LEG. D'AMARO:**

Right, so to speed the process.

**COMMISSIONER CHU:**

Correct.

**LEG. D'AMARO:**

The reason why I make that point to Legislator Cilmi is only that this may be something that you want to get in place sooner rather than later. It has to do with storm recovery --

**LEG. CILMI:**

Yeah.

**LEG. D'AMARO:**

-- at least that was my understanding of the program, or that's at least part of the target of the program.

**COMMISSIONER CHU:**

Absolutely.

**LEG. D'AMARO:**

And it's not that you don't have a licensed contractor out there. They're licensed by some

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jurisdiction. And if that town or village or whoever the licensing jurisdiction agrees with the County, we'll go ahead and regionalize that license just for this recovery process to keep things moving. So I don't necessarily agree that -- I had questions about it, but I think I understand it and I'd rather move it today than wait another month or a month and a half to do that.

**LEG. CILMI:**

I know there are other, but could I just redress?

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

Sure, through the Chair.

**LEG. CILMI:**

Through the Chair, if I could. So this is predominantly recovery, Sandy recovery.

**COMMISSIONER CHU:**

This is entirely recovery.

**LEG. CILMI:**

Entirely Sandy recovery.

**COMMISSIONER CHU:**

Yes.

**LEG. CILMI:**

I'll withdraw my motion to commit then.

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

Okay, withdraw motion to commit. And does the second also agree?

**MR. NOLAN:**

It doesn't matter.

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

It doesn't matter? Okay, good.

**LEG. D'AMARO:**

I'll offer a motion to approve.

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

I think we already have one.

**LEG. D'AMARO:**

We do?

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

There you go, we do. We have the motion to approve and seconded.

Okay, Legislator Spencer, would you like to still --

**LEG. SPENCER:**

I would. And I understand the urgency, I understand the situation with the storm and the process and I support that in theory. My concern when it comes to reciprocity, when we look at a licensing process, it's in place to make sure that the appropriate credentials are in place and that you have the qualification, it protects our consumers. And when we look at municipalities that are -- and

when we went through this -- this is why I'm concerned. We went through this in the medical field where we have maybe 15 or 20 hospitals and we were saying, "Well, doctors that are credentialed in one hospital should be able to go to another hospital and work." But the problem that you run into is that when we're licensing, we are assuming a certain amount of responsibility to say that you have fulfilled the qualifications to do this sort of work. And when we look at World Trade Center, when we look at natural disasters and the billions of dollars that have been raised for recovery and things of that sort, we know that a lot of times fraud is prevalent, it's inherent, there's always people out there that are willing to take advantage that may have an inside way of being able to be licensed or recognized in a municipality. And what we're doing is that we're giving up our oversight responsibility, and I think that -- my concern is that I really think that for us to vet this over a short cycle is not the worst thing in the world. There are implications, when you say reciprocity, there's sometimes an unequal level of recognition of the particular specialty that you're looking at with in terms of scope of practice and things of that sort. So for us to see this in a CN and to pass it, we hear buzz words like, "Oh, it's for the storm, it's for recovery," I think we're giving up a very important function of this body and I don't support it at this time.

**COMMISSIONER CHU:**

Legislator, if I would have an opportunity to just address your concern. One, the vast majority of the licenses that would be affected by this and would be -- have potential for reciprocity already have potential for reciprocity and are recognized inter-jurisdictionally. But they do require an individual contractor to go and still apply for a reciprocal license and pay a fee to the individual jurisdiction.

So, for instance, if you have, you know, a Babylon plumbing license and you're going to seek one in Islip, you know, we grant reciprocity to those licenses, but we would still require you to go through the licensing process and get a fee.

Additionally, to the specificity -- to speak to the specificity of the purpose here. The Dormitory Authority is also, in addition to whatever municipal requirements and whatever jurisdictional requirements there are, are also in the process and we're waiting to see what those look like, of putting additional layers of requirements and certifications way above and beyond what the minimum levels would be by any individual licensing jurisdiction. So for instance, the big ones which are primarily the -- which were primarily the bars of entry for most of these licensures, at least from a business standpoint, being insurances, which is something this body addressed, and I thank you for that, for the home elevations. They are actually -- you know, and this is not something that has been finalized, but actually are discussing potentially bonding, you know, having bonding requirements.

So I think for the purposes of this, I think your concern is valid. I would say to you that I think because of the specificity of the program, because there's other agencies involved that are going to hire -- that are going to require heightened requirements over any minimum requirements of licensure, of any of these bodies involved, in any of these jurisdictions, I would think largely, if this was -- if this was en masse, if this was not for a specific purpose, I would agree with you and share concerns, but I think that largely addresses the specific concerns you're speaking to.

*(\*The following testimony was taken & transcribed by  
Lucia Braaten - Court Reporter\*)*

**LEG. KRUPSKI:**

What about -- I've got a question.

**LEG. CILMI:**

Legislator Gregory was next.

**LEG. GREGORY:**

Thank you, Mr. Temporary Chair.

**LEG. CILMI:**

Thank you.

**LEG. GREGORY:**

I just wanted some clarification, Sammy.

**COMMISSIONER CHU:**

Sure.

**LEG. GREGORY:**

The New York Rising Program, there's two components to it, there's the residential aspect of it, and then there's the business aspect of it. Is this for both, or is this just for residential?

**COMMISSIONER CHU:**

This authorizes for both.

**LEG. GREGORY:**

Okay.

**COMMISSIONER CHU:**

But, you know, the vast majority of the application will be to the residential.

**LEG. GREGORY:**

Right.

**COMMISSIONER CHU:**

I mean, for the larger commercial projects, you know, there are barely any contractors that are doing commercial work that would not have the -- our licenses to begin with, that would have a Suffolk County license.

**LEG. GREGORY:**

And, also, the importance of this program, because I'm familiar with it, a little bit familiar with it anyway, these are people that were denied FEMA, they were denied ZBA loans, and this is money from the Federal Government, at least on the business side, because my wife, she works with this program. These are people that need the money.

**COMMISSIONER CHU:**

The business side of this is actually -- and I shouldn't say "business side," it's actually -- this does encompass some of the projects that might be included in the CRZs, but the -- from the residential side, the purpose of this money and the intent of this money is to cover the balance that people -- the delta between what people have, like you said, received from FEMA for their individual assistance, received from their insurance companies.

**LEG. GREGORY:**

Right. Their unmet need, right.

**COMMISSIONER CHU:**

So, if they -- you know, if they got funding already for 100,000 of their house, needed 150,000 to get -- to be move-in condition, this is meant to provide, in theory, the 50,000 to get them into their home.

**LEG. GREGORY:**

So this would, in fact, increase business, because you're going to -- you're going to allow the business, the contractors to do their thing without cutting some of the bureaucracy, potential bureaucracy.

Just one last question. Would there be -- I know this authorizes you or the County to enter into reciprocity agreements with the towns and villages. Is there any reason why the towns and villages wouldn't want to reciprocate?

**COMMISSIONER CHU:**

That would be their prerogative. Again, they might not want to -- again, they might not want to forego their oversight for their individual jurisdiction for their consumer complaints. That might be the only purpose I could see, or they might also want -- be concerned about the fees. But I don't think that's a concern, because throughout this process, all the towns and villages, including the County, have had an opportunity to submit proposals to the State for application for any costs associated with this -- specific to this program. So, again, to remind everybody, this is specific to this program, this is not an at-large program, so all those --

**LEG. GREGORY:**

That's a lot of money.

**COMMISSIONER CHU:**

Yeah. All those things --

**LEG. GREGORY:**

It's hundreds of millions.

**COMMISSIONER CHU:**

I mean, these have been many meetings amongst the towns and villages, and this is something that has been discussed at those meetings.

**LEG. GREGORY:**

Okay. Thank you.

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

Thank you very much, Legislator. Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. I want to make the point that -- and, Commissioner, correct me if I'm wrong, but this -- passing this bill does not grant any reciprocity.

**COMMISSIONER CHU:**

Not at all.

**LEG. D'AMARO:**

All we're saying is let's start the process so that you can go ahead and negotiate with towns and villages to either get them to amend their codes and -- or to do a Memorandum of Understanding. And during that process is when you'll be taking a look to ensure that if we're granting reciprocity, that it's on terms favorable to the County of Suffolk.

**COMMISSIONER CHU:**

Correct. I mean --

**LEG. D'AMARO:**

So --

**COMMISSIONER CHU:**

-- this still requires a granular approach to every single municipality.

**LEG. D'AMARO:**

Right, right, and that's the point I want to make. And I think Legislator Spencer made a great point, that we don't want to just grant a blanket reciprocity. What we're doing, in effect, is just giving you the authority to go ahead and negotiate reciprocity for these different jurisdictions, and it's during that process that we'll find out whether or not it's appropriate or not appropriate. So, again, to me, if we pass this today or four weeks from today, all we're doing is empowering the County to go ahead and begin the negotiation and the process. So, again, I'd rather just see it pass today so you can start doing that.

**COMMISSIONER CHU:**

Correct. If this passes tonight, as we leave here, there are no -- there's no reciprocity and there wasn't, you know, before.

**LEG. D'AMARO:**

Right, and it's still to be determined for each and every jurisdiction.

**COMMISSIONER CHU:**

Correct. And our Department would never -- would, you know, never get in the situation where we're endangering -- you know, we're protecting the consumers. That's our mission.

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

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

**LEG. KRUPSKI:**

I think most of my questions were answered. I do agree with Legislator Spencer. This has raised so many questions. I think it would be a good idea to send it to committee to get it -- to fully vet it.

And my concern also is that it's something that might be undesirable to local municipalities, that they would need time to work this out and to see if it would be to their advantage or not. They have codes, you know, for a reason, and then to try to -- it almost seems like it's almost trying to circumvent that process.

**COMMISSIONER CHU:**

Legislator Krupski, this doesn't do that at all. This doesn't impose anything at all on the towns and villages. They still have every opportunity to -- again, this is -- I think Legislator D'Amato very well articulated that they don't -- this doesn't force them to agree to anything.

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

No. I think it's just offering them the opportunity to do it. Okay. Anybody else? I think we got them all.

We have two motions. No, we don't. No, we don't. I'm sorry. I stepped out for a second.

**LEG. CILMI:**

If somebody else wants to make a motion to commit.

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

Would anyone else like to make a motion to commit?

**LEG. BROWNING:**

Did somebody make a motion?

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

No, we pulled it.

**LEG. CILMI:**

I withdrew my motion, Kate.

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

It was withdrawn.

**LEG. BROWNING:**

I'd like to make a motion.

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

Okay. Legislator Browning would like to make a motion to commit.

**LEG. BROWNING:**

I just want to say, I mean, I do have a village that has had a lot of storm damage. I'd like an opportunity to at least have a conversation with them. And I don't know if they are even aware of any of this, so I'd kind of like to be able to have some conversation with them before I let this go anywhere.

**LEG. KRUPSKI:**

Second.

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

And second by Legislator Krupski.

**LEG. D'AMARO:**

On the motion.

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

We have a motion to commit.

**LEG. D'AMARO:**

On the motion.

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

On the motion.

**LEG. D'AMARO:**

I cannot overemphasize the fact that if we pass this tonight, the towns and villages will have all the opportunity that they need, because we're only authorizing the beginning of those very discussions, that's all we're doing. And to delay that by four weeks, to me, is slowing down the recovery process. I mean, if we were granting or compelling a town or a village to do something here tonight, I would agree with you, but we're not. We're only saying, "Come to the table and negotiate." They can disagree and never do this if they don't want to. So I would rather get those discussions started now. So, please, I urge you to vote for this.

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

Okay. We still --

**LEG. KENNEDY:**

Wayne, let me --

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

Needless to say, Legislator Kennedy.

**LEG. KENNEDY:**

Well, I made the motion in the first instance to approve. Commissioner, I have tried to listen to most of the dialogue, and you've explained that more or less what we're doing is, is just setting the wheels in motion, but not trying to go head and supersede the Home Rule function of any town or village. Let's just say Village of the Branch elects to go ahead and to enter into this process or this agreement. Will that agreement come back to us, or is this self-executing?

**COMMISSIONER CHU:**

This would allow that negotiation, but I'd be glad to bring back a report on any -- on progress.

**LEG. KENNEDY:**

Well, I think probably if you can hear what's around us, or what most of my colleagues are expressing is -- I, certainly for one, do not want to delay this. Fortunately, I have not had in my district the damage that, you know, many of the South Shore communities have had, and much of what they're looking at still with the rebuilding process, and I would not want to stand in the way of that. But I do think that, as I just said, a Village of Lake Grove, Village of the Branch, any of the villages in my district, I certainly would want the opportunity to go ahead and be able to ratify the agreement if it came back. So perhaps if you made that commitment, that, you know, once negotiated, it could be before us for final approval, you might get the opportunity to get it out the door today. Otherwise, I don't know if there's the commitment here.

**COMMISSIONER CHU:**

I'm not sure, you know, what utility would that be. I mean, quite simply, this is just an attempt, and I can't say that this is not the last time this is going to happen, to try and eliminate as much red tape as we possibly can to get this money delivered to people. You know, I think we've addressed most of the questions, most of the concerns. This does not commit the Village of the Branch, the Village of Lindenhurst, the Village of Mastic Beach to anything. This simply allows us to introduce a mechanism for a very, very specific purpose, for a very, very specific funding source to cut red tape, to get people, who have been waiting a very long time already, funds quicker. If it's a day quicker, if it's two days quicker, I can't say, but it allows it to make it quicker.

**LEG. KENNEDY:**

Commissioner, does it do anything else? Here's the last question, and then I'll let it go and I guess the Body will decide what it decides.

One of the things that I've seen were concerns about unlicensed contractors and out-of-state contractors. Now, I am not directly familiar with the New York Rising Program. I have spoken to some of the people that are collocated across the street. Is that implementing Federal or State funding to do some of these storm-related repairs?

**COMMISSIONER CHU:**

Yes, that's exactly what this is for.

**LEG. KENNEDY:**

So do we have -- you spoke before about some of the licensing or certification requirements, prevailing wage. That type of process, is all that in play?

**COMMISSIONER CHU:**

No. This is because of the HUD funding, which is normally exempt from prevailing wage. The prevailing wage is not applied to the residential portion of the program, in any event, and that's New York State, that's coming from New York State, that's not ours to impose.

But to your other question about the enforcement, again, this would allow -- in some cases, you know, there are villages and towns that would welcome this, because this would allow us to enforce in jurisdictions that we normally wouldn't enforce in for the specific purpose of this, so -- but the prevailing wages, for the residential portion at least, wouldn't apply for -- you know, for Public Works program with the money, I think that would apply, but not for --

**LEG. KENNEDY:**

But, in other words, if you're doing individual residential work. I mean, the classic we've seen is --

**COMMISSIONER CHU:**

I just want to make it clear that it's not prevailing --

**LEG. KENNEDY:**

It is not prevailing wage.

**COMMISSIONER CHU:**

No.

**LEG. KENNEDY:**

Okay.

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

Legislator Krupski.

**LEG. KRUPSKI:**

So, if I read this right, and I've had a chance to read it, some of it, now, if I read this right, it says that there's going to be money available, program funds.

**COMMISSIONER CHU:**

Correct.

**LEG. KRUPSKI:**

So who disburses the funds?

**COMMISSIONER CHU:**

This is New York State currently. It's all funding coming from -- Federal funds coming to New York State flowing down to counties, towns and individual villages, as well as homeowners.

**LEG. KRUPSKI:**

So the County disburses the funds.

**COMMISSIONER CHU:**

The County is not disbursing funds, no. County can be in receipt of the funds for certain -- for certain services that we're providing, but not --

**LEG. KRUPSKI:**

Only municipalities or private people?

**COMMISSIONER CHU:**

Both. The municipalities would not be passing through funds, but they are eligible to receive funds to cover program-related expenses.

**LEG. KRUPSKI:**

Thank you.

**COMMISSIONER CHU:**

But for the building, it's direct to benefit to the -- from New York State to the homeowner.

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

Okay? All right. We have --

**LEG. MURATORE:**

Kate.

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

Anybody else? Oh, Kate. I'm sorry.

**LEG. BROWNING:**

Okay. I guess what I'll do, I'll withdraw my motion to commit to committee, and I'll certainly be talking to my Village. My concern was, is if they opt out of this, what happens to them?

**COMMISSIONER CHU:**

I mean, if they choose not to ever come to the table to negotiate when we call them, then there's no recourse for them. It just would make -- it would just make -- they would just be responsible for their enforcement, and they would be responsible for the licensure, and it wouldn't provide that reciprocity. So, I mean, this is largely a neutered measure if it doesn't have buy-in from the towns and villages. This is just -- would be the first step in the process of getting it done.

This is -- you know, we had this -- I had this conversation with the Housing Partnership and the Dorm Authority that said, "Hey, listen, this is nothing we could do on our own." We can't just do this in one blanket measure and make this just happen, this is something that requires buy-in from the towns and villages. So this does not get -- this is really nothing if it doesn't have buy-in from the villages and the towns.

**LEG. BROWNING:**

I'm just concerned that it's not going to delay any funding for them if they opted out, that it's not going to hurt them.

**COMMISSIONER CHU:**

No, not at all. I mean, it may delay it to the extent the ability for certain contractors to do business in certain other areas. You know, as they're building contractor capacity, you know, it just would create another step. Some of the -- I mean, some of the towns and villages, their -- you know, their licensure cycle might be -- you know, some of them are months, so this would help to forego that. So, if a contractor -- if a contractor gets certified through the program, but they can't do, for instance, work in Mastic Beach because they don't have a license there, they couldn't accept a job there, and it might take months for them to get that, and it would serve to just limit the capacity of contractors, certified contractors to do work for the purpose of the program. Again, we're not certifying those contractors, that's a function of the State, but it could delay that process.

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So this essentially would -- if all these reciprocity agreements went through, it would essentially, you know, create a homogenously licensed set of contractors approved that have met the criteria of the program, that will be able to do work without having to worry about getting, you know, the normal -- going through the normal reciprocal license process that they would have to do outside of the program.

**LEG. BROWNING:**

Okay. I'll withdraw.

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

You're withdrawing your motion to commit?

**LEG. BROWNING:**

Yes.

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

Okay, very good.

**LEG. SPENCER:**

I'm making a motion to commit.

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

Well, you can.

**MR. NOLAN:**

You need a second.

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

Legislator Spencer just made the motion to commit again. So do we have a second on the motion? I need a second on the motion to commit.

**LEG. SPENCER:**

No second? That's fine.

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

No second.

**LEG. SPENCER:**

All right.

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

Then the motion dies. Okay. We have a motion to approve. All those in favor? Opposed? So moved, it has been approved.

**MR. LAUBE:**

Seventeen.

**LEG. SPENCER:**

I abstain.

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

And one abstain.

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**MR. LAUBE:**

Abstain? Sixteen. (Vacant Seat: District 8)

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

All right. Move to the yellow folder. I'll make a motion to waive the rules and lay on the table the following late starters:

1793 to Gov Ops; 1794 to Public Safety; 1796 to Budget and Finance; 1798 to EPA.

**MR. NOLAN:**

You missed 1797.

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

Did I? I'm sorry. 1797 to EPA; 1798 to EPA; 1798 to --

**MR. NOLAN:**

1799.

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

1799, rather, to Ways and Means; 1800 to Ways and Means; 1802 to Economic Development and Energy; 1803 to Gov Ops. 1804 to Gov Ops. 1805 to Economic Development; 1806 to Public Safety; 1807 to Budget and Finance; 1810 to Public Works, and 1812 to Ways and Means. I'll need a second on the motion.

**LEG. CILMI:**

Second.

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

Seconded by Legislator Cilmi to -- on the laying on the table the late-starters. All those in favor? Opposed? So moved.

**MR. LAUBE:**

Seventeen. (Vacant Seat: District 8)

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

Now, let me ask you, does everybody have the arranged -- the dates of the arrangements for the weekend? Everybody's good? Okay? If not, certainly check with Barbara. And we'll see you over the weekend. We're adjourned.

***(THE MEETING WAS ADJOURNED AT 7:36 P.M.)***