

**SUFFOLK COUNTY LEGISLATURE**

***GENERAL MEETING***

**EIGHTH DAY**

**June 3, 2014**

***Verbatim Transcript***

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING**

**IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM**

**725 VETERANS MEMORIAL HIGHWAY**

**SMITHTOWN, NEW YORK**

**Minutes Taken By:**

***Alison Mahoney & Lucia Braaten - Court Stenographers***

**Minutes Transcribed By:**

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

General Meeting - June 3, 2014

*(\*The meeting was called to order at 9:34 A.M. \*)*

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

**P.O. GREGORY:**

Good morning, everyone. Can I have all Legislators to the horseshoe? Okay. Mr. Clerk, good morning. Roll call.

**MR. LAUBE:**

Good morning, Mr. Presiding Officer.

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

**LEG. KRUPSKI:**

Here.

**LEG. BROWNING:**

*(Not in room).*

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

Present.

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Present.

**LEG. LINDSAY:**

Here.

**LEG. MARTINEZ:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

*(Not in room).*

**LEG. TROTTA:**

Here.

**LEG. McCAFFREY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

Here.

**D.P.O. SCHNEIDERMAN:**

Here.

**P.O. GREGORY:**

Here.

**LEG. BROWNING:**

Tim, I'm here.

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

Okay, thank you. All right. We will have the Pledge of Allegiance led by Legislator Trotta.

***Salutation***

Please remain standing. The ***invocation*** will be given by Pastor Robert Schoepflin of the Abiding Presence Lutheran Church in Fort Salonga, guest of Legislator Robert Trotta.

**LEG. TROTTA:**

Good morning.

**PASTOR SCHOEPFLIN:**

Good morning. Thank you to Legislator Trotta for inviting me to open this meeting of the Suffolk County Legislature with prayer. As a person of faith, it's good to know that my elected leaders take the blessing and guidance of God as they do their work.

*A brief reading from Psalm 46; "God is our refuge and strength, the very present help in trouble. Therefore, we will not fear, though the Earth should change, though the mountains shake in the heart of the sea; though its waters roar and foam; though the mountains tremble with its tumult. There is a river whose streams may cloud the City of God, the holy habitation of the most high. God is in the midst of the city, it shall not be moved. God will help it when the morning dawns. The Lord of host is with us, the God of Jacob is our refuge."*

Let us pray. All mighty God, you have given us this good land as our heritage. Make us always remember your generosity and strive to do your will. Bless our land with honesty in the workplace, truth in education and honor in daily life. Save us from violence, discord and confusion, from pride and arrogance, and from every evil course of action. When times are prosperous, let our hearts be thankful, and in troubled times, do not let our trust in you fail.

All mighty God, we give you thanks for those who protect us, for those serving in the armed forces at home and abroad, for the men and women of our law enforcement agencies, for the women and men of our fire departments, both professional and volunteer. We commend them all to your gracious care and keeping.

General Meeting - June 3, 2014

All mighty God, we lift before you all who govern in this country, state and County, especially your servants who service Suffolk County Legislators. Bless them and guide them that their endeavors and actions might serve all your people and promote our common life as sisters and brothers and as citizens of this great land. All this we ask in your most holy name, amen.

***"Amen" Said in Unison***

**P.O. GREGORY:**

Thank you, Pastor. Let's remain standing for a moment of silence. Let us also remember all those men and women who put themselves in harm's way every day to protect our country.

***Moment of Silence Observed***

We have several presentations this morning. First is a proclamation that will now be presented by -- let me see. I'm sorry. Will now be presented to the **2014 Brookhaven National Laboratory Science Fair Winners**. First to give proclamation is **Legislator Trotta**.

**LEG. TROTTA:**

Okay. I would like to invite up -- **Ava (Grimley)**, **Kyle (Wozniak)** and **Lia (Edlin Miller)**, can you come up with your parents?

***Applause***

And of course, Mr. Rubin. There's a soft spot in my heart for all these kids. I have three winners in my district, which is sort of, I think, unheard of. My wife taught Kyle in kindergarten, now he's in 1st grade. And Ava is also in the same school, Fort Salonga, so Mr. Rubin, congratulations for having two winners this year. They did some great projects, we're very proud of them. On behalf of all the residents of Suffolk County, I congratulate you and wish you good luck in the future.

***Applause***

**P.O. GREGORY:**

All right. Next we have **Legislator Kennedy** to present to a 3rd grade recipient.

**LEG. KENNEDY:**

Good morning, Mr. Presiding Officer. And I have the great honor and privilege of having had two Brookhaven National Lab Science Competition winners; **Nicholas {Caravolious}** and **Catherine Feldman**. Do we have either of them here with us today? We have -- okay, we do not. All right. Well, we must have with the other competition. These we will send off. And likewise, like Legislator Trotta, two young folks who have done outstanding science work at a premier scientific institution in our County. We'll send the offers over to them. Thank you.

***Applause***

**P.O. GREGORY:**

Okay. Next, Legislator Lindsay. Okay. When Legislator Lindsay comes back, he'll do his. **Legislator Kennedy**. No, here he is. You're up, Bull Dog. Your 5th Grade recipient of BNL.

**LEG. KENNEDY:**

Let's see, we have Hannah Fioramonti and **Grant Faber**. I know we have Grant Faber here. And Hannah Fioramonti? Hannah wasn't able to make it with us today, I guess. Hi. How are you? Good morning. Good to see you.

General Meeting - June 3, 2014

Well, as I had said before, we have outstanding students. And let's talk a little bit about the project that Grant was able to work with. Grant is from the Forest Brook Elementary School, and Grant did an excellent project. Because what he did is he tested how practice, daily practice has an impact not only with academics, but with athletics. And what's the conclusion you came to, Grant? What does practice do for us?

**MISTER FABER:**

It makes you better at what you want to do.

**LEG. KENNEDY:**

Absolutely, it makes us better at what we want to do. And so what you were able to do was measure the impact, measure the effects of that, and actually bring something across in a positive way. You did something with a lacrosse ball, basketball dribbles.

**MISTER FABER:**

Yep.

**LEG. KENNEDY:**

And how about on the academics; what did we do for the academics?

**MISTER FABER:**

I did division and multiplication, and I wanted to see how much time it would take to do a hundred problems in five minutes.

**LEG. KENNEDY:**

And how was it competing there at Brookhaven Lab; did you like the lab?

**MISTER FABER:**

*(Shook head no).*

**LEG. KENNEDY:**

You didn't like the lab, because there was a lot of people there, I'll bet.

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

But you did a good job. And see, so you worked hard, you persevered and you won. So it pays to work, doesn't it?

**MISTER FABER:**

*(Nodded head yes).*

**LEG. KENNEDY:**

Yes, it does, as a matter of fact.

And Mr. Presiding Officer, as I've said, we all have the benefit of by young students, Forest Brook has consistently turned out BNL winners, and I'm happy to go ahead and recognize Grant and his family here today. As a matter of fact, one of his family members was an intern in my office. So we're very, very fortunate and pleased that we have them. Congratulations and thank you.

***Applause***

**P.O. GREGORY:**

Okay, Legislator Lindsay.

**LEG. KENNEDY:**

All right. One second, Mr. Chair? I'm sorry, but actually, we do have Hannah (Fioramonti) here with us as well. And Hannah, as I was taking a look at, has actually got a real distinction. Hannah has actually won three times running now at Brookhaven National Lab. And as a matter of fact, she is the only girl student, only female student to have achieved that distinction in all of Suffolk County, in all of our 110 school districts.

***Applause***

So absolutely positively, Hannah, you really are the best and the brightest. And tell me a little bit, what was your project, Hannah? What did you do?

**MISS FIORAMONTI:**

My project was hot and cold melodies. Since I play the violin in orchestra, my -- in 3rd grade my instrument was always getting out of tune and I had no idea why, and it was really because of the temperature. And then because -- sometimes, because of the temperature, the orchestra seemed out of tune, so I wanted to see if -- how temperature effects each instrument and the orchestra, if it effects it differently or not.

**LEG. KENNEDY:**

So temperature does affect the way instruments are heard, the way they can be played.

**MISS FIORAMONTI:**

Yeah.

**LEG. KENNEDY:**

And actually, what our experiences with what we hear. And you were able to demonstrate that scientifically, huh?

**MISS FIORAMONTI:**

Yeah.

**LEG. KENNEDY:**

Okay. So I guess we have to keep our violins warm; is that it? *(Laughter)*.

**MISS FIORAMONTI:**

We just have to keep them in a consistent temperature.

**LEG. KENNEDY:**

Keep them in a good, safe place. Well, once again, thank you very much for the work that you do. And as I said, Mr. Chair, it's my great honor and privilege to go ahead and recognize Hannah for all her good work. Thank you.

***Applause***

**Legislator Lindsay**

**LEG. LINDSAY:**

Good morning, Mr. Presiding Officer, my colleagues in the Legislature. I'm here today to honor Mr. Evan Como who took 1st place in the 4th Grade Division in the Brookhaven National Laboratories 2014 Elementary School Science Fair. With Evan today, if I can ask them all to come up, are his parents, Joseph and Cheryl Como; Dr. John Stimmel who is the Assistant Superintendent for Curriculum and Instruction; Rose Castello, Principal at Sunrise Drive Elementary; Gina Romano, Evan's 4th grade classroom teacher; and Vicki Foster, the Science Teacher Aide.

General Meeting - June 3, 2014

Good morning. Congratulations, Buddy. Now, Evan is a resident, a 4th grader at Sunrise Elementary School. He's also a Cub Scout and he's clearly an outstanding scholar. Evan's experiment gained inspiration from a picture of a physics experiment that used marbles to gradually change the weight of a cart. He thought that the marbles moving around the cart would affect the car's speed. Evan hypothesized that the more a material could move around in a container on a moving vehicle, the more it would affect its speed, He believed the material that moves around a lot would decrease the speed of the vehicle carrying it. He designed an experiment that allowed for multiple trials and allowed for four different materials to be tested under identical conditions.

Ultimately, Evan's experiment did not prove his hypothesis. However, he observed during testing that the materials that were supposed to move did not move as much as expected. He realized that gravity was the only force at work on the vehicles on a pine wood derby track. He then determined that an experiment that used a force other than gravity applied to the vehicle, would be a better test of his hypothesis. Evan's hard work and dedication proved vital to seeing this project through to the end and I'm extremely proud to congratulate Evan Como for earning 1st place prize in the 4th Grade Division of Brookhaven National Lab's Science Fair. Congratulations, Evan. I'm sure we'll be hearing a lot more about you in the future with all your successes. Congratulations.

***Applause***

**P.O. GREGORY:**

Okay. Next up is **Legislator Schneiderman**.

**D.P.O. SCHNEIDERMAN:**

Let me invite up Kendall, come on up, and Jean. It's nice to see you guys. Hearing about -- hearing great stories about Suffolk County kids doing great things has always been music to my ears. And this project, like one of the ones we heard about earlier, had to do with music, and we're fortunate to have **Kendall (Stedman)** here. I know you've made a long trip, because you live in the same community I do out in Montauk, so I was on the road with you this morning. And I know your project had to do with music and how music effects the heart. And I know you were, I guess, inspired by a cousin of yours that had a heart defect and had a transplant and is doing okay now? And it got you interested in learning all about the heart. And I guess you had heard a story that music can effect your heart rate, right, and you wanted to test if that was true. So you conducted an experiment, I guess you hooked people up to heart monitors --

**MISS STEDMAN:**

An oximeter.

**D.P.O. SCHNEIDERMAN:**

What's it called; an oximeter?

**MISS STEDMAN:**

Yes.

**D.P.O. SCHNEIDERMAN:**

An oximeter. And then you measured their heart rate and then you would play different kinds of music?

**MISS STEDMAN:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Okay. So what did you find?

**MISS STEDMAN:**

I found that classical music will decrease your heart rate.

**D.P.O. SCHNEIDERMAN:**

So classical music actually does slow down your heart rate, just as people maybe have thought. And rock and roll?

**MISS STEDMAN:**

Like heavy metal will increase your heart rate.

**D.P.O. SCHNEIDERMAN:**

Heavy metal does speed up your heart, right. Well, that's awesome. Kendall is a winner of the Brookhaven National Laboratory Science Fair, and I have a proclamation. I'm really excited. You know, I'm a former science teacher myself, so science is something that's near and dear to my heart. And it's really great that you took on this project. I think one of your teachers is here?

**MISS STEDMAN:**

They're both here.

**D.P.O. SCHNEIDERMAN:**

Both here; oh, great. Who do we have? We have Mr. Brunn and Ms. Walker. Mr. Molavi I know; hey, Joe. How are you? Good to see you.

Well, congratulations to all of you. And I know you must have had a great support from your parents as well. So Kendall, this is for you. It's a proclamation on behalf of Suffolk County and myself as your Legislator. Congratulations. Keep up the great work. We look forward to your future studies and, you know, other science fairs that you might participate in and other research that you do. So congratulations and great job.

***Applause***

**P.O. GREGORY:**

Thank you. Next we'll recognize Legislator Spencer who will present proclamations to Long Island Spine Specialists.

**LEG. SPENCER:**

Good morning. I'd like to ask if Dr. Mermelstein, Dr. Dewal, the Long Island Spine Specialists, Dr. Dobryansky of Plast Surgery, a plastic surgeon is here; Mae Caime, Host Mother; Diane Curley; Matt Huppe; Kristopher Stilwell; and Justin Silverstein; if you could come forward, please.

This is just a very compelling story. {Tazita Tesfay}, and 18-year old girl with a severe spinal deformity lived in the rural village of Ethiopia. Diane Curley, Director of Clinical Resources at Catholic Health Services, learned of Tazita's plight from her friend, Dr. Rick {Hoods}, an American physician who had dedicated his life and career to providing medical care to the poor in Ethiopia.

Diane also volunteered with Operation Hearts and Home, was able to set wheels in motion as they made arrangements to get Tazita to come to the United States. Tazita suffered from an S-curve in her spine that was so severe, she only stood 4 ft, 8 inches tall. When Drs. Mermelstein, DeWal, Dobryanski learned of the situation, they enthusiastically agreed to donate their services, as did Medtronic, Kristopher Stilwell, Justin Silverstein and Good Samaritan Hospital Medical Center with Dr. Dobryanski. Mae Caime, the Office Manager at Long Island Spine Specialist, agreed to be the host mother. The grueling surgery took more than nine hours during which Tazita's tightened and twisted ligaments and spinal joints were surgically released and stiff rods implanted to hold her spine

General Meeting - June 3, 2014

and {berkebal} joints in motion. She gained four inches of height after the surgery.

As Suffolk County Legislator and also as a physician, it gives me great pleasure to recognize this heroic, selfless feat that you have performed. And this is an international expression of good will and we're so proud that you are right here in Suffolk County. So it gives me great pleasure to recognize you with these proclamations. So first one, Dr. Mermelstein. Congratulations.

***Applause***

Dr. DeWal.

***Applause***

Dr. Dobryanski.

***Applause***

Medronic. He's not here, okay.  
Mae Caime.

***Applause***

Operation Hearts & Home.

***Applause***

Kristopher Stilwell.

***Applause***

And Justin Silverstein.

***Applause***

***(Photograph Taken)***

**P.O. GREGORY:**  
Congratulations.

Pursuant to Resolution No. 927-2007, Establishing a **Be Pool Smart Public Education Campaign to Promote Pool Safety**, the Budget Review Office has chosen the winning posters for 2013. And **Legislator Calarco** will present the 1st place winner -- to the **1st place winner**.

**LEG. CALARCO:**

Here, Jayda. Can you hold your poster up for us? Good morning. It's a real pleasure to be here this morning to recognize our Pool Smart -- Be Pool Smart Winner. Every year we ask our young students in our elementary schools across the County to try to design the best poster to convey how to be smart around the pools. So many young people lose their lives every year in this County because of -- in the swimming pool due to accidents and just not having safe procedures in place, and this is a great tool for us to help educate people. And Jayda's poster is just -- when I saw it, I thought how fantastic this poster is, and certainly it seems that Budget Review has agreed with me.

General Meeting - June 3, 2014

When I asked Jayda Ann (Krapf) to give us a short little brief information about her, she provided this little write up that is so fantastic, it's really -- it shows a level of understanding, introspection and maturity that you don't get out of adults usually. So I want to just read this briefly to you all, because I think it says so much, not just about the art work she's done but about who Jayda Ann is.

*"Hi. My name is Jayda Ann Krapf. I'm 11-years old, I'm in the 5th grade. My favorite hobby is art. I love art because there is no right or wrong way to do it. I entered this contest because I love to draw, color and express my inner personality. Since winning this contest, I've been looking for other drawing contests to enter. I would like to win some money for college. Another hobby of mine is I love to sing, but I do not like to sing in front of others. The reason is I have horrible stage fright. That's why I don't go to chorus, because some songs they have solos and I don't like to sing alone on stage. Thank you for selecting my poster as the winning poster for all of Suffolk County. I'm very happy to receive the award."*

And Jayda Ann, I'm very happy to have the pleasure of representing such a smart and intelligent and bright young lady and I wish you the best of luck in the future. And seeing that you're a little shy, I don't know if you want to say anything.

**MISS KRAPF:**

*(Shook head no).*

**LEG. CALARCO:**

*No (laughter).*

Well, congratulations again. And you have to put your modesty aside for a little while because your poster is going to go on all of our fliers. They go out to students and people across Suffolk County to teach them how to be pool smart. Congratulations.

***Applause***

And I have a proclamation here for you.

***Applause***

**P.O. GREGORY:**

Congratulations.

Next, Legislator Trotta will present proclamations to the following Semi-Finalists in the In-Tel Science Talent Search.

**LEG. TROTТА:**

Could I have Josh (Zweig), Bhavani (Anthabhotla) and Yonpgeng (Tang) come up, please?  
How are you?

**MR. ANTHABHOTLA:**

Good. How are you?

**LEG. TROTТА:**

Bhavani, are you here?

**UNKNOWN WOMAN:**

I think there was a mix-up of the names. Because there was a Catherine Feldman that was called out before, and Catherine is the other Intel Semifinalist. I heard it called before for the BNL.

**LEG. TROTTA:**

Okay.

**UNKNOWN WOMAN:**

I'm just letting you know. She's probably with the BNL.

**LEG. TROTTA:**

No, you're from Intel.

**UNKNOWN WOMAN:**

Okay, so you're missing one.

**LEG. TROTTA:**

Yes. I'm missing Josh from Commack, my alm mater.

I'm thrilled to have so many scientists live in my district. It's something very positive for the community. The Intel Search is the oldest nationwide search. There's 300 semifinalists and here are two of them now, we should be very proud of them.

They were very complex projects that I'll never be able to explain to you. But I can tell you this; Ava, for the Brookhaven National Lab, had colored bird seeds, and she decided that blue were the best color bird seeds. There's a reason I'm saying this. Kyle determined that a dog who leads with his left foot when given a bone is slightly more aggressive than the other dogs. And Lia (Edlin Miller) did a project where she showed just a person's eyes and determined what their feelings were. The reason I'm saying this is because those three kids will probably end up here, because they're dedicated people. And I'm sure you guys, when you were earlier in life, worked very hard at what you did and took things very seriously. I, in my wildest dreams, couldn't do the projects you've done. And I want to congratulate you and your family, your neighborhood and the school district in particular should be very proud of you. I want to give you all a round of applause.

### ***Applause***

Okay, this one's going to be easy. I would like to invite up some of my old colleagues: Special Agent Rey Tariche with the FBI; Special Agent James Lopez; Special Agent Eddie Heslin; Special Agent Sean McMullen; my old partner, Special Agent Steve Troid; Special Agent John Triolo; Nassau County Police Detective Mike Nigro; Nassau County Sheriff's Department Investigator George Davis; another one of my old partners, Detective John Oliva; another one of my old partners, Detective Willy Maldonado; and two of the hardest working guys you'll ever see in law enforcement, in the prosecution point, United States Attorney John Durham and my long-term friend, United States Attorney Ray Tierney.

The people you're looking at today are responsible for hundreds of the most violent gang arrests you have ever seen, this County has ever seen. They are responsible for the arrest of the mother/toddler people, they're responsible for the arrest of over 200 people. Detective Oliva and Detective Maldonado, along with Special Agent Heslin and Special Agent Sean McMullen, in the past two years prior to them leaving the task force, arrested 12 people for murder. All of them that were unsolved, most of them in Legislator Martinez' district, with a couple in Legislator Gregory's district. They're responsible for the arrest of over 20 people in the clearing over 20 Assault I's. An Assault I is when you shoot someone and they don't die.

When I was transferred to the 1st Precinct, there was 50 shootings, Assault I's. Not one arrest was made on those 50 cases, mostly because the victim didn't want to press charges. The ability to put Suffolk County Police in touch with the FBI Violent Crimes Task Force solved many crimes, crimes that I could list in Legislator Spencer's district, in Legislator Kennedy's district, in my district, along

General Meeting - June 3, 2014

Jericho Turnpike in St. James. These people solved crimes that, if hadn't been solved, would be -- it would be a war zone out there today. People would -- MS-13 would be proliferated, it would be a very, very bad situation. The children we have here today and the people we have here today should thank these people, because they spent hours and hours in cars, in the back of cars doing deals and things that I can't even talk about and they made this County saver.

I want to point out Detective Maldonado and Detective Oliva. Detective Oliva was transferred. When he was notified that he was being transferred, he was in the middle of taking a murder confession. The next case he had was a stolen gum ball machine from a stationery store. I can tell you from 25 years of experience and a lot of education, that is not intelligence-based policing; that's stupidity.

I'm here today to congratulate you guys and thank you guys for the hard work you've done, because this County would be a different place without you guys.

***Applause***

That's it. Thank you. Hold on, I've got these for you. Okay, thanks.

**P.O. GREGORY:**

Thank you. Thank you guys for all the work that you do for our communities.

***Applause***

Is David Cincotta in the audience? If so, please stand. David? Okay. All right, **Legislator Hahn** will make the next presentation.

**LEG. HAHN:**

Hello, everyone. I am really pleased to introduce to you **Raymond Yin**. He's from my alma mater, **Ward Melville High School**.

From April 28th to May 4th, Raymond was in Houston to present a ground breaking concept that may revolutionize energy production during the 7th Annual International Sustainable World Energy Engineering and Environment Project Olympiad, affectionately referred to as ISWEEEP; easier to say, too. Students representing 66 different countries presented 385 highly qualified projects during this prestigious International Science Fair. Finalists were selected to compete after winning -- first winning at State or national science fairs. Raymond's project entitled -- and correct me if I get anything wrong -- Graphene Oxide Membranes for Energy Efficient Ethanol Dehydration by Perb Evaporation. Did I do okay on that? Okay, good. He explored the creation and use of a membrane to dehydrate ethanol, which in turn significantly increases the ability to produce the cleaner burning renewable fuel source in a much less expensive way. His work earned him a grand award in the competition. And in addition to the grand award, Raymond also won the Mill Set U.S.A. Medal and the Consumer Energy Alliance Energy Day Award. Raymond will be attending another of my alma maters, the University of Pennsylvania in Philadelphia, majoring in chemical engineering.

I applaud this Ward Melville High School Senior for his research, thoughtfulness and work that may one day fuel human progress and our global economy. Congratulations, Raymond.

***Applause***

**P.O. GREGORY:**

Congratulations. Next, **Legislator Martinez** will present proclamations to three students from **Brentwood's East Middle School**.

**LEG. MARTINEZ:**

Come on, guys. Good morning. I am so happy and proud to introduce the following three students of East Middle School. We have Erica Alvarezis, Jailene Cruz and Christian Odom.

These students -- I'm recognizing these students today for their efforts in the "*Fuel Up to Play 60*" Program. It is a program founded by the National Dairy Council and the NFL, in collaboration with the USDA, that empowers students to take charge in making small, every day changes at school. Students can win prizes like an NFL player visit which last year at East Middle we had Amani Toomer from the New York Giants, which I had the pleasure and honor to take a picture with. But they can also win Superbowl tickets and they can -- and by choosing good-for-you foods and get active for at least 60 minutes a day. Their goals is to want other children to make a difference, not only in their lives but also in their community.

The three students from East Middle have done just that and more. With the help of their advisors, whom I love so much, they're great teachers; we have Ms. {Jessie Penone} and we have Ms. {Janine Rotolo}. They have been given the tools to inspire these students in their schools and community to get up, get active and be the change, whether it be volunteering their time at various events such as family fitness night or getting up and running the Gary {Smith} Memorial K 5 Run which is a scholarship fund-raiser for students going on to college. These students are leading by example. These students have been named New York State Fuel Up to Play 60 Ambassadors of the year for all of their hard work at East Middle. They have also been asked to go to Texas in July to speak at the Fuel Up to Play 60 National Conference. They have received an all-expense paid trip by the American {DARE Association} to attend this conference and meet with other students like themselves who are trying to help make change in their schools and community. Guys, I am so proud of you. I know how it is. They have to at least do 60 minutes of exercise a day; I can't even do a half hour a day. But I am so proud of you and I miss you guys and I'm so proud. Congratulations.

***Applause***

**P.O. GREGORY:**

Congratulations, guys.

Next, Legislator Spencer will be recognized to present several proclamations.

**LEG. SPENCER:**

Good morning again. I would like ask if Ryan Sammis would join me at the podium with his family, please.

I am proud here to stand with a hero. And we've seen a lot of really fantastic proclamations this morning, and this one, though, is also one that particularly caught my attention because of the risk he placed to himself personally. Today I want to recognize the recent bravery of my constituent, Ryan Sammis. On May the 19th, Ryan, a Huntington Town Harbormaster and a Halesite Fire Department volunteer came to rescue a man who had dislodged himself in his SUV after accidentally driving it into Huntington Harbor. A great personal risk to himself, Ryan jumped into the 50 degree water in his street clothes and swam to the individual, stabilized him, removed him from the water, swam back to the dock, put on special dive gear and went under water to check for additional passengers.

After the incident was over, Ryan was taken to Huntington Hospital to be treated for hypothermia. For his heroic actions and prompt response and assessment of the situation, he saved a life. And it is my honor to present him with this proclamation recognizing his bravery. Thank you.

***Applause***

General Meeting - June 3, 2014

I would like to ask if Tom Kehoe would please join me at the podium. We shift from one act of bravery to another act where someone who has dedicated decades of his life to public service. Tom recently retired as serving as a Northport Village Trustee since 2006. Born and raised in the Bronx, Tom is an Eagle Scout, attended St. John's Prep, graduated from the University of Dayton. Following college, Tom married and is the father of six children. Throughout their early lives, Tom was involved in the Northport community as a baseball and basketball coach. For nearly 40 years, Tom has been a local business owner specializing in the seafood industry, and his business has expanded into international markets. Both in the United States and abroad, Tom continues to serve as an advocate for the industry and the benefits of a healthy fish diet.

During his tenure as Northport Village Trustee, Tom served as Police Commissioner, as Commissioner of Commerce and Sanitarian. In his Commerce role, he's formed a very proactive Northport Business Development Committee comprised of key local leaders who are instrumental in instituting numerous programs which helped to revitalize downtown Northport. So in my opinion, when you go to the Village of Northport, part of the character and the success that we see today is in a great part to Tom's effort. The interesting thing about Tom is that he saw early on, as I was starting to get involved into the community and Tom joined me as a partner, as an advisor and as a friend, he works to protect our veterans, he works to protect our infrastructure, he works to protect the environment, and he's constantly out there because he gives a darn about what's going on. One of the smartest individuals that I know, and I'm proud to call him a friend and I thank him for 40 years of service to Suffolk County. Thank you.

***Applause***

I would like to have his son come up and join us, please.

**MR. KEHOE:**

Doc didn't say that he's a D and I'm an R, and it was an odd alliance but we made it work.

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

**LEG. SPENCER:**

I would like to ask the Sorrentino Family to please join me at the podium, Andre and Pasquale. Andre and Pasquale Sorrentino are lifelong Huntington residents and owners of the Sorrentino Trucking Company, and are known throughout Huntington area for their benevolence.

This past Easter, as they have done numerous times before, the Sorrentino brothers purchased several hundred turkeys which were given to local families in need to provide them with a joyous holiday dinner. I was there as they had a truckload of the turkeys and families who came throughout the community, and they were really excited to be able to know that they were going to have a nice meal with their families. And the whole Sorrentino Family came out to do this. And when I just see people just take of their own personal blessings and so freely give them to the community, I'm really touched, really, by their kindness. And I really wanted to make sure that we recognized it so that everyone could realize what a fantastic family they are. So thank you.

***Applause***

**P.O. GREGORY:**

Okay. Thank you, Legislator Spencer.

Next we'll recognize Legislator Kennedy who will present an award to Catherine Feldman.

**LEG. KENNEDY:**

Catherine, you want to join us here? And Dr. Figueiredo, please. We've been on a theme today to recognize outstanding students in our districts. And today I have a student from **Smithtown West**. She is a high school senior and she is an **Intel Semi-Finalist**, one of only 300 in the whole country.

She has studied the chewing patterns of certain classes of mammals, but Catherine has really distinguished herself, once again, far and above what the average high school student demonstrates in that she, along with her collaborators, will actually be published in the **Journal of Mammalian Evolution**. That is something that, quite frankly, is astonishing, that we would have a young person at this age, 17, who gets that distinction of national recognition for a scientific periodical and the ability to be published.

It is no small testament to her mentor and teacher, Dr. Figueiredo. Catherine is going on to study at my alma Mater, Stony Brook, she's going on to study Physics. And all I can say is that, once again, we are absolutely positively benefitted by the outstanding student body that we have here. And you're going to say here in Suffolk County, right?

**MISS FELDMAN:**

*(Nodded head yes).*

**LEG. KENNEDY:**

We need you here. All right, thank you so much, and congratulations on the great work, Catherine.

***Applause***

**P.O. GREGORY:**

All right, congratulations.

Is there any member of the Administration? Okay. Legislator Kennedy? Okay. Legislator Kennedy had requested -- if you two gentlemen would please come forward, state your name for the record. This is under *Statements and Presentations of Elected Officials*; you two are elected Fire Commissioners. You can speak, we'll give you a few minutes to make --

**D.P.O. SCHNEIDERMAN:**

Come to the table.

**MR. KENNY:**

Yes, I'm Lawrence Kenny, I'm the Attorney for the Smithtown Fire District. And with me is Thomas Buffer, he is the Chairman of the Smithtown Fire District. We're here in support of the application of the Fire District for Resolution 1450, Legalizing and validating certain acts of the Smithtown Fire District in connection with construction of the substation on Plymouth Boulevard and the expenditure of funds for the that purpose in the Capital Reserve Fund.

This Legislature is authorized to correct errors of a municipality pursuant to County Law section 227. The procedure was recommended by the attorney for the Comptroller of the State of New York. And we're asking the -- the matter has appeared before the Ways & Means Committee who have filed -- will speak today on it, and we're here in support of it. If there are any questions or anything, you need any assistance, we'd be glad to give it to you.

**LEG. KENNEDY:**

Mr. Presiding Officer, if I might?

**P.O. GREGORY:**

Yes.

**LEG. KENNEDY:**

We have vetted this matter quite thoroughly. As a matter of fact, it had a hearing in Ways & Means and the District has actually, at our request, undergone the extraordinary steps, if you will, of actually publishing the time for the resolution in Ways & Means. It was done not only within periodicals that are both within the town, Newsday as well, and it had the additional physical postings within Town Hall, within the library and within the fire department. So notice being a key part of this aspect, the District has more than gone above and beyond what would be an ample opportunity to demonstrate, circulate and provide notice for district residents and the world at large, quite frankly, to come and address us. So I thank them for their work and we will take the matter up, I guess, in the schedule. Thank you.

**P.O. GREGORY:**

Thank you.

**MR. KENNY:**

Thank you very much.

**P.O. GREGORY:**

Thank you. Okay, I see Dr. Toulon has entered the room. There was a request by the Administration if we could take IR 1446 out of order, that is the appointment of the new Medical Examiner, Dr. Caplan. He has travel arrangements and we want to try to accommodate his travel arrangements. So I'll make a motion to take IR 1446 out of order.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. All in favor? Opposed? Abstentions? Did you call the vote?

**MS. GELLERSTEIN:**

Fifteen.

**P.O. GREGORY:**

All right. The motion, *IR 1446* is before us, ***(Approving the appointment of Michael J. Caplan, M.D., as Chief Medical Examiner)(County Executive)***. I'll make a motion to approve.

**D.P.O. SCHNEIDERMAN:**

Second.

**P.O. GREGORY:**

Second by Legislator Schneiderman. The floor is open for anyone who has questions. Dr. Caplan, would you please come forward? And Dr. Toulon.

**D.P.O. SCHNEIDERMAN:**

Dr. Caplan did come before the Public Safety Committee where Legislator Browning presided and was questioned extensively on his background and his interest in this position.

**P.O. GREGORY:**

Good morning. Just introduce yourself, Doctor, for those who haven't had an opportunity to meet you.

**DR. CAPLAN:**

Yes. Thank you very much, Legislator Gregory. My name is Mike Caplan, I am a pathologist at -- currently employed at Medical University of South Carolina in Charleston, South Carolina. And I

## General Meeting - June 3, 2014

have a background in some different areas of pathology which includes forensic pathology, also ped -- I've done some studies in pediatric pathology, looking specifically at disease involving infants and children. And also, I have a background in teaching and also have some private practice experience where I've been involved in supervising laboratory technicians in a small community hospital. And I am looking very forward to this opportunity to be Medical Examiner in Suffolk County.

One of the dreams of all forensic pathologists is to head up or be in charge of our own Medical Examiner's Office where -- and one of the things specifically about Suffolk County that I'm really impressed with is that in the Medical Examiner's Office, I have the opportunity to interact not only with other pathologists, but with all the people who are involved in doing a medical/legal death investigation, and that includes the investigators who obtain the initial information and all of the people who are specifically trained in processing the death scene and obtaining evidence, and that's everybody from toxicologists to people involved in various areas of forensic science such as DNA, trace evidence, ballistics. And the ability to be able to be involved in a place where you can integrate all of those parts is really exciting to me, and I really look forward to this.

**P.O. GREGORY:**

Great, thank you. Welcome.

**DR. CAPLAN:**

Thank you.

**P.O. GREGORY:**

We have two Legislators so far that want to make a statement or ask a question; Legislator Spencer and then Legislator Cilmi.

**LEG. SPENCER:**

Thank you, again, Dr. Caplan. I did have the privilege of speaking with you yesterday, I was at the Special Meeting of Public Safety Committee. But there were a couple of additional things I wanted to kind of share and express what my concerns are, and hopefully or perhaps plant a seed as you're coming in.

**DR. CAPLAN:**

Sure.

**LEG. SPENCER:**

For us not having a Medical Examiner in this County, it was really a matter of intense concern, just because of how important it is in terms of us keeping law and order, solving crimes, and also, I guess even protecting public health. And so one of the things that -- and I don't know if you had a chance to correct that, but that was shared. I think one of the -- my concerns with the Medical Examiner's position was that you can be a super pathologist and the best pathologist in the business, but unless -- as the Medical Examiner, you have to have people skills because you're dealing with the DA's Office, you're dealing with the Executive's Office, you're dealing with the public, so you can have a super pathologist that shouldn't be in front of the public, but you've already proven that you have those people skills. You know, one of the things that I don't think the rest of my colleagues realize, Legislator Schneiderman found out, was that you were a Medical director also. Could you just tell us about that? And I don't know, have you had a chance to correct your CV so that my colleagues are aware of that?

**DR. CAPLAN:**

Yes. Yes, sure. And one of the oversights, and I apologize for this, is my CV did not have in there, specifically this version, that I was the Medical Director at Community Hospital in Northern Michigan, Mercy Cadillac Hospital. For two-and-a-half years I was the Medical Director in the laboratory, which

means that in addition to performing duties of the pathologist, I also supervised all the laboratory technologists that were in the department, which was about 25 to 30 individuals over those years. So that really gave me a chance to develop, you know, some of the people and administrative skills that I hadn't had previously.

**LEG. SPENCER:**

And I think that's important. The other aspect of what I think is important, too, is that also -- more important than your ability to be able to do a successful autopsy is to establish protocols and procedures that the ME Office follows to make sure that there's an appropriate chain of custody when it comes to dealing with evidence, and we know that if there's a botched ME examination or evidence isn't handled appropriately. And being responsible, you know, I think you'll have to come in and review those protocols and make sure that you have the appropriate managers within the department to make sure that important cases aren't lost because of breaches and protocol, so you'll have to have the foresight to be able to look and establish those protocols.

But here's what I'd like to encourage you to do also. This is an opportunity and one of the things that I think you and I both know, and I've seen this, is that medical practices adopting technology tends to lag behind other industries. You know, we should have had electronic medical records 25 years ago.

**DR. CAPLAN:**

*(Nodded head yes).*

**LEG. SPENCER:**

You know, and some offices are still writing on charts. But with the ME's Office, once you're approved by this Legislature, once you're accepted, you have a six-year term, and what's nice about that is that it puts you beyond politics, so to speak. I mean, we'd like to have a relationship, we'd like to have oversight, but what we need you to do is to look at the office from an outsider coming in, and we want to have the best Medical Examiner's Office in the country as far as technology. Now, we'll figure out the finances and things of that sort, and I know that that's important, but as far as if there's technology that we should be utilizing, then we want to know about it. We want you to research it, we want you to tell us about it, we want -- we want to make sure that we are in a position to give you the tools to have a state-of-the-art Medical Examiner's Office. And if you could comment on have you had -- just where you're from currently. You mentioned some of the items with regards to DNA, tracing, I know there's a lot of evidence marking now where they're able to go into scenes and use different chemicals to do a DNA marking, not biologic DNA but DNA with regards to crime scenes. And so how do you plan to stay current? What is your experience at this particular point with technology? And is there a plan to bring some of that technology to us if we don't have it?

**DR. CAPLAN:**

Sure. Well, Legislator Spencer, I can say that as -- in the field of forensic pathology, really is a subdivision of forensic science. So what I mean by that is as a pathologist, there are -- in the Medical Examiner's Office, all of the other different areas of forensic science are represented; toxicology, criminalistics, trace evidence, DNA, ballistics. And so one of the things that really impressed me specifically about this office is the fact that all of those forensic sciences are very, very well represented there. And I had a chance to meet with all of those people and there's no question in my mind, you know, that they are, you know, very familiar and cognisant of the state-of-the-art and the standards that need to be applied.

As far as the pathology part of it, I think the most important thing as far as technology is making sure that we have, you know, good photographic documentation, that there is a good way that the evidence obtained at the autopsy is being submitted to the people in the laboratory, you know, with a proper chain of custody, that we have procedures for that. So all of that is very, very important.

But I think the one thing I do want to maintain or stress is that as important as technology is, I think having the people, you know, having a good camaraderie and a good morale in the office, I think technology is only as good as the people who are involved in doing the job. And I don't want to make the mistake of over emphasizing the technology at the extent -- at the expense of the people involved in it.

**LEG. SPENCER:**

Thank you, Dr. Caplan. I'm excited that you're here. I, as I said yesterday, support your nomination and I hope that my colleagues will support you unanimously. Thank you.

**DR. CAPLAN:**

Thank you very much.

**P.O. GREGORY:**

Thank you. Legislator Cilmi.

**LEG. CILMI:**

Hi, Doctor. Thanks again for being here.

**DR. CAPLAN:**

Thank you, Mr. Cilmi.

**LEG. CILMI:**

I'm sorry I missed your presentation yesterday.

**DR. CAPLAN:**

It's okay.

**LEG. CILMI:**

I tried to listen on-line, but for some reason it didn't work. Have you had an opportunity yet to sort of assess the condition of the office? From an operational point of view, from an equipment point of view?

**DR. CAPLAN:**

Yeah. In a -- you know, in a broad sense, not in greatly detailed sense. But I have actually been there, I've had a chance to meet with the pathologists and the people involved at the office, including, you know, the directors and the different laboratory divisions. Also the people running, you know, the operation, I've had a chance to speak with, you know, most of those folks when I toured there back in April. And I've also spoken, you know, to the people in charge of the medical/legal death investigations and to some of the pathologists several times on the phone afterwards. Yeah, so I have had a chance; again, not in great detail, but enough that I feel I have a sound overview of the issues.

**LEG. CILMI:**

You know, we are facing sort of an ever-present physical -- fiscal challenges here in Suffolk County, as many jurisdictions throughout the country are. So operating within -- you know, within the confines that that creates for us, is always difficult throughout the County. Certainly, I think I speak for most of my colleagues when I say that we view your office as critically important and as a priority, particularly given the nature of crime in Suffolk County, given the nature of substance abuse problems. So I would be eager to hear from you, once you do kind of get -- you know, immerse yourself in the office, where you see the deficiencies, if there are deficiencies, both from an operational point of view, from a technological point of view so that we can address those to make your office as efficient as possible.

General Meeting - June 3, 2014

The last thing we want to do is, you know, risk -- risk speedy prosecutions and the other things that come with not having the resources necessary to do the work that your office does in order to support our law enforcement efforts. And in today's environment, that lag time, those delays could literally cost lives. As drug dealers are out, you know, on bail, whatever they're doing and they're peddling their poison to our children.

So, I mean, I wish you Godspeed. I understand that you really can't opine at this point too much, you haven't really been -- you know, you haven't really been sort of acclimated to the office to see what those specific deficiencies may be. But when you do, I'd appreciate you coming back and talking to us about those, particularly as we, in the next couple of months, begin to look at our operating budget for next year.

**DR. CAPLAN:**

Thank you very much, Legislator Cilmi. And, you know, in the -- that's exactly what my plan is, you know, when I start, is to have a chance to really do an in-depth assessment of, you know, strengths, weaknesses, where improvements can be made. I think any Medical Examiner coming in, I mean, I think that's really the first thing that they have to do.

**LEG. CILMI:**

One of the things that we've learned, or that are some of our departments have learned is that sometimes backlogs develop but don't grow. So you could have, like, you know, a two month backlog, let's say, in processing, you know, the things that you're processing in your office, but that two months is constant. So that tells me, from a process point of view, that if you could whittle away that backlog, that the resources that, you know, you have are appropriate as long as you can get rid of that backlog.

**DR. CAPLAN:**

Right.

**LEG. CILMI:**

So one of the questions would be how do you do that? You know, how do you -- is there a way that you can assign additional resources to eliminate a backlog and, therefore, make the operation more efficient moving forward?

**DR. CAPLAN:**

Yeah, and that's going to be one of the issues that I'll have to explore. Because, you know, there can be backlogs on different levels, you know, in the actual -- the autopsy reports, you know, in the laboratory reports and for different reasons. And so once I have a chance to really find out, you know, what's behind that or to the degree that the issue exists, then I'll be able to address that more intelligently, hopefully.

**LEG. CILMI:**

Great. Thank you very much.

**DR. CAPLAN:**

Thank you.

**P.O. GREGORY:**

Okay, Legislator Barraga.

**LEG. BARRAGA:**

Dr. Caplan, welcome to Suffolk County.

**DR. CAPLAN:**

Thank you very much, Legislator.

**LEG. BARRAGA:**

Just a sensitive question in a different vein. I've had experiences over the years where I've interviewed or I've been on committees where people have come up, men have come up who are highly qualified for a particular position, there's no doubt that they're going to do an excellent job. Only to find out after a period of time -- a year, two years, three years -- that they move on, and they move on because -- and this is why it's a bit sensitive -- they were capable of doing the jobs, but their families were not supportive. They didn't want to make the change, they didn't want to make the relocation, they had a difficult time, were giving up their jobs to come here, and that's a stress, that's a strain on any individual. I'm assuming, and maybe -- hopefully correctly, that the family's on board, the spouse is supportive, ready to move to Long Island, with you a hundred percent.

**DR. CAPLAN:**

Absolutely. No, I'm glad you asked that question. As it turns out, you know, my wife is completely on board. You know, when we lived in Delaware back about ten years ago, her favorite thing was taking the train and going into New York, so she's always had an affinity for New York. And yes, she is definitely on board with that. She's a nurse, among other things, and so she's definitely looking forward to this.

My two children, actually, one is graduated and done with college, he's going to try to make it in the film industry somewhere in Los Angeles, and my other son is going to college. So yeah, all of those -- you know, and those very legitimate issues, but yes, I can tell you honestly that I have all the support of my family, and especially my wife.

**LEG. BARRAGA:**

Great. The very best to you.

**DR. CAPLAN:**

Thank you so much.

**P.O. GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Doctor, good to see you again.

**DR. CAPLAN:**

Thank you.

**LEG. KENNEDY:**

And thank you. You were very comprehensive yesterday afternoon in your explanation about your background, your history, your skill sets.

**DR. CAPLAN:**

Thank you.

**LEG. KENNEDY:**

Some of what you've seen here, motivation to be here. And like my colleagues, I wish you all the best and I'm eager to see you come on.

**DR. CAPLAN:**

Thank you.

**LEG. KENNEDY:**

Legislator Barraga pointed out a very important, I think, aspect of this job, which is the basically round-the-clock nature of it and the inherent stress. And you mentioned yesterday when we talked about -- a little bit about who would be your or alternative, the Deputy, that you did have some individuals in mind.

**DR. CAPLAN:**

Yes.

**LEG. KENNEDY:**

Okay. So without getting too specific, do we -- who can talk to us about how that process will go and when that individual might be joining us as well, assuming that the Doctor is going to get confirmed today and I'm sure he probably will. Dr. Toulon, Alan, anybody. Craig? Anybody, jump in.

**MR. SCHNEIDER:**

You've got to almost go back through this entire process of the last eight months in looking for a Chief Medical Examiner, because during this process we were also looking for a Deputy Chief Medical Examiner at the same time. And during this process, we did happen to locate somebody who would be a -- what this Search Committee believes would be an excellent candidate for the Deputy Chief Medical Examiner, but we did not want to make that commitment till we got --

**LEG. KENNEDY:**

Sure, certainly.

**MR. SCHNEIDER:**

-- a Chief Medical Examiner. And it turns out that Dr. Caplan does know this candidate --

**LEG. KENNEDY:**

Okay.

**MR. SCHNEIDER:**

-- as many of the candidates in this field do know each other.

**LEG. KENNEDY:**

I would imagine. It's probably, you know, a tight group.

**MR. SCHNEIDER:**

And if Dr. Caplan is confirmed by this Legislative body today, Dr. Caplan I believe is coming back up on Friday --

**DR. CAPLAN:**

That's correct.

**MR. SCHNEIDER:**

-- with his wife to take a look around the area, look around for possible areas where they may live. But part of that on Friday is a possible lunch with the candidate who we might be considering for Deputy Chief Medical Examiner.

**LEG. KENNEDY:**

So then let me --

**MR. SCHNEIDER:**

*(Inaudible).*

**LEG. KENNEDY:**

Okay, I understand. Listen, as I said, I just wanted a general sense. But that individual won't be coming before us for confirmation, right? Dr. Caplan will confirm?

**MR. SCHNEIDER:**

That individual would not come before you for confirmation, as Deputies do not come before the Legislature.

**LEG. KENNEDY:**

Right.

**MR. SCHNEIDER:**

Deputies are appointed by the department heads and serve at the pleasure of the department heads.

**LEG. KENNEDY:**

Right. But we would invite the doctor to come back to us probably, let's say, maybe 90-days after you took office and got settled in, to kind of give us a back-of-the-napkin assessment of what you've seen going in there, your thoughts going forward. And I'm sure at that time you'd be able to share with us what you've done as far as your thumb print, if you will, on the management structure and the work flow within the office.

**DR. CAPLAN:**

Definitely. Yes, absolutely.

**LEG. KENNEDY:**

Okay. All right, thank you very much.

**P.O. GREGORY:**

Thank you. Anyone else? No? Okay. Madam Clerk, we have a motion and a second before us, correct?

**MS. GELLERSTEIN:**

Yes.

**P.O. GREGORY:**

Okay.

**LEG. SPENCER:**

Legislator Stern should step in. Get all Legislators to the horseshoe.

**P.O. GREGORY:**

Okay. Can I have all Legislators to the horseshoe? All right, Madam Clerk, we have a motion, we have a second. If there aren't any further questions, I'm going to call the vote. All in favor? Opposed? Abstentions?

**MS. GELLERSTEIN:**

Eighteen.

**P.O. GREGORY:**

Congratulations.

***Applause***

**DR. CAPLAN:**

Thank you very much.

**P.O. GREGORY:**

Okay. Next we will go to the **public portion**. I have several cards, the first being Dori Scofield.

**UNKNOWN AUDIENCE MEMBER:**

She's gone.

**MR. SCHNEIDER:**

Legislator Gregory?

**P.O. GREGORY:**

I'm sorry. Go ahead, Alan.

**MR. SCHNEIDER:**

If I could just add one thing?

**P.O. GREGORY:**

Yes.

**MR. SCHNEIDER:**

I just want to wish Legislator Anker a Happy Birthday today.

**P.O. GREGORY:**

Aw.

**LEG. ANKER:**

And Legislator Cilmi and Legislator McCaffrey.

**LEG. McCAFFREY:**

We're not going to talk about that; next week.

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

**D.P.O. SCHNEIDERMAN:**

Two birthdays today?

**P.O. GREGORY:**

We'll tell you how old McCaffrey is and Cilmi, but not Anker.

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

Okay, thank you. Okay, Ms. Scofield has left. John DiLeonardo. And on deck, Julie Capiello.

**MR. DILEONARDO:**

Hi. I'll make this quick, as you've all heard from me already and we're all excited for this vote on IR 1047, the puppy mill bill. I just wanted to thank Legislator Jay Schneiderman and Legislator Spencer and all who worked on this puppy mill legislation. It's a very exciting moment for us. I would like to say thank you as Long Island Orchestrating for Nature, the League of Humane Voters of Long Island, and also the Humane Society of the United States. Thank you for your compassion.

***Applause***

**P.O. GREGORY:**

Thank you.

**MS. CAPIELLO:**

Good morning. My name is Julie Capiello, I am Vice-President of Long Island Orchestrating for Nature, and I would like to thank Legislator Schneiderman and Legislator Spencer for IR 1047. Please vote yes.

**P.O. GREGORY:**

Thank you. Next on deck, Sarah Davison, and Pamela Green.

**MS. DAVISON:**

Hello. My name is Sarah Davison, I'm the Executive Director of the Animal Rescue Fund of the Hamptons. We run an adoption center for cats and dogs on Eastern Long Island. I welcome you all to visit us. And thank you so much, Legislator Schneiderman and Spencer, for IR 1047; I almost messed that up. I urge you all to vote yes. Thank you very much.

***Applause***

**P.O. GREGORY:**

Thank you. Pamela Green.

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

**MS. GREEN:**

Hi. I'm Pamela Green, Director of the Kent Animal Shelter in Calverton. We also are a rescue, adoption center and an aggressive spay/neuter clinic.

I would like to thank Legislator Schneiderman and Spencer for their -- for sponsoring I.R. 1047, and all my colleagues and animal advocates that have worked so hard to bring this bill to what it is today. I urge all the Legislators to vote yes, so that we can tell the rest of the municipalities and counties in New York State that we're no longer going to stand by while pet dealers and unscrupulous other individuals make profit on the suffering of animals. Thank you so much, everyone.

***(\*Applause\*)***

**P.O. GREGORY:**

Thank you. Next, Barbara Dennihy, and Kristie Malkasian on deck.

**MS. DENNIHY:**

Hi. I'm Barbara Dennihy, Companion Animal Protection Society. I'd just like to thank Legislator Schneiderman and Legislator Spencer for all their hard work on this bill, and I urge you all to vote yes. It's very important that we protect the companion animals in Suffolk County. Thank you.

***(\*Applause\*)***

**P.O. GREGORY:**

Okay. Kristie Malkasian, and on deck, Susan DesGaines.

**MS. MALKASIAN:**

Hi. I just want to thank everyone. And I do hope you vote yes on this.

Just quickly, in 2006, Albuquerque was first to ban the retail sale of pets, little old Albuquerque. Then Los Angeles went in 2012, and it started a wave, and I'm very proud to be part of Suffolk's wave. We're going to add to this, and, hopefully, it spreads nationally. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Okay. Susan, and on deck, Rosa Quiles.

**MS. DESGAINES:**

Good morning. My name is Suzanne DesGaines, a volunteer at Brookhaven Animal Shelter. Thank you, Legislator Schneiderman and Spencer.

I hope this resolution passes, 1047, and to prevent these inhumane pet dealers from handling live animals. It's the same as having a pedophile as a kindergarten teacher. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. We have to -- I have to make a motion to extend the Public Portion. I make a motion.

**D.P.O. SCHNEIDERMAN:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Sixteen. (Not Present: Legislators Browning and Trotta)

**P.O. GREGORY:**

I know, Legislator Schneiderman regrets that, but.

**D.P.O. SCHNEIDERMAN:**

Thank you.

**P.O. GREGORY:**

Yes. Ms. Quiles. Okay. And on deck --

**MS. QUILES:**

Good morning.

**P.O. GREGORY:**

On deck, Suzy Goldhirsch.

**MS. QUILES:**

Good morning. I'm here to talk about the Language Accessibility Policy that our Chief Executive, Suffolk County Executive Steve Bellone, announced as a policy in November of 2012. That's 18 months ago. I'm from -- I'm a member of the New York Communities for Change, which was one of the groups that played a key role in the struggle for the new policy. Of course, this meant that the general public will now have interpretation and translation provided in six languages. And it's a

## General Meeting - June 3, 2014

break from the previous Administration's policy of English only, even in cases such as police protection and emergency services, where people who presented their cases, if it was not done in English, they were not helped. This policy is supposed to do that. It's supposed to make it possible for people who call the police to have someone available there, who will understand, and who will be helpful to them.

However, I'd like to know exactly what is being done. And is there a date or a timeline for this to continue in progress? Because in many cases, when I go to public hearings and forums, there is not readily available a translation procedure for everybody who was present to understand what's going on. And it's very important that once a policy, which was 18 months ago, which was announced, and it's really one of the most -- this is the suburb that has this policy, but we do have to follow through. And I'm here to urge you to make the timely and appropriate implementations for the agencies when they are making presentations to the public.

The public should be able to understand in their own language, and there are six languages here in Suffolk County. Whatever way it can be done, but it can be done. The public should be able to understand what's going on, and be a part, a positive part, of the community here in Suffolk County. Thank you very much.

### **P.O. GREGORY:**

Thank you very much. Next, Suzy Goldhirsch, and on deck, Nanci Dallaire.

### **MS. GOLDHIRSCH:**

Hi. Hello, Presiding Officer Gregory, Ladies and Gentlemen of the Legislature. My name is Suzy Goldhirsch. I'm the President of the Fire Island Association. I'm here to urge adoption of I.R. 1502.

I have official written comments, which I'll give to the Clerk. I don't want to take up too much of your time, but I do want to tell you that, as the president of my community on Fire Island, Seaview, I understand what it's like to have constituents who want their government officials to balance the use of tax dollars, and the maintenance and upkeep of infrastructure.

And I know that you struggle with budgetary issues, and I know that you struggle with how to spend the taxpayer's dollar in the best way. I do want to emphasize here today that the money that will be spent on the Fire Island to -- Fire Island Inlet to Moriches Inlet project is 100% reimbursable from the Federal Government. But without this mechanism of money going from the Federal Government to New York State and from New York State to the County, the project won't be able to be funded. So the people who are supporting this project are very grateful to the County for creating this mechanism.

I also wanted to take just a minute to talk about public purpose. Readers of Newsday and some other media outlets, very often there's a misconception that stabilizing the barrier beach is all about spending money on rich people's houses. And I think you've heard the presentation of Gil Anderson from Department of Public Works, and you know that it's a lot more complicated than that, and that there are serious issues of public purpose in this project that go beyond simple maintenance of a second home. As a matter of fact, in a New York Times article that I was quoted in last week, I said, and this is unusual for a property owner's president to say, it's not about the homes, it's about the integrity of the barrier island.

And the four major public purposes of this project, the first is it's a National Seashore. A lot of people don't know that it is a National Park. The entire 32-mile island is the National Seashore, Fire Island National Seashore.

General Meeting - June 3, 2014

The second is it's a tremendous recreational resource. You know the County park and you're familiar with the hundreds of thousands of people who enjoy that park every summer, but there's also Robert Moses State Park on the other end of the Island. According to their website, I don't know if I comprehend this, but they said they had 3.5 million visitors last year. If you're on the Robert Moses Bridge on a Saturday afternoon on a hot July day in the bumper-to-bumper traffic --

**P.O. GREGORY:**

Excuse me. Ms. Goldhirsch, your time has run out. Please, wrap up.

**MS. GOLDHIRSCH:**

Okay. And the last two -- public purpose, it's a source of revenue, it's a tax base, and it is the barrier island that protects the South Shore of Long Island. Other people are talking about how to build barrier islands, but we have one already. Thank you very much.

**P.O. GREGORY:**

And, Ms. Goldhirsch, just as a point of information --

**MS. GOLDHIRSCH:**

Yes.

**P.O. GREGORY:**

-- we've been informed by the County's Budget Office that the bond is not ready for this resolution, so the bill will be tabled, it won't be voted on today.

**MS. GOLDHIRSCH:**

Okay. Thank you very much.

**P.O. GREGORY:**

Okay. Thank you.

**LEG. KRUPSKI:**

Excuse me, Mr. Presiding Officer. I have a question for Ms. Goldhirsch.

**P.O. GREGORY:**

This is the Public Portion. All right. Nanci Dallaire, and on deck is Susan Hansen.

**MS. DALLAIRE:**

Thank you. My name is Nanci Dallaire, a former employee of the John J. Foley Skilled Nursing Facility. And it has been a year since the County abolished that institution, and the silence of my elected officials is discouraging and disappointing. Although I'm happy to see many have been able to move on as if nothing's been affected, but for some of us our lives are still disrupted as we continue to search for meaningful full-time employment.

I know I went to work for my County believing it made a difference. We served our community, helping to build a better tomorrow for those neighbors in need. Unfortunately, I was mistaken. And after witnessing that callous closure, I've turned cynical and I no longer see that bright future for Suffolk County. The heartache and pain that was endured by so many has to mean something. Their suffering and our sacrifice must improve our circumstances. So what's improved? Exactly how much has the County saved? I know what it cost. The hard-fought and well-deserved legacy of Mr. John J. Foley has been lost, and now all of his efforts will be forgotten.

You cannot see that you did not just close a building, you destroyed a community. You did not simply take away our jobs, you stripped us of our purpose. So many innocent lives were unjustly punished, and for what? Where are our answers? Where are the residents who were removed from

General Meeting - June 3, 2014

their home? Is Suffolk County still their home? What happened to the committed County employees? We are still struggling taxpayers. What's been accomplished at our state-of-the-art medical facility that was newly enhanced and upgraded before it was abandoned? And exactly how much did that cost us? Who's responsible for giving us this report? Have you dug up the time capsule that was proudly buried there decades ago, or has that treasure been disrespectfully discarded as well? Have you maintained the garden that was planted and cared for as a memorial, or has that been neglected and ignored? Where is Newsday with a follow-up to this tragedy? What has been gained by our loss? Exactly who has benefitted?

I know closing Foley benefitted the surrounding nursing facilities, yet many of those places place restrictions and limits on the residents, while others have eligibility requirements to meet. But what if you can't meet those criterias? Private facilities pick and choose who is worthy. John J. Foley accepted everyone without exception. And without our government protecting our vital public health services, this is what we have sacrificed here in Suffolk County. We cannot meet the challenges we faced with less resources. The solution is not another sale of another County asset. What will be left in our County to be proud of if it is all sold off and forgotten, that jail? That's sad.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Susan Hansen, and on deck, Laurette Richin.

**MS. HANSEN:**

My name is Sue Hansen. I'm a resident of Rocky Point in Suffolk County. I'm here to lend my support to the puppy mill legislation before us today.

I commend and congratulate all who worked on this legislation, which will help advance a more humane society. Unfortunately, puppy mills exist right here in Suffolk County as well. They are often referred to as backyard breeders, and animals are subjected to the same horrific and inhumane conditions that prompted the legislation that is before us today. With that in mind, I would ask everyone to support the spirit of this legislation by doing their part to address and eliminate animal cruelty and neglect whenever it is encountered.

To the public, if you see something, say something. A dog tied outside without adequate shelter from a blazing sun in the Summer, sleet or rain in the Fall, or frigid temperatures in the Winter, call Law Enforcement, 911, the SPCA or your municipal Animal Control Officer. To Law Enforcement, use the authority you have been granted to intervene in cases of neglect and abuse, and help bring those in violation of our laws to justice. And to our Legislators, continue to strengthen our laws to protect victims of crime and exploitation. Hopefully, we can all continue to work together to eliminate these injustices and pursue ongoing efforts to advance a more humane society. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you.

**MS. RICHIN:**

Good morning. I'd like to thank Legislators Schneiderman and Spencer. Long Island Bulldog Rescue has been picking up the pieces of broken bulldogs and bankrupted families for the past 15 years. I'm hopeful that we can stop a great deal of this with this bill. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Diane Madden, and on deck, Kevin Beyer.

**MS. MADDEN:**

Hi. Good morning. My name is Diane Madden. I've been a rescuer and advocate for 15 years. I'd like to thank both Legislator Schneiderman and Spencer for their work on 1047, and especially Barbara Dennihy. I always have to watch out for the little, quiet ones in the back. I just -- I'm amazed by her and her diligence. And so I thank her for that, and the animal advocates as well in Suffolk County, for turning the lights on in Suffolk County and keeping them on regarding animal welfare.

This bill will have a ripple effect, and Suffolk County should be very proud of it. The question is always why are puppy mill dogs abused, and neglected, and exploited, and the answer to that is because they easily can be, until now. So, again, this sends that message across the Island, across New York. Hopefully, next is Nassau County. Thank you so much in advance for signing it. Thank you so much.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Kevin, and then Lillian Lennon is on deck.

**MR. BEYER:**

Hi. Good morning. My name is Kevin Beyer, President of Long Island Gasoline Retailers Association. You've seen me here many times.

First, I want to thank Legislator D'Amaro for helping us and pushing for this. What we're looking for here is the passage of a Home Rule Message dealing with the State sales tax being collected all up front on gasoline. What that basically means, at the terminal, all the money will be collected and -- by the distributor, passed along to the dealers, and this way the County wins on this, because the County will receive their funds, receive the taxes that are due to them. It will be a win for the businesses. The businesses will be able to -- that are legit are going to be paying the money the way they always did anyway as far as paying all of it. And the unscrupulous dealers will not be able to get away with what they've been getting away with with all the underreporting. The County is losing millions of dollars a month. We know this through the sales tax. We know the auditing isn't there, and this is an easy way for -- it's a windfall. It's been done in other states, it's been done in other counties.

This is going to be -- we're putting this through as a project, as a pilot project right now in Nassau and Suffolk. Nassau County passed a Home Rule Message yesterday on an emergency meeting. We need the Home Rule Message to push this further with the State and to get this done. If we can get this done, it's going to be a windfall, it's going to be a windfall all the way around. There's no negatives to this, and it will work well for everybody, for the County, for the taxpayers, and for the businesses. The County's going to get their money. It's less money you're looking for from the taxpayers themselves, and it's millions and millions of dollars that you're going to notice in the revenue. And it will be a two-year project, as I said.

That's really it. I know you're not allowed to answer -- ask any questions on this, but, basically, it's a win/win for everybody, and it would be collecting the tax up front. And us, as dealers, as an association, we're asking for this. As businessmen, we're asking for you guys to collect the money up front. How many businesses ask that? It's only the legitimate ones. The distributors are asking for it. The distributors are behind us with this and support this bill also. So, please, pass that Home Rule Message today. Thank you.

**P.O. GREGORY:**

Thank you, Kevin. On deck -- excuse me. Next is Lillian Lennon.

**MS. LENNON:**

Good morning. By now you know who I am. My name is Lillian Lennon. And instead of my usual long rants regarding the plight of our beloved Suffolk County animals, I stand before this Legislative body proud of my Legislators, proud of my County, proud of my fellow citizens and animal advocates. You have proven to be the voice of the voiceless, as you tirelessly worked to pass legislation to protect them.

Through I.R. 1047, you will right the wrong of so many animals who have suffered at the hands of those who placed profit above compassion. We applaud you, Legislator Schneiderman, Legislator Spencer, and Barbara Dennihy, who spearheaded this. We cannot thank you enough for making this legislation a reality. I also want to again thank the Legislators for supporting the tethering law introduced by Legislator D'Amaro. We are over the moon with pride.

It is not an understatement to proclaim that our home, our County has proven to be the most humane county in this state, which sets the standard for others to follow. And although both laws are instrumental toward that end, the most challenging task remains ahead of us; enforcement, and that's why I'm wearing this tee shirt, to enforce these laws. As a volunteer for RSVP, Inc. Animal Welfare and Rescue, let me assure you that we are already taking proactive steps to assist our SPCA and Law Enforcement to assist our outreach families to transition to a new limit on the tethering -- on tethering dogs, and will continue to be behind our Legislators as they begin the necessary steps to enforce I.R. 1047. Thank you, thank you, thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. That is all the cards that I have. Is there anyone else in the audience that would like to speak? Please, come forward at this point.

**MS. CLARA:**

Maria Clara, Westchester County. I just want to thank you in the name of my friends from Westchester County, from the City. No pressure there. South America, Peru, Mexico, Columbia, there are millions of animal lovers. They are waiting to know what's going to happen here. What's going to happen here is going to influence your state, U.S.A. and the whole world. This is important and I'm very proud to be here. And I'd also like to thank you for not letting me go empty-handed to my grandkids. Lilly and Daniel are waiting for you to say yes to the puppy mill act. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Okay. Anyone else? Okay. That is --

**D.P.O. SCHNEIDERMAN:**

Motion to close the Public Portion.

**P.O. GREGORY:**

Motion to close the Public Portion by Legislator Schneiderman, second by Legislator Barraga. All in favor? Opposed? Abstentions? Okay, Public Portion is closed.

I have -- before we get to the Capital Budget, I have several requests, one from Legislator Schneiderman to take I.R. 1047 out of order.

**D.P.O. SCHNEIDERMAN:**

So moved.

**LEG. BARRAGA:**

Second.

**P.O. GREGORY:**

Legislator Schneiderman makes a motion to take it out of order, second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Not Present: Legislators Krupski and Kennedy)

**P.O. GREGORY:**

I.R. 1047 is before us. Motion to approve by Legislator Schneiderman, second by -- second by Legislator Cilmi.

**D.P.O. SCHNEIDERMAN:**

Spencer. Spencer is the cosponsor.

**LEG. CILMI:**

No, Spencer.

**P.O. GREGORY:**

Legislator Spencer, excuse me, the cosponsor. Any questions? Okay. Call the vote. All in favor? Opposed? Abstentions? Congratulations.

*(\*Applause\*)*

**MR. LAUBE:**

Sixteen -- oh, 17. Eighteen.

**D.P.O. SCHNEIDERMAN:**

I just want to thank all those advocates who came to so many meetings and spoke, and who made this -- were so compassionate and made this such an important issue. We have a great law in Suffolk County now, the best in New York State, to protect the welfare of these animals. So thank you all for -- and Sarah from the County -- from Legislative Attorney's Office, Sarah Simpson, who also worked with the groups on putting this law together. Thank you so much.

*(\*Applause\*)*

**P.O. GREGORY:**

Okay. At this time, I'd like to recognize Legislator D'Amaro. He has a request to take a Home Rule out of order. Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you, Mr. Presiding Officer. I'd like to request -- take out of the order Home Rule, I believe it's Number 1 in our packets this morning.

**MR. LAUBE:**

Seven.

**LEG. D'AMARO:**

Oh, 7.

***(Home Rule Message 7 - Requesting the State of New York to enact legislation authorizing a Motor Fuel Tax Pilot Program (Senate Bill No. S.7251 and Assembly Bill No. A.9839).***

**LEG. BROWNING:**

Second, DuWayne.

**P.O. GREGORY:**

Who was that?

**LEG. BROWNING:**

Me.

**P.O. GREGORY:**

There was a motion by Legislator D'Amaro, seconded by Legislator Browning, to take Home Rule Message Number 7 out of order. All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Spencer)

**P.O. GREGORY:**

Okay. Home Rule 8 is before us -- oh, same motion, same second to approve Home Rule 7. It's requesting the State of New York to enact legislation authorizing a Motor Fuel Tax Pilot Program. Any questions?

**LEG. D'AMARO:**

If I may.

**P.O. GREGORY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you, and good morning. This is a Home Rule Message that I am proposing to convert our method of collection of sales tax at the gas pump from what they call -- or to a cents-per-gallon methodology. We used this in the past when the County had a cap on the sales tax on gasoline and it's extremely effective.

What's happening now is that when gasoline is delivered by a distributor in a truck, when the distributor passes the gas down to the retailer, half or some portion of the sales tax is collected at that step. Then what happens is the retailer sells the gas to folks that pull up in their automobiles, and at that point collects sales tax from the public. The retailer is then required to do a reconciliation and report on an honor system to the State of New York the amount of gallons sold and pay the corresponding sales tax, or send up the corresponding sales tax.

The problem that occurs frequently, or somewhat frequently, by those who are dishonest is they underreport the amount of gallons sold at the pump, and, as a result, they underpay or under-remmit the amount of sales tax that is due to the State of New York. These bills in Albany are trying to change that. What the bills in Albany propose is a pilot program in Nassau and Suffolk Counties that will now ask the distributors at the distribution level where they send -- where they bring the gas to the retailer to collect the full amount of sales tax. So now we know that that full amount is being remitted up to the State of New York.

It's a simple change. I think it will net Nassau and Suffolk County a substantial amount of revenue. I sent each of you yesterday some brief information about where this has been done in other areas and other states. I believe one was the State of Illinois, where they collected up to 70 million dollars

more in sales tax.

So what we'd like to do is pass this message today telling our representatives up in Albany that Suffolk County is in favor of trying this pilot program in both Counties. And it will sunset in 2016, and then it can be evaluated to determine if the system works, if it needs any changes, and, most importantly, how much more revenue is coming into Suffolk County. So I would ask for all of you to, please, consider that and support this legislation or this Home Rule. Thank you.

**P.O. GREGORY:**

Okay. Thank you. Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. This is an important initiative and it's one I'm looking forward to supporting. It's my hope that during the course of the pilot program, the couple of years that we hope it's implemented, that not only will it allow us to increase the revenue that we receive in the form of tax receipts, but that it's also my hope that we're also able to work much more closely with the State Tax Department responsible for receiving the tax revenue and then sending it along to us at the County level, that there be perhaps an even greater accountability and transparency to ensure that we are, in fact, receiving the appropriate monies that we are due from the State resulting from this revenue. So it's my hope that we not only are able to increase the revenue, but perhaps a more transparent process as well to ensure that we are, in fact, receiving the proper amount from New York State. Thank you.

**P.O. GREGORY:**

Anyone else? I think this is a great project and pilot program to look at. And I know it's been under discussion for a couple of years now, so I'm glad to see that we're finally moving forward with it. And I'd like to thank yourself and Legislator D'Amaro for your efforts in this regard. So we have a motion and a second.

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Vote amended to 18)

**P.O. GREGORY:**

Okay.

**LEG. D'AMARO:**

Thank you.

**P.O. GREGORY:**

All right. Before us now we have the 2015-2017 Capital Budget and Program. Dr. Lipp.

**MR. LIPP:**

Okay. So before us is the Capital Program. There are six resolutions, according to the index. The first one, which is most of it, is the Omnibus Resolution. It contains -- well, you'll see a summary here. Okay. So this is the summary. I have a few tables, if you will, that are on the TV screen.

## General Meeting - June 3, 2014

So the first table lists the changes by year and by funding source. And the funding sources are basically local -- the local sources, mostly serial bonds that are referred to here as the General Fund, and then there are sewers, there's aid, a small amount of other, and the total.

So, for 2015, the Omnibus Working Group added 22.3 million dollars to the proposed Capital Program that you're about to vote on, Budget Amending Resolution Number One. Of that amount, the important thing to consider is what it will cost locally, and that's 8.4 million. That's by and large County serial bonds that are not for the sewers. There's a small amount for sewers, a little over three million. And in addition to the 8.4 million, there's also aid. So what you're -- what you're looking at is 8.4 million, approximately, in local serial bonds, 8.4 million in aid, a little other, and it adds up to 22 million for 2015.

The Capital Program is made up of three years, plus subsequent years, which normally is considered for two years. What you could actually vote on next year, the important thing is 2015. The three-year Capital Program, 2015, '16 and '17, although you're only voting on 2015 next year, adds a total of 58 million; 23 million of that is General Fund. And then if you look at the five years, if you include subsequent years, it's a total of 35.6 million dollars, the increase. A little over 11 million of that is County serial bonds.

Overall, what you're doing is approximately, whatever you're adding in serial -- in serial bonds, you're also adding, give or take, a few million dollars in aid. So you're leveraging to some extent a lot of the increase in serial bonds with aid.

After looking at it by funding source, an important consideration is to look at it by category. So what we did is we broke it up into eight different categories, and the eight different categories, as you could see here, for instance, total 22.3 million. And, as you could see on the TV screen, for those of you who can see the TV screen, there were a total of 59 capital project amendments. So, if you have the resolution in front of you, there are 59 separate pages that amend the different capital projects.

The devil, of course, is in the detail. So let's take a look at some of the detail. And the real detail is in the index. You could see -- and I'm not going to go over all 59 projects. And if you want, I could go a little faster, too, if you don't want to hear the detail.

The first category -- I'll just go over few of them. Okay? The first category, Add Funding to Meet Needs. Those include building renovations, energy conservation is one project, weatherproofing is another, various road, traffic signal, drainage and safety improvements. The idea here is -- what we wanted to do is add money for things that if we defer them, it's going to cost more in the future. So it's actually a good idea, was the thinking of the Working Group, not to mention, for instance, some of the road improvements have safety considerations that are -- sometimes we tend to miss.

Next, Advance Funding for Needed Improvements. Those include power plant upgrade at the Riverhead County Center, purchase of helicopter for the P.D., and improvements to the ballpark. These are things that we felt need to be advanced, because it would be more expensive in the future. So, for instance, something simple like the helicopter, we have an aging helicopter that we're looking to get rid of, and it has some -- a trade-in value. The longer we wait, the less the trade-in value is, and the longer we wait, the more expensive the new helicopter will be. So we felt that, or, I should say, the Working Group felt that that was a good idea. Ditto with the power plant upgrade. There's a risk factor there. It's very, very old, needs some upgrading, so it's -- you know, the longer you wait, it could be emergency, heavy costs potentially. It's a risk factor that you never know what will happen there.

## General Meeting - June 3, 2014

Then we have a bunch of projects related to mostly sewer infrastructure expansion that were referred to as Economic Development. There are seven projects in that category; 13-and-a-half million -- 13.35 million in 2015, 17.4 million over the five years.

One last category I'll go over. I don't want to bore you to tears. There were a lot of College project -- well, a lot. There are six College projects that we added. Those projects are 50% aided, so the total was mostly in 2016. We added about 18.1 million. That's half local cost and half State Aid, so we were leveraging local dollars. These are projects that we felt were improvements to our facility operations, correcting safety hazards, rehabilitating infrastructure. And so we felt these are ongoing projects that just happened to be left out, with the exception of one, it was a new project. But five of the six happened to be left out of the Capital Program, the proposed program, which I would assume was somewhat of an oversight. For instance, two of those projects are on your agenda today to appropriate 2014 money. So the Working Group felt that they really needed to be adding these projects. Not only does it inject 50% State Aid into the local economy, but these are projects that were previously in last year's program, with the exception of one new one, etcetera, etcetera.

If you want, I could go on one more thing, would be like what are the largest projects? And you could see on your screen here, for 2015, the largest project, which was assuming FEMA Aid source, is expansion to create a Shirley/Mastic Sewer District. Number two -- and that was 8.1 million in 2015. Number two, five million for sewer expansion, the Smithtown and Kings Park Main Street commercial area that Legislators Kennedy and Trotta could probably speak to better than me, and that was half sewer bonding, so that wouldn't affect the General Fund, if you will. And the other half was other, which I assume is commercial funding by the businesses there.

And then we had -- after that, the rest of it is -- referred to as B money. Those are County serial bonds, and that's energy conservation, a little over two million, the Riverhead County Center power plant upgrade that we just spoke about, the helicopter for 1.3 million, infrastructure improvements for traffic and safety, and then improvements to the ballpark, a million dollars, which, if you've been out to the ballpark or look at our review, you could see that there's some sorely needed repairs there, and it's a very popular ballpark and people don't go to facilities that don't look good.

So I could go on, and on, and on, and on, but I will -- I don't wish to bore you to tears, so I will stop for comments.

### **P.O. GREGORY:**

Okay. Thank you, Robert. Is there -- okay. Legislator Barraga, then Legislator D'Amaro.

### **LEG. BARRAGA:**

I guess my concerns center around the capital allocation for 2015. When the Executive brought his budget over, I believe the figure was around 410 million dollars, which I'm led to believe is three times greater than what's currently available for capital improvements in 2014, which would lead me to believe the 2014 Capital Budget is around 135 million or so, yet this is three times greater than that. That figure seemed extremely excessive to me when you go from one year to the next. In addition to that, this amended version, as I understand it, adds another 22 million on top of the 410. So now we're up to about 430 million dollars for 2015. Are those numbers pretty accurate?

### **MR. LIPP:**

Yes. Pardon, I seem to have a computer glitch here. This computer is not working too well with me. Yes, it's over -- it's like 467 million is the pipeline debt. The serial bonds added by this Capital Program are 117 million, is how we size it. It's actually about eight million less. Apples-to-apples comparison, we had to look at what the difference is with FEMA Aid from one year to the next. So you're basically right, we're adding 22 million and change.

That being said, that was a concern that the Working Group had, and as a result, if you look at the last "whereas" in the resolution, which may or may not be a good enough explanation for you, that the feeling of the Working Group was these are needed improvements, because we have a lot of needs, and that they recognized your concerns as you're voicing them now; and that they agreed that the Presiding Officer would create a Task Force to construct the debt policy and to review pipeline debt to better align the size of the Capital Program with the County's ability to pay. And also, assuming that that Task Force comes up with something meaningful during the year, I don't wish to, you know, presuppose anything, though, assuming that that's the case, you don't have to appropriate the 2015 amounts to the fullest extent, clearly.

**LEG. BARRAGA:**

See, it just seems that, you know, it's a tremendous increase from one year to the next. And, certainly, you know I've read the articles with reference to this so-called Debt Task Force. It sort of reminds me of, you know, let's do a tax cap on school districts and then we'll put together some sort of a Task Force to take a look at mandate review. I mean, it's a nice thing to throw in, but, you know, I don't have a great deal of faith in that. I guess my concern is, you know, if someone said, "Well, we're going to go from 135 million to 200 million to 250, with up to 410, and adding another 22 million on top of that, I mean, that to me is no way, shape or form a fiscal conservative document.

**MR. LIPP:**

No argument.

**LEG. BARRAGA:**

Thank you.

**P.O. GREGORY:**

And, if I may, just in response to the Legislator's comments about the Task Force -- well, not really the Task Force so much, but the process, given the very restrictive time constraints that we had as a Working Group, we just didn't have the ability to delve into the over 200-almost-30 capital projects. What we pretty much limited our work to were the 78 or 77 or so recommendations that the Budget Review Office had made. So there were many more projects that we didn't have the time to do that deserve our attention. There was considerable concern mentioned about our debt and to address our pipeline debt, and that's what the Task Force was going to look to do. There have been several projects that have been mentioned already. Obviously, no conclusions have been made, but, certainly, will be under consideration when the Task Force does meet.

**LEG. BARRAGA:**

Just to be very clear, the Task Force is a sidebar issue. Mr. Lipp brought it up, I didn't. I'm just concerned about the tremendous growth in this Capital Budget from one year to the next.

**MR. LIPP:**

The only thing I would add is that I wouldn't be concerned over the 22 million dollar number, I would be concerned over the 8.4 million serial bond -- serial bond number.

**LEG. BARRAGA:**

I'm concerned about the 410 million dollar figure, plus the 22 million. And, you know, you pointed out that your figure was even higher, 467 million. That's a tremendous amount of money from one year to the next, and there's going to be a lot of projects in there, a lot of projects. But the growth there, it's just too much.

**P.O. GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I'm also concerned about the numbers, and I would like just a little deeper and further explanation.

I realize that the recommended budget by the County Executive substantially increased proposed spending, or, in effect, proposed projects that we could consider throughout next year, and then decide whether or not we want to fund them and go forward with them. But I also know that a lot of this infrastructure improvement, we talk about the outfall pipe, is necessary if we're going to meet our obligation to deliver proper infrastructure and services to residents.

So I want to start with the numbers first, turning to Dr. Lipp, but then I want to talk a little bit more about specifically what are the major projects and what's driving the increase, because I think we have to look a little bit behind the numbers as well.

So, Rob, for each year -- last year we adopted a three-year total in our Capital Budget. Can you give me that number?

**MR. LIPP:**

Okay. So the table that I have up on the TV screen is only the serial bond portion. I don't concern myself, although we could, with the sewer bonds or the aid, because that's not really the primary concern in terms of our ability to pay.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

Okay. So, as you could see on the screen, last year's Capital Program adopted, really, the first year, which is 19 -- I'm sorry, 2014, was 93.7 million. This year, it's a 117 million.

**LEG. D'AMARO:**

Wait a minute. All right, 93.7 million. That's the three-year adopted --

**MR. LIPP:**

No.

**LEG. D'AMARO:**

-- for serial bonds?

**MR. LIPP:**

No, that's the first year, the 2014 adopted.

**LEG. D'AMARO:**

Okay. Can you give me the overall?

**MR. LIPP:**

Sure.

**LEG. D'AMARO:**

That was in last year's budget that was ultimately enacted, the three-year total.

**MR. LIPP:**

About 350 million.

**LEG. D'AMARO:**

So last year we all agreed on a Capital Budget of serial bonding, the local bonding, of approximately 350 million. Now, my question is how much of that 350 million that is now currently enacted will we wind up appropriating? I mean, we're halfway through the year now.

**MR. LIPP:**

Well, that's hard to say.

**LEG. D'AMARO:**

How much have we appropriated this year?

**MR. LIPP:**

A fair enough question; I could give you that answer.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

Just give me a second to get up the file.

**LEG. D'AMARO:**

And while you're looking at that, my point here is that, yes, we enact the Capital Budget, yes, it is a plan of spending, it is a planning document, but the larger issue is do we ultimately wind up appropriating and spending, incurring the debt to the amount that we actually enact, or is it something less?

**MR. LIPP:**

Oh, it's definitely less. So last year we appropriated, in terms of serial bonds, 160 million. The year before was a low, a local low of 125 million, and then the previous three years were over 200 million.

**LEG. D'AMARO:**

Right. But the point being that whatever we adopted last year, of this 350 million that we adopted last year in 2014, we will be spending or borrowing less than that 350.

**MR. LIPP:**

I wouldn't couch it that way for the simple reason that the 350 is a three-year number, that is '14, '15 and '16.

**LEG. D'AMARO:**

Okay. You're right.

**MR. LIPP:**

So all that counts is the 93 million that we're talking about for 2014.

**LEG. D'AMARO:**

Right, 93 million was adopted in 2014, and how much of that have we appropriated so far?

**MR. LIPP:**

Okay. So there is a little bit of an apples-to-oranges thing here, because I don't have that particular data. Some of the bonds are sewer bonds, too, so it's mixed in. So, so far, we've appropriated, including some sewer bonds, 32 million only. And I shouldn't say only, but 32 million. And on today's agenda, we have, I want to say, a little over three million. And the answer is -- who's better than me -- 3.265 million.

**LEG. D'AMARO:**

All right. So last year we adopted for the local serial bonds approximately 93 million in authorized Capital Budget spending, or let's just say it was enacted where we could -- if we wanted to, we could appropriate 93 million dollars and fund every project.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

But what traditionally happens is we wind up borrowing somewhat less than what is enacted; is that correct?

**MR. LIPP:**

That's usually correct. Sometimes --

**LEG. D'AMARO:**

And for this year, we're at 32. We'll be at 35, if everything today is approved, which is less than the 93. Obviously, that's in the budget, and the expectation is that we normally don't wind up approving up to that 93.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

Okay. So that's my first question. But going back to the three-year totals, we adopted 350 million. What was the recommended budget's three-year total?

**MR. LIPP:**

I'd say 417, about, or 400 -- I'll say 410.

**LEG. D'AMARO:**

Four-ten?

**MR. LIPP:**

That's an approximation.

**LEG. D'AMARO:**

So the three-year Capital Program last year was 350, the recommended is 410. So that's a 60 million dollar increase in the three-year outlook or proposal.

**MR. LIPP:**

I could -- and I can explain, if you'd like, where most of that increase comes.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

So, if you look on the TV screen here, you'll see these are highlights of not our amendments, but the proposed Capital Program for 2015, that is the first year. And by far and away, the outfall pipe, which is 207 million dollars, was advanced from, I want to say, subsequent years all the way to the first year of the -- next year's program, 2015. So that more than -- that's more than the total increase by far and away. The outfall pipe is the main thing. And I want you to keep in mind, it's a dedicated funding stream, the Southwest Sewer District, number one, and almost for sure, the Southwest District --

**LEG. D'AMARO:**

But wait a minute. I don't want to get off my thought here.

**MR. LIPP:**

Okay.

**LEG. D'AMARO:**

So, yes, there is an increase that's recommended over last year by the County Executive's Office, it's about 60 million dollars, but from your perspective, that is largely due to the need to repair or replace the outfall pipe?

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

Okay. And then let's just talk about the Omnibill that we're considering today. What is the three-year total?

**MR. LIPP:**

So the three-year total is 58 million overall; of that, 23 million is serial bonds.

**LEG. D'AMARO:**

No, no. What's the three-year total serial? You told me 350 adopted, recommended, 410. What's the --

**MR. LIPP:**

No, no. What I'm -- okay. Maybe I'm misunderstanding you. So the Omnibus Resolution adds to the numbers we were talking about.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

Twenty-three million, 23.1 million over the three years.

**LEG. D'AMARO:**

Twenty-three-point-one million over the three years. So our number --

**MR. LIPP:**

For serial bonds.

**LEG. D'AMARO:**

Well, no, no, no. When you gave me the last two numbers, that was the whole picture, wasn't it?

**MR. LIPP:**

The last two numbers, I believe --

**LEG. D'AMARO:**

The adopted you said was 350.

**MR. LIPP:**

Yes.

**LEG. D'AMARO:**

The recommended was 410.

**MR. LIPP:**

And then add to that another 23 million dollars in bonds for the three years.

**LEG. D'AMARO:**

So, if we enact the Omni as written today, we would be adopting a three-year Capital Program at 433 million?

**MR. LIPP:**

Something like that.

**LEG. D'AMARO:**

Okay. So we added -- what was that, plus 23? Yeah, right. So what were the largest expenditures that contribute to the additional 23 million that's proposed today?

**MR. LIPP:**

Okay. So the largest, as you could see on the TV screen -- and we didn't rehearse this, did we?

**LEG. D'AMARO:**

But I can't see that. I have it on my screen.

**MR. LIPP:**

Okay. So the biggest numbers -- I'll try to blow it up a little.

**LEG. D'AMARO:**

What tab is that, Rob, four?

**MR. LIPP:**

That would be three, Largest Amendments, the third tab.

**LEG. D'AMARO:**

Okay, thank you. Go ahead.

**MR. LIPP:**

Okay. So I'll make it a little bit larger. So the largest 2015 number is the creation of the Shirley/Mastic Sewer District, but that's FEMA money. If that comes through, we will do it. If not, presumably we won't.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

The next line would be expansion of Smithtown and Kings Park, Main Street Commercial District. That is dedicated sewer money, Kings Park Sewer District and commercial businesses. And then after that, we get all into serial bonds for basically General Fund purposes. And the main items there are Energy Conservation, a little bit over two million, Riverhead County Center Power Plant Upgrade, 1.8 million, a purchase of an additional helicopter, or actually it's a replacement helicopter, 1.3 million, the County ballpark, blah, blah, blah.

**LEG. D'AMARO:**

Okay. All very worthwhile and necessary.

**MR. LIPP:**

And I could do the same thing, if you want, for the three-year program.

**LEG. D'AMARO:**

Right. So, in effect, a large, or some -- five million of that -- eight million of that increase, again, goes to sewer infrastructure.

**MR. LIPP:**

Actually 8.1, plus five.

**LEG. D'AMARO:**

So 13.1 of the 23.

**MR. LIPP:**

Right.

**LEG. D'AMARO:**

So more than --

**MR. LIPP:**

If you look on the screen, of the 22 -- just the largest projects. Of the 20.2 million largest projects, 7.125 is General Fund serial bonds.

**LEG. D'AMARO:**

Okay. So, although it would be nice to have a recommended and adopted budget this year that came in around the 350, you know, we could say we held our Capital Budget stagnant or static. Static, right. And the reason why that -- and I didn't sit on this Working Group, but it seems to me that I know that if you get down into the smaller projects, priorities are set, some are taken in, some are taken out, some are moved up, some are moved down. But, overall, what we're really trying to do by increasing the spending is to leverage that spending into improving our economy and economic development, because most of that is going towards expansion. And also, the outfall pipe is just preserving, you know, the habitability of Long Island. It's something that we really have to do, similar to when we were forced to construct the jail and incur substantial debt in order to do that as well.

So I can understand the drive to increase the budget. It may not -- it may not be easy to, especially in today's economy, to say we're increasing debt authorization, but, you know, at the same time, these are really high priority projects and things that we have an obligation to address.

So, of the -- let's say we enact this Omnibill today, there'll be a 433 million dollar three-year program in place. Can you tell me -- let's look at the debt service itself. What is our current debt service out of our Operating Budget? What was it in 2014, our total debt service, for the same bonds that we're speaking of here? I mean, after all, you know, we can enact anything we want in the Capital Budget, but the real issue is do we later during the year authorize the spending, incur the debt, and then service the debt? That's the impact to the taxpayer.

**MR. LIPP:**

Okay. So General Fund serial bond debt, plus Bond Anticipation Notes were adopted at a little over 123 million this year. That was up substantially from the previous year.

**LEG. D'AMARO:**

Wait a minute. Just -- 123 million dollars, what does that represent?

General Meeting - June 3, 2014

**MR. LIPP:**

That represents General Fund serial bond debt service, total debt service.

**LEG. D'AMARO:**

Debt service.

**MR. LIPP:**

Plus Bond Anticipation Note debt service.

**LEG. D'AMARO:**

All right. So -- plus Bond Anticipation Note. So --

**MR. LIPP:**

General Fund only.

**LEG. D'AMARO:**

That was for 2000 -- what year?

**MR. LIPP:**

2014 adopted number, actually. And --

**LEG. D'AMARO:**

Okay, 2014 adopted, 123 million dollars and interest.

**MR. LIPP:**

Principal and interest.

**LEG. D'AMARO:**

Principal and interest.

**MR. LIPP:**

The repayment and interest, and that covers capital spending or bond issues that may be as old as 20 years.

**LEG. D'AMARO:**

Right, because that's servicing all the outstanding debt.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

Whether it was incurred last year or 10 years ago.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

All right. What was that number in 2013?

**MR. LIPP:**

It was, I believe, in the 90 million dollar range. And the reason why it jumped so much was simply because of the loss of off-budget relief from tobacco securitization.

**LEG. D'AMARO:**

Right.

**MR. LIPP:**

So what basically happened to us is we bit a large bullet in 2014, having to compensate for that, and there will be small increases projected for the next couple of years, but they are small.

**LEG. D'AMARO:**

So we took a big hit from 2013 to 2014 because we lost a -- or what ran out was a substantial source of revenue where we were servicing that debt?

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

Tobacco Securitization. Is there a way, and I think you just said this briefly, is there a way now -- if we enact the 433 million dollar three-year spending plan, is there any way to project the increase to debt service anticipated? You said debt service in 2014 is 123 million adopted. What would it be in 2015 if we enact this three-year plan?

**MR. LIPP:**

Okay. There is -- the process, the Capital Program process is a very lengthy one, and most of the projects that you are going to adopt today, and that you will be appropriating in 2015, next year, will not see the light of day, even if they are appropriated --

**LEG. D'AMARO:**

Right.

**MR. LIPP:**

-- until at least 2016. And even then, they -- probably all the monies will be not spent immediately, but over a few years. So one way to look at it is, in 2014, you adopt the 2015 Capital Budget; in 2015, you appropriate some or all of that serial bond debt.

**LEG. D'AMARO:**

Right.

**MR. LIPP:**

And in 2016 -- a little bit in 2015, but mostly in 2016, you start to spend it, and then in 2017 will be the first year you'll see debt service in the Operating Budget.

**LEG. D'AMARO:**

Okay. So let me ask the question a different way, because I know you --

**MR. LIPP:**

I know I didn't answer your question directly, so now I'm going to answer it directly, if you'd like.

**LEG. D'AMARO:**

Go ahead.

**MR. LIPP:**

Okay. So this is meant to be a gross approximation for illustrative purposes. Okay. And in --

**LEG. D'AMARO:**

It's duly noted.

General Meeting - June 3, 2014

**MR. LIPP:**

Okay. Thank you very much. So in the review, there's a Figure 3, and it shows that the debt service is projected to go up to a hundred and -- from 123 to 129 million in '15, to 131 million in 2016, and then it will drop off some in 2017 to 124 million.

**LEG. D'AMARO:**

Why the drop-off?

**MR. LIPP:**

That would be mostly because of a drop-off in previous existing debt service on previous issued bonds.

**LEG. D'AMARO:**

And not replacing that debt as quickly as it's being retired?

**MR. LIPP:**

Yes, although these numbers are probably an underestimate, I must admit, because the bond issue that will be going out today was larger than I had anticipated. It's -- how big is it? Well, I don't have little kids anymore, but I felt like saying so big. Seventy-eight million.

*(\*Laughter\*)*

**LEG. TROTТА:**

Today?

**MR. LIPP:**

Today. And we borrow twice a year. By that 78 million I don't have the detail on yet, so to the extent that sewer bonds -- to the extent that it's not an issue.

**LEG. D'AMARO:**

Well, how much more -- how much more was that than you had expected?

**MR. LIPP:**

I was expecting in the range of 45 million.

**LEG. D'AMARO:**

But aren't you tracking what we authorize as we vote at each meeting?

**MR. LIPP:**

Yes.

**LEG. D'AMARO:**

Why would you expect so much less?

**MR. LIPP:**

Oh, well, very simply, the way it works is you have -- well, you have like years of projects that have been appropriated, like let's say this year, previous year, the previous year before that, the previous year before that.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

And there's no way to know until the 24th hour what happens. The Comptroller's Office is in contact with the different departments, like DPW, and say, "How much money do you need in the next six months?" And I didn't have that information at the time that --

**LEG. D'AMARO:**

Right. So you have no way of knowing what the borrowing is going to be every six months, because you don't know what's being moved forward until the last moment.

**MR. LIPP:**

Although, we do have a hysterical -- historical, not hysterical, historical data. Sorry about that.

**LEG. D'AMARO:**

That's okay. It is rather hysterical.

**MR. LIPP:**

Perhaps the truest things are said in jest. We have historical data, so I based the analysis on that, minus a couple of things that added more than what would be anticipated.

**LEG. D'AMARO:**

So what we see is, you know, years of a down economy, where I think we were very prudent in holding back on incurring excessive debt, or more debt than what we wound up doing, mindful of the fact that this debt is most -- the serial bonds are being serviced out of our Operating Budget, the Operating Budget is funded by our taxpayers, and debt service is something we have to keep an eye on. But I guess you reach a point where you can only neglect or ignore, for valid economic reasons maybe, but you can only, you know, ignore a crumbling bridge for so long.

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

And it seems to me that if the time has come where if we don't address much of this infrastructure, including this outfall pipe, and our roadways and our systems that are in place, we're going to wind up paying 10 times more to replace them and to rehabilitate them, rather than maintain them and repair them with minor repairs on an as-needed basis. So I understand the increase.

I guess the silver lining here is that you said in 2017 the debt service starts to recede. And as difficult as it may be, we may have to accept a short-term increase in debt service, as well as bonding authorization, in order to take care of all of these projects that have been pending for a long time and that haven't been addressed, and, at some point, it's just an obligation to not ignore them anymore. And that's pretty much how I see this budget.

I am not normally in favor of the increased spending. I agree with Legislator Barraga, that these numbers are really surprising, that, you know, the recommended came in with a substantial increase, but we know why, it's an outfall pipe. If we don't address the outfall pipe, we have major problems.

**MR. LIPP:**

Okay. I have one small update for you. So, of the 78 million, we were in contact with the Budget Office, and as it turns out, 26 million of it is for sewers.

**LEG. D'AMARO:**

Okay.

**MR. LIPP:**

So that would make 52 million for General -- for mostly General Fund purposes.

**LEG. D'AMARO:**

So that's more in line with what's happened in the past?

**MR. LIPP:**

Yes. A little high, but more in line, definitely.

**LEG. D'AMARO:**

All right. Just one more thing. So I assume, based on the largest projects at least, what this Capital Budget proposal is seeking to do is not only address our infrastructure and the outfall pipe, but also targeting economic development and some energy conservation in very important and vital areas. It's a difficult bill. And I would like to hear from some of my colleagues who were on that Working Group as to why these projects must be included and must be going forward now. I'm not adverse to supporting this budget, but if I'm going to, I really need to understand the urgency and the increase, especially in light -- in light of the fact that the County Executive went to 410, or 60 million more, and we went even higher than that without -- without -- you know, I need to understand why that is. What are these projects? Why are they so important? I mean, I understand the outfall pipe, but beyond that, how do we justify 23 million dollars more above what the County Executive recommended? Okay. Thank you.

**P.O. GREGORY:**

Thank you. Legislator Browning.

**LEG. BROWNING:**

You know, I look at this every year, and as long as I've been here, we look at these projects. And I can tell you, I still see projects in this budget that have been there since I've been here that have never moved forward. And now we're at a point in time where some of these projects are critical and they do need to move forward. And it's been made very clear to us, if we don't move forward, it's going to cost us three times as much. You know, there's items in this budget that, personally, I don't agree with, I don't approve of. The other part that I feel is very difficult is that mandated jail, a 114 million dollar jail that we have to build. We have no choice, it's been forced on us.

You know, it is a planning document, and, you know, it's not real until we appropriate the funds. And, like I said, it's something that we have seen over the years, many of these projects, being kicked down the road so many times. There's one in particular, I looked at it, you know, it's a 22 million dollar project for radio communications. And we have to have that P25 System, it's a Federal requirement. If we have a crisis here in Suffolk County, we are not -- our infrastructure is not up to speed like it should be. If we had a crisis and we had assistance come from the City or Nassau County, we need our communication system up and running, so that any kind of assistance that comes, their communication system will work with ours. And as it stands right now, we really don't have that. So that is another critical project. So there's many here.

You know, the Smith Point Bridge, they've had a lot of issues with Smith Point Bridge. There is a project I disapprove of, and that was Capital Budget -- Capital Project 5538. It's a 22 million dollar project. It's an infrastructure improvement to run the Heartland Project. And I'm adamantly opposed to us putting taxpayers' money into infrastructure improvements around a development where I believe the developer should be paying for.

So, should I vote for the budget? Yeah, I should. Again, we have another opportunity when it comes time to appropriating the money for these projects, we have that second chance. And that gives me an opportunity when 5538 comes around to say absolutely not. And I think that's, you know -- and that's -- it's a disgrace that that's still in there. But, again, there are many very

## General Meeting - June 3, 2014

necessary projects and we need to get them moving. And we've been told too often, you know, we're kicking the can down the road for some of these projects also.

There was something else I was thinking about and I'm drawing a blank (*laughter*). But, like I said, you know, I see this as a planning document. I know the numbers are high. It's not an easy pill to swallow.

We also listened to the County Executive in his State of the County Address talking about water quality, and how much time did he spend talking about water quality? The biggest chunk of this budget is water quality projects. In fact, I have a couple of stand-alones on water quality projects. So, you know, I'm hoping that maybe I can get some support on my standalones.

But, again, I think that the Working Group, you know, I was involved in the Working Group, I participated. We worked, I think, very well. I think that the process that it was done this time around, everyone had an opportunity to come and participate. And, Tom Cilmi, it was great to have you there and it was great to have your input. So, like I said, you know, there are things in there that not everybody likes, but I am going to support this, because we do have some critical projects that need to be done.

And our Community College, we -- the enrollment in our Community College is going up. We had 41 graduates -- 4100 graduates this year. And it goes to show that if we do -- if we create the programs in our Community College for the students here in Suffolk County, they don't have to go away. The Community College has been doing so much to help our young people, and I think that's something that we should continue to do. And it's creating an affordable education for many of the kids, and I know many kids in my community and in my district who can't afford to go away to college, and Suffolk Community College has done a phenomenal job to help them.

So, again, I'll support the project. And I want to congratulate and thank the Working Group for all the hard work that they've done.

**P.O. GREGORY:**

Thank you, Legislator Browning.

**LEG. BROWNING:**

And should I not forget, Budget Review.

**P.O. GREGORY:**

Thank you. Legislator Calarco.

**LEG. CALARCO:**

Thank you. Yeah, I wanted to start by thanking Budget Review for their hard work on putting together their recommendations and their review, and working with us to get this Omnibus in place, and all my colleagues on the Working Group, both those who are on the Working Group and those who have attended many of the meetings and participated in the process. I think we had a good debate and discussion.

And I was going to parse out some of the numbers, but Legislator D'Amaro did a very good job with that, and he is correct, we are looking at some increases here. But, as Legislator Browning put it, it really is, much of it, a matter of us finally getting to taking care of the responsibilities we have to take care of.

For the last five or six years, we have continually tried to decrease the size of this budget, and with due reason, we were facing some financial problems that -- not that we have completely gotten away from, but certainly have gotten better. And it's time to start owning up to our responsibilities

## General Meeting - June 3, 2014

to taking care of our infrastructure, taking care of our properties, and reinvesting in the County, as we need to do. And I think that's what this budget really truly reflects, is making those investments.

And you could talk about some of the numbers, but I remember four or five years ago, that outfall pipe was in the budget for subsequent years and it was budgeted at 150 million; now we're looking at 207 million. So there are numbers that have gone up because we have put things off. And, as everybody knows, we all own a house here, you now, if you put things off, eventually your maintenance costs turn into something more and it becomes a more costly project, and that's what we're looking at in some of these issues.

So, you know, we are finally making a commitment back to taking care of some of these things. We are going to make sure that the funding is there. In many cases, it's projects that are going to be reimbursed either through FEMA or State grants, and that's a good thing. We're continuing to make our investment into the Community College. We moved the STEM building back up into '15, because of what that could provide for our workforce, what that provides for our college, and to make sure we don't lose the State funding that goes along with that project. So we have made some tough decisions, but I think good ones, to make sure we're positioned next year to make the investments into this County that we need to make.

And, at the same time, I think we've all recognized that there's a need to deal with our past -- our pipeline debt, and what's sitting there in the pipeline, and to do a re-evaluation of whether or not any of those projects there are still viable, are still needed. Certainly, if it's sitting there and it sat there for a long period of time, perhaps it's something that we simply don't need and need to set new priorities.

So I do look forward to working with my colleagues and on that special committee to take a look at that pipeline debt. And I think that if we can really address that in a meaningful manner, we can make sure that we're still moving in a forward and a fiscally responsible way, but one that takes care of our needs today and into the future.

Thank you. So I will be supporting this budget.

### **P.O. GREGORY:**

Thank you. Legislator Krupski.

### **LEG. KRUPSKI:**

Thank you, Mr. Presiding Officer. And I just wanted to speak briefly on the way that the Capital Budget Working Group worked together, the people who were not on the Working Group who came and spoke and contributed a great deal.

This -- you know, this County has a culture of borrowing, which we're -- I know everyone is trying to break. And there's also, though, a culture of deferring maintenance, which is really troubling. This Capital Budget does address a lot of that. And if you look throughout the County, and if you look throughout this budget, and you look at improvements to parks, to the ballpark, which needs work, and this is all maintenance work. If you look at the road infrastructure, dredging to maintain waterways, if you look at the -- you know, any kind of drainage improvements, any kind of, you know, roofing, all the great work the County's been doing for energy on all of our infrastructure that actually saves money going forward. So you can't -- you really can't defer this maintenance any longer, you really can't. We're just kicking it down the road.

I've got behind my office in Riverhead, I've got -- there's a small barn and the roof's falling apart, and I'm trying to get that fixed for a year. The County uses that for equipment and materials. It's used every day. People are in and out of there. It's a good building, it's in a good location to use to service the Courthouse Complex there, as well as the Cornell Building, which the County owns, and

you have to keep that infrastructure up.

I give the Capital Budget Working Group a lot of credit. There was a lot of split votes on a lot of these decisions, and it was -- even though it was in public, it was a lot of good. And, as many of you know, I voted no against a lot of these proposals. But, you know, we went through, we had open and honest discussions in public. "I think this is a good idea, I think this is going to be deferred, I think this should be taken off completely." We vote on it and it would move forward.

So I don't have a problem with supporting this at all, but I think that during the year, every time we approve any kind of capital project that's been put, previously put into a Capital Budget, you know, we have to look at it. We have to be open and we have to be honest, and it is a democracy. We're not all going to agree on it, but we have to ask the hard questions, should we do this now, or can we put it off, or should we do it at all.

So I'd like to thank -- also like to thank Budget Review. They have -- seem to have a lot of answers at their fingertips and it makes it easy to move through the process, so I thank them for that.

**P.O. GREGORY:**

All right. Thank you. Legislator Kennedy, and -- okay. There's several more. Just to note that it's 12:15. I want to try to get it in at 12:30. We do have several members to consider.

**LEG. KENNEDY:**

Thank you, Mr. Presiding Officer. So let me -- like my colleagues, I appreciate the opportunity to participate in the Working Group. And Legislator Krupski's right, we did do an awful lot of back and forth over the merits of each and every one of these items. We considered, I believe -- Robert, what was it, 78 projects out of what was about 200 that were presented in total from the County Executive in his proposed?

**MR. LIPP:**

It was probably, maybe, 10 more than that, because there were some Legislative requests that we went over, too.

**LEG. KENNEDY:**

Okay. So we did a subset of what was proposed, which would infer, I guess, that there was general concurrence on the balance. I don't know that is the case. And, quite frankly, I believe that's why a number of us felt very strongly that we would take the extraordinary step of asking the Presiding Officer to convene this Task Force. It should be noted that it is a Legislative Task Force, and, as a matter of fact, it is time-limited. And along with Majority Leader Calarco, we spoke very specifically and candidly about a specific object to hit, at the minimum, probably 15% of that pipeline debt, if not more. There are a number of items that jump up right away, none that I care to really go through as far as listing right now, but I think all of us were mindful of that 429 million dollar pipeline debt.

But, Robert, let me ask you a question, just so that I make sure I that understand, because, you know, sometimes I confuse terms. What does 429 million dollars of pipeline debt mean? What does that term mean? Have we spent that?

**MR. LIPP:**

No.

**LEG. KENNEDY:**

Did we borrow that?

**MR. LIPP:**

No.

**LEG. KENNEDY:**

What does that term mean?

**MR. LIPP:**

Those are -- okay. So there are a few resolutions, for instance, today that you're going to vote on to individual resolutions to appropriate monies, serial bond debt in this case here, for capital projects that are part of the, in general, part of the 2014 adopted Capital Program. And it may be some amendments, too, that would have offsets. So what you're doing is, let's say, hypothetically, a certain capital project you would adopt, that would appropriate a million dollars, let's say. And then what would happen is when that project is eventually ready to -- and this is the 2014 adopted capital project. When that project is ready to be advanced, perhaps it's a DPW road project, what happens is when the money is actually needed, DPW will tell the Comptroller, "Okay, I need the million dollars," or half of it, whatever, "over the next six months." And then the Comptroller will put that in their next bond issue, and then the year after that, it would seep into the debt service with the County. That being said, whatever you adopt today in appropriating resolutions would be part of the pipeline debt, number one. Number two, the 78 million will be going to reduce the pipeline debt that is -- that is the amount over 400 million that we were talking about in the Capital Program.

**LEG. KENNEDY:**

And how is that? So --

**MR. LIPP:**

Simply because it's authorized to borrow and -- but it has not been issued yet, like the hypothetical million dollar example today. But then, down the road, let's say these are appropriations from the last few years prior, and what happens is today they're issuing 78 million of that. So now it's no longer pipeline debt, it's already been issued.

**LEG. KENNEDY:**

It will move from one side of the ledger to the other.

**MR. LIPP:**

Right.

**LEG. KENNEDY:**

It will no longer be the potential to borrow, it will be, in fact, something that we've perfected and we actually have borrowed.

**MR. LIPP:**

Right. I don't know if perfected is the right term, though.

**LEG. KENNEDY:**

Well, you're taking a concept or a decision precedent. We can't borrow without it being something that we've embraced --

**MR. LIPP:**

Correct.

**LEG. KENNEDY:**

-- in the Capital Program or Capital Budget.

**MR. LIPP:**

Correct.

**LEG. KENNEDY:**

But the vote today on this Capital Program or budget does or does not mean that we are actually expending dollars?

**MR. LIPP:**

Does not.

**LEG. KENNEDY:**

Does not. Okay. It is merely a first step in a multi-step process that would take us to eventually being able to spend monies for our priorities.

**MR. LIPP:**

Correct.

**LEG. KENNEDY:**

Okay. And I think, like everybody, around this horseshoe, we've talked about the fact that, Legislator Krupski's example is probably the best one, you can't function when the roof is falling in. There is an expectation that our citizens have of County services, they want them done in a frugal way. And as we measure each project, having set out this platform or guideline for priorities, I'm sure we'll continue to do that. Thank you, Mr. Chair. I'll yield.

**P.O. GREGORY:**

Thank you. Legislator Trotta.

**LEG. TROTТА:**

Two quick questions. You said this year there's 123 million dollar debt. Can you just do '15, '16 and '17 for me again?

**MR. LIPP:**

I'm sorry. Could you repeat that? I was thinking about something else.

**LEG. TROTТА:**

You said in 2014, there's 123 million dollar capital spending debt.

**P.O. GREGORY:**

No, debt service.

**MR. LIPP:**

Debt service.

**LEG. TROTТА:**

Debt service. That's what I meant. I'm sorry. '15, '16, '17, I want to know why it drops, you know, after that. You know, I could talk to you about this afterwards, it's okay.

**MR. LIPP:**

Okay.

**P.O. GREGORY:**

Okay. Legislator Spencer.

**LEG. SPENCER:**

In the interest of time, I know that when we start to vote on the budget, we're going to vote on the individual stand-alones, I'll comment there.

Again, I extend my congratulations to the Working Group. I know that you had a very difficult job, and I appreciate what you've done. So I'll defer my comments until we get to that stand-alone.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

I wish I could be as quick. Let me start out by thanking Budget Review for their work, and thanking the Working Group for their work. I am proud to have been part of a process that extended the same -- the same latitude to every member of this Legislature to come and participate in that process in a public and open way. And I found -- I found the process to be enlightening, I found it to be rewarding. I found the decisions that were made were made taking into consideration the many factors that we have to deal with here. But as we sit here right at this moment, I am still undecided as to whether or not I can support the budget amendment that was developed in that Working Group. And I'm hoping that somebody on this body or that Budget Review can help me make that decision. And I'll explain where my hesitation comes from.

I think the amendment that was crafted was crafted in a way that recognizes priorities in the County, and that recognizes some of the things that we've avoided doing in the past, but we need to do, or need to plan to do at least. So, if we took the omnibus budget amendment in a vacuum, I think it's -- I think it's good. The problem, though, is that it's not in a -- we can't take it in a vacuum. We have to take it in the context of the resources that the County currently has, we have to take it in the context of the pipeline debt that is existing. And, as Budget Review stated, that pipeline debt, exceeding 400 million dollars, is debt that we've appropriated, but that has not been issued. So that means that we've basically given -- correct me if I'm wrong, Robert, but that means that we've basically given the County Executive, the Administration, a bank account with 400 million dollars or so in it, and he can basically write the checks when the Administration deems it appropriate to write those checks, correct?

**MR. LIPP:**

It's a little simplistic, but as an overall --

**LEG. CILMI:**

I tend to think in simplistic ways.

**MR. LIPP:**

Yes, but that it's not too far from the truth.

**LEG. CILMI:**

Right, okay. That -- in other words, that 400 million dollars plus is now out of our hands and in the County Executive's hands, for all intents and purposes?

**MR. LIPP:**

Correct.

**LEG. CILMI:**

That's very concerning to me, and it's concerning to me that we are now proposing to plan for an extension of that debt. And it's true, that we're not adding to that pipeline debt by adopting this budget today, and that is pulling me in the other direction, because we do have to come back and appropriate each of these things as it comes before us. But to have such a significant amount of

General Meeting - June 3, 2014

money sitting out there, and I know that there's a -- there is some commitment made in the form of a "whereas clause" in the Omnibus budget resolution to deal with that pipeline debt. I wished that that commitment would have been articulated in a stronger way. In my view, it's not strong enough. And I have some level of faith in the Presiding Officer, and in the Task Force that will be created to deal with that. But, ultimately, the outcome of that Task Force is uncertain. So, Robert, can you comment on any of that at all? Or I would ask my colleagues to comment on any of that at all.

**MR. LIPP:**

Well, there is one thing I'd like to bring out. And Legislator Gregory asked me to do something, and I basically rolled my eyes and said, "I can't do that." But I made a very rudimentary estimate of what the economic impact would be for the first year. So, on behalf of Legislator Gregory, if you look at the TV screen, what I did is I took the three categories that would add funding of 18.1 million dollars. In other words, there were -- the three categories were Adding Funding to Meet Needs, Economic Development and College Projects. Now, I will tell you that this is a very simplistic analysis, given, A, the time I have, and B, the software that I have, which is -- needs to be updated, it's out of date. That being said, the 18.1 million dollars, if it was all issued at once and all these projects happened, so you could, you know, change the timeline to multiple years, would add almost 285 jobs based upon an economic input/output model that I have that we should probably update.

**LEG. CILMI:**

Okay. That's --

**MR. LIPP:**

Just a little value added on behalf of Legislator Gregory.

**LEG. CILMI:**

Right. Well, that may be true and may not be true, but it may be true, but it's only true, certainly, if we actually appropriate and actually borrow the money to do the projects.

**MR. LIPP:**

There are a lot of assumptions there, no doubt.

**LEG. CILMI:**

Because, I mean, we budgeted for and we have appropriated more than -- what's the total number, 400-plus million? What's the pipeline debt?

**MR. LIPP:**

So it's 429 million.

**LEG. CILMI:**

429 million.

**MR. LIPP:**

Right. And that doesn't include sewer debt.

**LEG. CILMI:**

So that pipeline debt is not creating any jobs at all.

**MR. LIPP:**

Oh, no, it -- if --

**LEG. CILMI:**

Until eventually --

**MR. LIPP:**

Yeah, some of it will. You know, it depends upon the mix of the --

**LEG. CILMI:**

Right.

**MR. LIPP:**

-- of the projects, no doubt. And it all won't be issued. From among other things, there are projects that have more money in them and are capital closeouts, or they just never get off the ground for various reasons.

**LEG. CILMI:**

Right. So, please, for purposes of my clarity, because I heard a couple of things that seemed contradictory to me, and I just want to make sure that I'm clear. The proposed, the County -- the adopted 2014 Capital Budget was how much money exactly?

**MR. LIPP:**

Okay. So the -- I'm only looking at -- I'm not looking at sewer bonds.

**LEG. CILMI:**

Let's just look at serial bonds.

**MR. LIPP:**

Right, serial bonds, not sewer, 93.7 million dollars.

**LEG. CILMI:**

93.7 million is the adopted 2014 Capital Budget in serial bonds?

**MR. LIPP:**

Correct.

**LEG. CILMI:**

What was the proposed 2015 Capital Budget and serial bonds?

**MR. LIPP:**

Okay. As you could see up here, it was 117 million, but ten of that was, for apples-to-apples comparison, was -- is really FEMA aid. So you could --

**LEG. CILMI:**

Okay.

**MR. LIPP:**

In order to compare the two years, I had to include it in there, but -- so, if you look in the budget, it's like almost 110, but we're listing it as 117 for comparison purposes.

**LEG. CILMI:**

Okay. If we adopt the Omnibus Budget Amendment today, what will our 2015 serial-bond-related Capital Budget be?

**MR. LIPP:**

You could add another 8.4 million to that.

**LEG. CILMI:**

Okay. So it will be -- and you said it was 110, so --

**MR. LIPP:**

Yeah, so you go 118 --

**LEG. CILMI:**

So now it's about 118 million dollars.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

118 million dollars to that 2015 serial bond.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

Because I heard a 400 million dollar number.

**MR. LIPP:**

Yeah. So that is -- if you look on the TV screen --

**LEG. CILMI:**

That's inclusive of this sewer --

**MR. LIPP:**

No. This is only --

**LEG. CILMI:**

Or is that the three-year?

**MR. LIPP:**

No. This is -- no. The pipeline debt is the 429.

**LEG. CILMI:**

Let's forget about the pipeline debt for a minute. I understand that that's --

**MR. LIPP:**

Okay. I'm not sure what you're asking, then.

**LEG. CILMI:**

Okay. So what if you add all of the line items that -- the serial bonds, the sewer bonds, all of that together, what is our 2015 total proposed? I can't read it. I'm sorry, Robert. Could you just read it for me?

**MR. LIPP:**

Once upon a time -- 366 million.

**LEG. CILMI:**

Three-hundred and sixty-six. But that's inclusive of everything, and that's -- so that's not -- so the increase, if we looked line item to line item, serial bond to sewer bond, etcetera, etcetera, etcetera, generally, we're -- we are concerned most with the -- with the serial bond portion.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

The increase in the serial bond portion of our Capital Budget, 2014 was 90 --

**MR. LIPP:**

Nine-three.

**LEG. CILMI:**

Ninety-three-plus, almost 94. The proposed 2015 was about 110.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

And what we're going to adopt is about 118, if we approve --

**MR. LIPP:**

Right. And you could add another 3.1 million in sewer bonds --

**LEG. CILMI:**

Okay.

**MR. LIPP:**

-- if you want to get a bigger picture.

**LEG. CILMI:**

Okay. Mr. Presiding Officer, I'm really struggling with this because I want to support this amendment, but I really do need a commitment that we are going to, you know, eliminate at least the amount of pipeline debt that would equate to the increase in our Capital Budget during this process that you've recommended.

**P.O. GREGORY:**

That is the -- that is the goal. As I mentioned earlier, some of us have identified potentially at least 20 million dollars already. Obviously, no decisions have been made. But that's -- you know, there's been serious concerns expressed about pipeline debt, and we're going to take a serious look at addressing that issue, you know, hoping to eliminate 30 million or more in pipeline debt.

**LEG. CILMI:**

Because here's -- ultimately, here's the issue. Legislator Calarco, Legislator Krupski and others talked about, you know, there -- if your house is crumbling, you have to fix it, otherwise, it amounts to more money. Well, sometimes -- sometimes folks come to the realization that they can't afford the house that they're in, and I think we have to really consider whether or not we can afford the house that we're in. It's true, that the house that we're in is crumbling and we need to fix it. But if we can't afford this house, then we better -- we better go look for a more affordable house.

In any event, I thank you for your work, Presiding Gregory, and I -- you have no idea how much I appreciate the fact that we did these meetings publicly this year. I wish that more of the public would have attended. Maybe we can make an effort to do that in future processes or in next year's Capital Budget. That's it.

**P.O. GREGORY:**

Thank you. Thank you for your input. Legislator D'Amaro.

**LEG. D'AMARO:**

Very briefly, thank you for recognizing me. In my comments earlier, I was remiss. I, first of all, want to thank the Budget Review Office. You guys do a bang-up job and I appreciate it very much, as you do throughout the year; also to the Working Group. I was not a participant this year, but I know how hard you work and how you struggle, and give the genuine debate over the issues. So thank you to my colleagues.

Legislator Cilmi, I want to point out, there's another way to offset what we see as an increase, or what I may view as a necessary increase in bonding authorization. Not only can we look at the pipeline debt, but we can also just vote no when the specific bill comes before you.

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

**LEG. D'AMARO:** *(Cont'd)*

We all like to state that this is a planning document, it is a spending plan, it is a jobs program, we're not voting for any -- to incur any debt today; we've put it many, many different ways over the years. But what you really need to do if you want to, in my view, do the job that you were elected to do is as the individual bills come before us throughout the year, make an assessment, make an evaluation and if it doesn't meet your priority, then vote no. And that's, I think, the most effective way to control our debt service, our debt and the spending on Capital projects.

I'd rather be more inclusive at this stage. As Legislator Kennedy says, this is the beginning stage in a very long process. Let's put it all in, this way we have the option to go forward with something if it's really necessary. But I know that over the years, and certainly this year as well, there have been projects that required bonding and funding that I have voted against because I felt this was not the time, and I would suggest to you and to everyone that that would be the appropriate moment to determine what your own priorities are and how you best represent your constituents.

I'm not going to repeat everything that I said before. I think that, yes, there is an increase here, but I think, as most of my colleagues have stated, it's a necessary increase to avoid even larger increases in the future and to address an infrastructure that needs -- that's been somewhat neglected due to the tough environment -- tough economy that we've been going through, so. At the end, it's not easy for me to support this, but I see the need to do so. I'm encouraged by the fact that debt service is projected to begin to decrease once we get past this hurdle in the next two years, so I am going to support this bill today. But I will say and I will commit that as the spending projects come before us throughout the year, if it is something that is not what I believe to need a priority or that we should avoid that debt at that time, I will continue to say no to those projects. Thank you.

**P.O. GREGORY:**

All right, thank you. A lot has been said, so I won't repeat it all. But I want to thank BRO for all that you do, as usual, except the editorial comments about my requests. The Working Group, obviously thank you for all that you do and did. I know this wasn't an easy process. It was a new process for us, and I thank you for your patience for allowing us to kind of go through this pilot, if you will, or experiment, opening our meetings to the public. And I think we found that we survived the process; it's a little bit different, but we did survive it and I think, you know, we have a product that we can be proud of. We invested in areas that we should invest, that we hadn't in the past. You know, there were -- you know, we added additional projects that were eliminated. You know, as far as the Community College, that added to the overall projection of the Capital Program in later years, but we did reduce in subsequent years I think by 22 million. So we did start looking at a long-term plan with an eye to reduce the program and giving consideration to the concerns about our pipeline debt.

General Meeting - June 3, 2014

The task force that we're going to be putting together is going to delve into those details a little further. And I'm confident that we'll meet our projections and I ask for your support during that process, and I ask for your support for the Capital Program.

**LEG. D'AMARO:**

DuWayne, can I --

**P.O. GREGORY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

I just want to take a -- make a point that I failed to make, that I want to thank you wholeheartedly for having the courage to open up those meetings to the public. It is something that I have, you know, strenuously advocated for over the years. I think the way you did it was absolutely perfect. It was done almost as a test kind of case, let's see where it goes. I think it took an awful lot of courage to do that. I know Legislator Cilmi has also been a strong advocate for that as well. And I just want to personally thank you for doing that. I think it was the right thing to do. I really admire your courage to try that and I hope we continue to do that in the future. Thank you.

**P.O. GREGORY:**

Thank you. Thank you, Lou.

***Applause***

Okay. Do we have a motion, Mr. Clerk?

**MR. LAUBE:**

No, I don't.

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco. I'll second the motion for Budget Amendment 1. Okay? All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

*Seventeen (Opposed: Legislator Barraga).*

**P.O. GREGORY:**

Thank you. Same motion, same second for Budget Amendment 2.

**LEG. CALARCO:**

Whoa, whoa.

**MR. NOLAN:**

Rob's asking for an explanation.

**P.O. GREGORY:**

Oh, I'm sorry. I'll make a motion to approve on ***Budget Amendment 2 (Amending the proposed 2015-2017 Capital Program and the proposed 2015 Capital Budget)***. Do I have a

second.

**LEG. BROWNING:**

Second.

**P.O. GREGORY:**

Second by Legislator Browning. Explanation?

**LEG. BROWNING:**

Okay, this is to complete a project. I think this goes back about five years. And again, I hate to repeat myself and talk about water quality projects that we've heard so much conversation about. That's what this is, and I think this should be a no-brainer and that it should move forward. Like I said, it's five years we've been waiting to get this done, so I would hope I could get my colleagues' support.

**P.O. GREGORY:**

Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

Legislator Browning, this is a project that Brookhaven Town is undertaking, is it not?

**LEG. BROWNING:**

No, no, no. It's on a County road.

**D.P.O. SCHNEIDERMAN:**

Oh, I'm not --

**LEG. BROWNING:**

County Road 21.

**D.P.O. SCHNEIDERMAN:**

I'm looking at the wrong one.

**LEG. BROWNING:**

No, you're talking about the Yaphank Lakes, the dredging.

**D.P.O. SCHNEIDERMAN:**

Okay.

**LEG. BROWNING:**

This is storm water remediation on County Road 21.

**D.P.O. SCHNEIDERMAN:**

Oh, okay.

**P.O. GREGORY:**

If I may. Looking at the hour, would you mind if we recessed and we came to this after the public hearings?

**LEG. BROWNING:**

Sure, we could do that.

General Meeting - June 3, 2014

**P.O. GREGORY:**

Okay. All right, so I'll make a motion -- well, I'm just going to call the recess. Okay, recess for lunch. See you guys later. Thank you.

*(\*The meeting was recessed at 12:40 P.M. \*)*

*(\*The meeting was reconvened at 2:36 P.M. \*)*

**P.O. GREGORY:**

Okay. Good afternoon, everyone. Mr. Clerk, please do a roll call.

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

**LEG. KRUPSKI:**

Here.

*(\*Laughter\*)*

**MR. LAUBE:**

He's here.

*(\*Roll Call Continued by Mr. Laube - Clerk of the Legislature\*)*

**LEG. BROWNING:**

*(Not Present).*

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

Present.

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Present.

**LEG. LINDSAY:**

Here.

**LEG. MARTINEZ:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. TROTTA:**

Here.

**LEG. McCAFFREY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

Here.

**D.P.O. SCHNEIDERMAN:**

Here.

**P.O. GREGORY:**

Here.

**MR. LAUBE:**

Seventeen.

**MS. GELLERSTEIN:**

Kate's here.

**MR. LAUBE:**

*Eighteen*, Kate's here. Legislator Kate.

**P.O. GREGORY:**

Okay. We have several cards for various public hearings, the first being the 2014-2015 Suffolk Community College Budget. And I have Gail Vizzini.

**MS. VIZZINI:**

Thank you, Mr. Presiding Officer. And thank you all for your support this morning. I was listening as you adopted your Omnibus Resolution and your Capital Program. Thank you very much.

I'm here today to request your support for the Suffolk Community College Operating Budget which will be before you on June 17th. The College filed our operating budget request for '14-'15 with the Clerk of the Legislature and the County Executive on April 18th, as required by our MOU with the County. Copies were also distributed to the Presiding Officer, Deputy and the appropriate committee chairs.

The County Executive released the Recommended College Operating Budget, and I'm sure it was deposited in your mailboxes. I'm very pleased to report that the County Executive's approved budget is the same as requested by the Board of Trustees and includes a 2% increase in the County contribution. This is the first time in over five years that an increase in the County contribution has come forward from the County Executive's Office.

The College Board of Trustees approved an operating budget of \$205 million for '14-'15. The increases in expenditure are aligned with assuring that the college has the resources to meet our institutional goals, including and emphasizing student success. Included in the budget are increases in instructional supplies and equipment, as well as startup costs for the William J Lindsay in addition

General Meeting - June 3, 2014

to that there are startup costs associated with our private/public partnership with LIU at the Grant Campus. However, LIU will bear the full burden of the cost of the construction of the modular building which they will use in the evenings and the college will gain the privilege of using that space during the day.

Enrollment and assumptions in this operating budget are projected to be flat. They are flat for the current year and we are still trending in that direction. The College operating budget is balanced on four major sources of revenue; first State aid. State aid to the community colleges is based on a rate per full-time equivalent student. Adopted in the '14-'15 New York State budget was an increase of \$75 per FTE, bringing the rate up from 2,422 to 2,497, equating to \$1.5 million in new revenue for the college. The second source of revenue is the County contribution. And as I mentioned, there is a 2% increase which totals 779,779.

**LEG. D'AMARO:**

That's the increase?

**MS. VIZZINI:**

Yes. The tuition. The threshold for the Board of Trustees was to keep public education affordable; I know you share that goal. And they did authorize a \$250 annual increase, or \$125 per semester, bringing Suffolk's tuition up from 4140 annually to 4390, or 2195 per semester. Unfortunately, this was not enough to balance the budget and we will be required to use \$4.3 million from our reserve fund or 20% of our current reserve. Thank you very much for your support.

**P.O. GREGORY:**

Thank you, Gail. Does anyone have any questions of Gail? Okay. All right, thank you. That is all the cards that I have for the 2014-2015 Suffolk County Community College Budget. Is there anyone else that would like to speak? Please come forward. Okay. I will make a motion to close.

**D.P.O. SCHNEIDERMAN:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

Okay. ***(Public Hearing on) IR 1236-14 - Adopting Local Law No. -2014, A Local Law to require the use of biodegradable products by chain restaurants (Hahn).*** I do not have a card on this public hearing. Is there anyone in the audience that would like to speak, please come forward. Okay.

**LEG. HAHN:**

I'll make a motion to recess one more time. One more, I'm almost done.

**P.O. GREGORY:**

Legislator Hahn makes a motion to recess. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***(Public Hearing on) IR 1325-14 - Adopting Local Law No. -2014, A Local Law to ensure access to emergency services via telephone (Trotta).*** I do not have any cards for this public hearing. Is there anyone in the audience that would like to speak on this matter, please come forward. Having seen none, Legislator Trotta?

**LEG. TROTТА:**

Motion to recess.

**P.O. GREGORY:**

Motion to recess by Legislator Trotta.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**D.P.O. SCHNEIDERMAN:**

Recusal.

**MR. LAUBE:**

Eighteen.

**D.P.O. SCHNEIDERMAN:**

Recusal.

**MR. LAUBE:**

Sorry, *seventeen (Recused: D.P.O. Schneiderman).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1390-14 - Adopting Local Law No. -2014, A Local Law to amend the Administrative Code to expand the requirements for appointed officers of the Suffolk County Police Department (Trotta).*** I have several cards, the first being Dr. Maria Haberfeld? Kaberfeld?

**MR. NOLAN:**

That must be her.

**P.O. GREGORY:**

Okay. You have three minutes, Ma'am.

**DR. HABERFELD:**

Thank you. Good afternoon. My name is Maria Haberfeld, I am the Chair of the Department of Law in Police Science at John J. College of Criminal Justice. For the last three decades I've been studying policing, training police officers around the country and around the world. For the last two decades I've been studying police integrity and leadership in the United States in about 50 police departments, and I'm here in support of the idea of police officers, of ranking police officers having a requirement of a Bachelor's Degree. I am here to support the idea of ranking police officers having top clearance as far as access to information is concerned. And I know that three minutes is not a lot of time, but I would like to say that the two decades of research that I've conducted in integrity and misconduct of police organizations show clearly that there is a direct correlation between higher education of police officers and the level of misconduct in police organizations. There's a direct correlation between integrity of any police officer within the department, not just the ranking ones.

## General Meeting - June 3, 2014

There is a direct correlation and impact on police leadership and the way the environment within police organization is created, the culture of organization is created. There's direct correlation between higher education and stress management, the way police officers are able to handle themselves and the department of police.

I represent, again, a department that has one of the premier degrees in Police Science, not just in the United States but in the world. We have police officers and future police officers who come and take the degree in Police Science or Criminal Justice with us. We follow them throughout their careers, we see the differences and there's no doubt in my mind that the Legislator has the right idea for the police department, not just for the officers themselves. In terms of professionalizing the department, but also for the public that they are going to police.

There are two angles here that need to be addressed; the angle of the public that deserves to be policed by officers who receive more tools, better tools, more professional tools to deliver their profession. And the time has come also for us to understand that policing is a real profession, and there is no profession that we call a profession that doesn't require a college education. So we should not be behind as a County, as police organizations. And the Suffolk Police Department is one of the largest police departments in the country; I think you should lead as a department and not stay behind.

### **P.O. GREGORY:**

Thank you. I have to say I disagree. I don't want to debate with you, but I find your statement a little offensive that -- how I heard it, let me clarify.

### **DR. HABERFELD:**

Uh-huh.

### **P.O. GREGORY:**

You said that a college degree determines integrity, and I don't think that's necessarily the case. I should be asking a question and I'm getting to a question. And I just simply see there -- you know, my parents are -- you know, my mother was a Registered Nurse, my father was a mechanic, I've seen, you know, blue collar people all the time, very limited education, live lives of integrity. And this bill implies that if you don't have a college education, that somehow you lack integrity, that you can't competently carry out your duties without, I guess, abusive behaviors. I'm a veteran, many veterans don't have college degrees, but we call our soldiers professional soldiers. And your statement would imply that soldiers would lack integrity, one; and two, would be abusive to detainees. And we have soldiers in Afghanistan right now; because they don't have a college education, that they would be abusive to Afghany detainees, and I disagree. I wholeheartedly disagree with that.

Have there -- are there any -- I'm not familiar with this field of study. So obviously you're referring to a study that supports your idea. I guess my question would be how many studies of this nature have there been? You know, have there been ten studies, five that are favorable to your point of view, five are against? You know, what's --

### **DR. HABERFELD:**

Okay. So first of all, I need to relay first to what you said, because integrity is somewhat an amorphous concept. There is no doubt in my mind that people without education can and do display integrity in various areas. But I'm talking about professional integrity related to police profession. I'm specifically not comparing the police profession to any other profession, including the military because they operate in a different area, in a different environment and we're talking about different levels of integrity.

## General Meeting - June 3, 2014

Integrity is something that you're not born with; integrity is something you learn. You can learn it from home, you can learn it from your training, you can learn it from your education. To perform professionally as a police officer, you need to have certain tools. Integrity is not just doing things right and wrong as black and white. There is a range of behaviors that in order to behave with integrity within this range, you have to have a certain knowledge. If you don't have the knowledge, you're going to offend individuals, you're going to behave in a less than professional way.

As far as how many studies, plenty of studies that support, I cannot give you the exact number, but plenty of studies that support the correlation between better professional, more professional police behavior with police officers who went either through very extensive training. And extensive is not something that I'm actually seeing around the continent at this point. Extensive is something that I'm seeing more now in other countries that graduate police officers from the Police Academy with an academic degree. And I have not seen any study of any academic significance that actually disproves what I just said.

### **P.O. GREGORY:**

I still can't get over the fact, I'm just -- maybe it's just the way I'm interpreting it, that the more education you have, the more integrity you have. And I think of the Ivan Boesky's of the world. I think of -- what's the guy that did the Ponzi scam? And these are very educated people that ripped off millions of dollars,

### **D.P.O. SCHNEIDERMAN:**

Bernie Madoff.

### **P.O. GREGORY:**

Bernie Madoff. You know, I just can't -- there's no connection there for me. People are going to act with integrity, people can do their job competently with professional integrity, not necessarily based on their education level. I think a lot of it's factored on whether, you know, how they were raised, and I disagree.

There was another point I wanted to make and I lost my train of thought, I apologize.

### **DR. HABERFELD:**

May I answer?

### **P.O. GREGORY:**

Yes, please.

### **DR. HABERFELD:**

Well, again, I have not said that education equals integrity. What I have said is that officers who have higher education, there is a correlation between their level of conduct or misconduct and the education that they have. It's absolutely true that people with higher education commit various types of misconduct, and this is not a guarantee that you're not going to be in a situation that you are going to engage in the behavior that is not a behavior of integrity. What I'm saying is that giving an officer a higher education or giving him a higher tool, what you do with the tool is up to you. So not everybody who gets the tool is going to do the right thing.

### **P.O. GREGORY:**

But couldn't an argument be made that it's not necessarily the level of education, it's the level of training.

### **DR. HABERFELD:**

That's true, if the training is adequate. But just to give you an example, one of the programs that I run in the college is a program for NYPD officers on policing in a multi-cultural city. I've been

## General Meeting - June 3, 2014

running this program for the last 14 years. One of the courses that I teach is Police Ethics; I teach the course to graduate students, police officers. We spend 15 weeks talking about police ethics, 15 weeks amounts to 45 training hours. I am yet to see a police department in this country that devotes 45 training hours to integrity. So yes, if we had that level of training I would agree with you; unfortunately we don't.

### **P.O. GREGORY:**

Right. And I -- you know, again, as a veteran, having served alongside veterans, if you make a comparison with -- a 25-year old with a Master's Degree and a 25-year-old with eight years experience as an MP or any military experience, I would take that person with the military experience. How would your information that you have differ from that, or say that that's not necessarily the wisest choice?

### **DR. HABERFELD:**

Again, it's not -- it's not whether it's wise or not wise, it's a different tool. Military experience is something that definitely will help a police officer to function within the environment. But again, the environment and the experience that the military officer will bring to civilian policing sometimes would have to be skewed towards the environment in which they police. So it doesn't directly translate from Afghanistan into Suffolk County.

### **P.O. GREGORY:**

Well, let's make an apples to apples comparison. Okay, a gentleman comes from North Carolina as part of the police department, maybe they don't have education requirement there, but he has eight years experience in North Carolina or anywhere in a USA police department, comes here, he's compared to a person with a Master's -- we'll give him a PhD.

### **DR. HABERFELD:**

Uh-huh.

### **P.O. GREGORY:**

You think the person with the PhD is more qualified than someone who has police experience simply because that person who has the experience doesn't have a degree?

### **DR. HABERFELD:**

Absolutely not. And actually, I'm happy that you mentioned North Carolina because I spent two years in Charlotte Mecklenburg police Department doing research there. They're one of the most highly ethical police departments in the country. It's true that they don't have a requirement for higher education, but they have the in-house academy that puts a lot of emphasis on ethics and integrity training, so this is a perfect example how one can substitute for another. But again, I do not say that police experience versus higher education -- higher education trumps police experience. What I am saying, in order to be a more professional police officer, you should have higher education because you're getting an additional set of tools, additional to the ones that you learn on the job.

### **P.O. GREGORY:**

Okay. All right, thank you, Ma'am. Legislator Muratore has a question for you.

### **LEG. MURATORE:**

Thank you. To the Professor; did you know that -- I mean, I was a police officer here in Suffolk County for 35 years. I was an instructor in the academy, as was Legislator Trotta, and we did receive ethics training in the academy.

### **DR. HABERFELD:**

Uh-huh.

**LEG. MURATORE:**

In-depth. I mean, so, you know, police officers do -- they know right from wrong. Now, you were called to testify here, or to come and make a presentation. Did you read the resolution?

**DR. HABERFELD:**

Yes, I did.

**LEG. MURATORE:**

So the resolution is not dealing with police officers, it's dealing with managers.

**DR. HABERFELD:**

Yes.

**LEG. MURATORE:**

So, I mean, why are we talking about, you know, police officers?  
We've got to talk about the managers.

**DR. HABERFELD:**

We're talking about everybody who is called a police officer. A police officer is somebody who polices the street or a manager. A manager is also, first and foremost, a police officer, and at the same time also a leader.

Yes, I can relate to the leadership part of this. I have done research and published a number of books on police dealership. There is no doubt in my mind that the leaders are the ones who create an environment of ethics and integrity within the police organization. They're the ones who are responsible for the level of integrity within police organization. Actually, I was part of the team that introduced the theory right now that exists that moves away from the rotten apple or rotten barrel perspective when an individual police officer or a group of police officers are accused of misconduct and puts it on the organizational culture that is created by the leader. So yes, it is about the leaders, but the current police officers eventually will become the leaders, so the earlier you start the better.

Actually, I was part of the team that introduced a theory of police misconduct that emphasizes the perspective that claims that when an individual police officer or a group of police officers are accused of misconduct, it can be tied to the organizational culture that is created by the leader.

**LEG. MURATORE:**

But are you saying that to come on the job you need a college degree, or, as the resolution says, you need to have *a Bachelor's Degree in criminal justice, criminology, sociology, economics or related field of study from an accredited institution of higher education*?

**DR. HABERFELD:**

I'm saying that in an ideal world, I would like to see everybody to come on the job with a degree. But certainly, the leaders of the organization should have one, because as I said, they're the one responsible for the creation of the environment within the organization. They're the ones that police officers are looking up to, they're the ones that police officers are going to emulate and imitate. If the behavior out there was the top management, it's not the behavior that we would like to call a professional behavior, it will influence the police officers, non-ranking police officers, definitely.

**LEG. MURATORE:**

Professor, have you had any experience with unions and contracts in your up and coming -- you know, in your profession? Are you a member of a union or a --

**DR. HABERFELD:**

I am a member of the union as a college professor. I have some experience with unions in various public departments.

**LEG. MURATORE:**

So there are rules. There are rules that you know about that have to be negotiated.

**DR. HABERFELD:**

Of course.

**LEG. MURATORE:**

And what I'm seeing here, coming from my background of being a union leader for 20 years, what this body or this Legislator is attempting to do is negotiate the contract at the Legislature. We don't do that here in Suffolk County. We don't do that here in New York State. The contract is negotiated between the County Executive and the members of the bargaining unit. And if I -- you know, I might be incorrect, but I think the Superior Officers Association has an educational requirement in the contract now.

**DR. HABERFELD:**

Uh-huh.

**LEG. MURATORE:**

So we are moving in that direction. But for us as a body to move into negotiating contracts, you know, I think we're way wrong here, and I don't know if I can -- I will not support this because I think it's wrong. We don't negotiate contracts here, it's not our job.

**DR. HABERFELD:**

Well, again, as you mentioned, you have been a police officer, I have been a police officer myself, too, and I would like to say that it would be good for me, when I was a police officer, for somebody to stand up for me and negotiate for me a set of tools that would enable me to be a better police officer to deal with various issues that are related to policing the community that were not necessarily given to me, because with the field training, service training. So I'm sorry that you feel this way.

**LEG. MURATORE:**

Do you want politicians to do that, or do you want your labor unions to do that, your labor leaders?

**DR. HABERFELD:**

Robert Theile, who was the founder of the Metropolitan Police Force in London 200 years ago said, you know, *Take the politics out of policing and take policing out of politics*. Two hundred years later we're still there, but I would like to see taking policing out of politics and treating it as a profession.

**LEG. MURATORE:**

Exactly.

**DR. HABERFELD:**

But if you can help doing it, more power to you.

**LEG. MURATORE:**

I think our unions are strong enough here and educated enough here in Suffolk County to bring that to the table with the County Executive, and hopefully him and his team and the unions will come to that. But it's not our -- these 18 members here I don't feel have a right to negotiate a contract here, you know, in the Legislature.

**DR. HABERFELD:**

Well, again, I think it's about what's best for police officers and what's best for the public. You represent the public; I think the public will be better served with more professional police officers.

**P.O. GREGORY:**

Okay, thank you. Anyone else? Legislator Trotta and then Legislator Barraga.

**LEG. TROTТА:**

You seem to have some experience around the world. Can you tell me some of the requirements in other countries, what they might be?

**DR. HABERFELD:**

Well, if we're looking at democratic police forces around the world, probably the leading forces today in the Scandinavian countries is Swedish, the Finish, the Danish and the Norwegian Police Forces. They graduate the police officers from the training academies with an Academic Degree in Police Science. So basically the training academy is turned into an academic institution and everybody graduates. Right now, the An Garda Siochana, the Irish Police, which is considered to be one of the most professional police forces around the world, is changing its requirements and also moving towards graduating its officers with an academic degree. So this is the trend around the world in most progressive police forces.

**LEG. TROTТА:**

In our academy, you know, we graduate, we go through six months. There's a lot of training there. Are you saying that's all they do, or they have other degrees besides that?

**DR. HABERFELD:**

In the countries that I mentioned, the training lasts almost three years, three academic years.

**LEG. TROTТА:**

Three academic years.

**DR. HABERFELD:**

Yes.

**LEG. TROTТА:**

What does the International Association of Police Chiefs say about education?

**DR. HABERFELD:**

Well, the IACP, the International Association of Chief of Police has abetted that basically pushes the education and the training for police officers beyond and above what's offered right now. Of course, this is not abetted. It can mandate any type of specific training from the police department, but when you look at their history, and it goes back to the beginning of the 20th Century and the establishment of the International Association of Chief of Police, it was always about better education and better training for police officers. It wasn't about any political issue, it was really about creating a better professionally educated police officer.

**LEG. TROTТА:**

I was particularly interested in what you said about the leaderships and ethics. So you're saying if we have a leadership that has unethical dealings in the past, that affects the entire organization; can you elaborate on that?

**DR. HABERFELD:**

Absolutely. Leadership of any organization, and especially in police organizations when we're talking about structure, is the one that influences and creates the environment of integrity within a police

General Meeting - June 3, 2014

organization. If the leadership does not represent individuals, it's not represented by individuals who are beyond approach, so to speak, who are really the ones we can look up to as a police officer within the organization. We look at the leaders and -- as I said, there's a very high chance, a very good chance that they will emulate the behavior that is less than ethical.

**LEG. TROTTA:**

Thank you very much.

**P.O. GREGORY:**

Thank you. Legislator Barraga.

**LEG. BARRAGA:**

Hi. Good afternoon.

**DR. HABERFELD:**

Good afternoon.

**LEG. BARRAGA:**

You know, as a layman, taking a look at the police department or a fire department, I've always felt that the experience factor was extremely important.

**DR. HABERFELD:**

Uh-huh.

**LEG. BARRAGA:**

If you had a toss-up between 15 or 20 years on the job and then moving up to the higher ranks versus limited time on the job with a degree, I certainly would go for the former.

What concerns me is that when you talk about those with degrees who are in higher positions, you have more of an ethical environment, if I understood you correctly. But the reality is you had -- once ethics is determined when they're seven or eight years old, it stays with them until they're 90 years of age, regardless of age or experience. The reality is, you know, we all know, Professor, what the right thing to do is. And, you know, sometimes when we do the right thing, it could be unpopular, it could be expensive, it could be embarrassing, but we know what the right thing is to do. That holds true with any individual, whether on the business end or as far as fire people or police people are concerned. Those in those professions who do things that are wrong, they know in advance, regardless of their educational background, that what they were going to do was wrong and they did it anyway. That's when people have problems. But someone who has a strong foundation of what is right and what is wrong, if they have to ask themselves the question *Is this the right thing to do*, the answer is no. You always do the right thing.

**DR. HABERFELD:**

If I may?

**LEG. BARRAGA:**

Yes, you may.

**DR. HABERFELD:**

I agree with you that a lot of our values we bring from home, but also a lot of our professional values -- in other words, what's right and wrong -- we learn on the job; any type of job, not just policing. They are modeled by our supervisors, they're modeled by our leaders.

## General Meeting - June 3, 2014

We have a concept that we refer to in police scholarship which is called noble cause corruption. Noble cause corruption is basically when a police officer uses their discretionary power to achieve certain ends, and then the means to achieve these ends are compromised. And within the police profession, it's very hard for a police officer frequently to differentiate the nuances between the right and wrong, and this is just one of the examples of the things that might be on the books. But if they're not accepted or acceptable by police officers, they're not going to work.

### **LEG. BARRAGA:**

You know, I really don't buy that. Because I think every individual knows, depending upon the circumstances, what is right and what is wrong, even if it's a shade of gray. The idea is to do the right thing. I'm a politician, a politician for a long time. And believe me, I know what's right and what's wrong. Most of the time hopefully I'm doing the right thing, at least in my mind. When I do the wrong thing, that's when I don't sleep, that's when I worry about somebody knocking on the door and saying, *Welcome to the indictment pool*. But you always know; you always know, regardless of your education.

### **DR. HABERFELD:**

Well, again, there is always an organizational pressure to do certain things within police organizations. Policing is frequently measured by numbers --

### **LEG. BARRAGA:**

That's true.

### **DR. HABERFELD:**

And you have to have the integrity to say no.

### **LEG. BARRAGA:**

But that's true -- there's always pressure. But the person doing the right thing will say, *Regardless of the pressure, this is what I have to do. Whether you like it or not, this is the way I have to do it.*

### **DR. HABERFELD:**

I would like to believe that this is what's happening in police organizations, but this is not what I'm seeing in police organizations.

### **LEG. BARRAGA:**

It may not be happening all across the board, but they know what the right thing to do, each individual does.

### **DR. HABERFELD:**

Well, I disagree with you --

### **LEG. BARRAGA:**

Okay.

### **DR. HABERFELD:**

-- because it's very profession-specific what's right and wrong. This is not black and white. You said everybody knows the shade of gray, but there are many shades of gray. And again, these are exact issues that we discuss and develop with police officers. And again, I said as a former police officer, I know that there were things that I thought they were right; right? Because they were modeled by my supervisors, but they were not right.

### **LEG. BARRAGA:**

You can rationalize anything, in any profession.

**DR. HABERFELD:**

Right.

**LEG. BARRAGA:**

But down deep in your heart, you know what's right and what's wrong.

**DR. HABERFELD:**

Well, I know personally that police officers, many police officers are motivated by what we refer to as the blood of the victims, which means basically when police officers see the victims, they want to act on behalf of victim. This is an irrational behavior that frequently guides the discretionary process. Is it right or is it wrong? This is the proverbial ticking bomb, right? If somebody knows right now there is the bomb that is going to demolish this particular room here full of individuals, do we use torture or don't we use torture? I don't think it's so clear. We constantly talk about this; is it the right thing to do or the wrong thing to do? And again, these are things that we discuss, we develop, and hopefully we clarify and make it more clear. Maybe I can go halfway towards what you just said and say, okay, we know what's right or wrong, but maybe we need certain things to be a little bit brighter, or darker for that matter, and this is where the education comes in, this is when the conceptual discussion of things comes in.

**P.O. GREGORY:**

All right. Thank you.

**LEG. BARRAGA:**

We definitely disagree.

**DR. HABERFELD:**

We do.

**P.O. GREGORY:**

All right. We're getting into debating the bill. If there are no more questions, thank you, Dr. Habersfeld.

**DR. HABERFELD:**

Thank you.

**P.O. GREGORY:**

We have another card; Dr. Vincent Henry. Are you still here, Mr. Henry? Okay.

**DR. HENRY:**

Good afternoon.

**P.O. GREGORY:**

Good afternoon.

**DR. HENRY:**

Can everyone hear me? Great, thank you. Good afternoon. Thank you for the opportunity to speak with you today regarding the bill. My name is Vincent Henry, I'm Professor and Director of the Homeland Security Management Institute at Long Island University. I'm also the Director of the Department of Homeland Security National Transportation Security Center of Excellence. We were designated by an act of Congress in 2007 in fulfillment of a recommendation of the 9/11 Commission Report as a DHS Center of Excellence. We happen to be the only DHS Center of Excellence that actually offers a degree in the Homeland Security field. I should also add that our degree program, our fully on-line Graduate Degree Program is recognized as the best, most reputable Homeland Security Degree Program in the country.

## General Meeting - June 3, 2014

By way of background, I earned my PhD in Criminal Justice from City University of New York at John Jay; I hold a Master of Philosophy Degree from City University; I have a Master of Science in Criminal Justice from LIU Post; I have a Bachelor of Arts from -- in Criminal Justice from LIU Post. I'm credentialized as a Certified Protection Professional by American Society of Industrial Security. I was the first American police officer to be named a Full-Bright Scholar, and I spent a year in Australia working with police and the Criminal Justice Commission there to reform an agency and to revise their training and education following a major corruption scandal.

I'm the author of two books, including *The Compstat Paradigm*, which is the leading text -- one of the leading police management textbooks. I'm a member of the Police Executive Research Forum, the International Chiefs of Police and a number of other organizations. I also served 21 years in the NYPD; I retired in 2002. During that time, I spent nine years as the Commanding Officer of the Police Commissioner's Special Projects Unit. I was a member of the Police Commissioner's Executive staff for nine years. I was the Commanding Officer of the Police Academy's Education Support Section and I was, in essence, the Dean of the New York City Police Academy. I was a confidential aide to several Chiefs. And as a street cop, I was a member of the Street Crime unit and an anti-crime officer as well as Patrol.

I'm a consultant to police agencies in the United States, Australia, Japan. I was seconded from the police department, from the NYPD to work with the London Metropolitan Police, the Garda Siochana, the Irish National Police, and the Police Service of Northern Ireland. And I am here to offer my complete endorsement for Resolution 1390 of 2014.

*(Beeper Sounded)*

Frankly, given the size of the agency, the salaries --

**P.O. GREGORY:**

Excuse me. Mr. Henry, your time is wrapped up. We'll give you a few seconds just to kind of sum up. You had three minutes and you used it on your resume; impressive as it was.

**DR. HENRY:**

Frankly, given the size of the agency, the salaries earned by its members and the complexity of policing in the United States and in this County, I was astounded to learn that these requirements are not already in place, because the vast majority of front-line, top police departments in the country have these requirements. The fact that they are not a matter of public policy here is notable.

**P.O. GREGORY:**

Thank you, sir. I'm going to recognize Legislator Trotta so he can ask you a question.

**LEG. TROTТА:**

I'm interested in the Homeland Security aspect. Can you explain to the Legislators the importance of having top secret clearance in the hierarchy of the police department? And have you ever heard of a police department this size who didn't have it?

**DR. HENRY:**

Yes, I can comment on the importance of that, and both from an academic point of view and a personal point of view. As you may know, before 9/11, many police departments did not -- their top executives did not have clearances. As a result, there was no cooperation and no work between those agencies and, for example, the FBI and the intelligence community. One of the things that has taken place since 9/11, across the country, agencies now have those security clearances for their top executives. It's beyond comprehension that you can have officers and detectives in an agency who are members of a joint task force or who have -- because of their assignment, have top

## General Meeting - June 3, 2014

secret clearances and they are forbidden to share the information that they have with their executives. This was a significant problem in the NYPD prior to 9/11.

I would also refer you to an op-ed piece that was in the New York Times, published November 5th, 2001, written by Daniel Oates. Daniel Oates happens to be a member of our faculty. He is a JD, he has a Master's Degree also. You may know him, he was the Chief of Intelligence for NYPD and he retired in January of 2001. You may know him more recently as the Chief of Police in Aurora, Colorado. He gained national prominence for his handling of that incident and the aftermath, and he is currently the Chief of Police in Miami Beach. In his op-ed piece, he wrote from his experience about the failure of the NYPD and the FBI to cooperate specifically on the issue of security clearances and how that led to gaps in knowledge and the silos of intelligence that we've been speaking about for years. I have a copy of that, I will be happy to give it to you.

*He wrote in that that, With the help of employee records already available in local files, the FBI could readily issue 10,000 security clearances to police officers across the country, brief them on the hunt for terrorists and have them working in partnership with other agencies within weeks. These officers should be senior leaders in police departments and top investigators who would be able to spot suspicious behavior in the communities they know. The FBI should brief local police officers about how Islamic terrorist cells are set up and it should give police chiefs up-to-date information on public -- on potential suspects and investigative leads.*

And frankly, as someone who was a first responder to 9/11, who had men and women under his command die when those towers went down, the idea that a Police Chief does not have a security clearance to know the terrorist threats existing within his or her jurisdiction is incomprehensible and it's unconscionable. I say that based on my experience as a 9/11 responder and as a police officer, I say that based on my academic background, and I say that as a resident of Suffolk County. It is incomprehensible.

**P.O. GREGORY:**

Thank you. Thank you, sir.

**LEG. KENNEDY:**

Question.

**P.O. GREGORY:**

Yes, Legislator Kennedy.

**LEG. KENNEDY:**

Doctor, thank you for being here. I want to speak to you about your time as a New York City Police Officer. But I'm going to first go to your comment about the security, the Homeland Security notification and issues such as that.

And by the way, thank you for your service with 9/11. As a matter of fact, today, unfortunately, a 54-year old New York City firefighter succumbed to the effects -- Mr. Reisman, I believe it was.

**DR. HENRY:**

Sir, it was an honor.

**LEG. KENNEDY:**

So, then based on that, let's go to -- I think it's very important, and I'm going to rely on your knowledge as an academic, but I'll probably be having a conversation with Police Commissioner Webber shortly. Is it your testimony here today that if there was some credible threat that Homeland Security was aware of and the lack of some particular certification here within Suffolk County would preclude Homeland Security from notifying critical individuals in our police

department?

**DR. HENRY:**

Yes.

**LEG. KENNEDY:**

Well, I find that intriguing, sir. And as a matter of fact, I'm glad you brought that to my attention, because probably as soon as this concludes I'm going to call the Police Commissioner. But more importantly, let me go to having been a New York City police officer for 21, 22 years?

**DR. HENRY:**

Twenty-one years.

**LEG. KENNEDY:**

Twenty-one years, okay. Are you familiar with the law known as the Taylor Law?

**DR. HENRY:**

Yes, I am.

**LEG. KENNEDY:**

Okay. And what is your understanding of how the Taylor Law works?

**DR. HENRY:**

I'm most familiar with the Taylor Law in terms of striking by police officers, but I understand that it also deals with contract negotiations and that sort of thing.

**LEG. KENNEDY:**

Well, Taylor Law, my understanding, as a matter of fact -- and I'm an attorney, sir.

**DR. HENRY:**

Uh-huh.

**LEG. KENNEDY:**

And so I can speak with some degree of knowledge to it, I've studied it. As a matter of fact, I've done representation and some work on the benefit side. The Taylor Law basically was a reflection on the part of the New York State Legislature to remove the right to strike from municipal employees in exchange for a responsibility on the part of management to bargain in good faith. And once that was established, the recognized collective bargaining agents bargained for the bundle of benefits that employees would receive. Are we pretty much on the same page with that?

**DR. HENRY:**

I understand, yes.

**LEG. KENNEDY:**

Okay. So if education was an element associated with a collective bargaining agreement and was specifically stated as such, wouldn't you then tend to agree that that's something that comes under the role of the Executive and the collective bargaining entity?

**DR. HENRY:**

Well, sir, I'm not an attorney, so I'm hesitant to interpret that law for you.

**LEG. KENNEDY:**

But you were a police officer and, as a matter of fact, you operated under the collective bargaining agreements that were in place --

**DR. HENRY:**

Yes.

**LEG. KENNEDY:**

-- between your union, the NYPD PBA, and I guess the Mayor of the City of New York who was the Chief Exec.

**DR. HENRY:**

I operated under a great many laws and, again, I'm not familiar with all of them.

**LEG. KENNEDY:**

Okay.

**DR. HENRY:**

I'll take it on your advisement that that's the case as an attorney. But you did mention benefits; it is my understanding, and I could be wrong, that one of the contractual benefits within the agency is tuition remission. We have quite a few Suffolk County Police Officers, Detectives, Supervisors and executives who are our student colleagues and alumni of our program.

**LEG. KENNEDY:**

Absolutely.

**DR. HENRY:**

And they received --

**LEG. KENNEDY:**

They're instructors in your school.

**DR. HENRY:**

And they receive tuition remission.

**LEG. KENNEDY:**

Yes.

**DR. HENRY:**

In addition to the fact that we gave them a one-third tuition scholarship. I can tell you that every one of them was an exemplary officer, to the best of my knowledge, and we have the greatest respect for them. And every one of them, literally everyone has commented upon how their education made them a better cop and made them better able to respond to the complexities of contemporary American policing. If I could, sir, I would just like to -- when you were speaking with Professor Haberfeld --

**LEG. KENNEDY:**

No, no, I wasn't speaking with Professor Haberfeld. So I'm going to ask you to limit just our exchange to what we speak about.

**DR. HENRY:**

I'm happy to do that.

**LEG. KENNEDY:**

I appreciate your comments as far as the Taylor Law goes, and thank you for the work that you do in Homeland Security. And I assure you I'm going to have that conversation in about ten minutes from now. Thank you.

**P.O. GREGORY:**

Okay. Legislator Trotta.

**LEG. TROTТА:**

Yeah, getting back to the Taylor Law, is there anything in the Taylor Law that says -- prevents a Commissioner, Deputy Commissioner, Chief of Department, Chief of Detectives from receiving top secret clearance?

**DR. HENRY:**

Not as far as I know.

**LEG. TROTТА:**

Is there anything in the Taylor Law that says someone should be free from a substantiated complaint of an egregious act and not be promoted because of that act?

**DR. HENRY:**

I'm not familiar with that in that law.

**LEG. TROTТА:**

Thank you.

**P.O. GREGORY:**

Okay. All right, thank you, Mr. Henry. That is all the cards that I have. Is there anyone else that would like to speak, please come forward, state your name for the record.

**MR. MORRIS:**

Good afternoon. I'm Tim Morris, I'm President of the Suffolk Superior Officers and I'm here today to speak to you again about this bill.

The last two speakers, obviously their resumes are very impressive, but I take exception and insult from both of them. To insinuate, the first speaker insinuated that this department is not professional; it is one of the most professional departments in this country. And for the last speaker to speak about what is necessary for the upper echelons of our department, I will compare our upper echelon to any, including New York City, which is a great department.

Just to speak about the ethics. One of the things when the Professor was speaking -- I agree with you, Mr. Gregory -- for someone to say that I would get my ethics from my college degree is an insult to my parents. It's nonsense. And I think everybody around this horseshoe should remember, every single speaker that's come up here, they're all professors. They have a vested interest in police officers. It's a business, too, college is a business. They want, they recruit cops to come and get education. We're not against education. Eighty-five percent of our members have higher degrees. I have a Bachelor's Degree in Criminal Justice, but I'll put my 40 years, almost 40 years of police experience against that college degree any day of the week, any day of the week. They can have all the studies they want and have all the impressive titles they want. But you get your -- you come here with integrity or without it, and you learn, you go to the academy and you learn by being a cop. I spent 40 years being a cop, not studying about cops.

The bottom line is this is a bill that needs to be negotiated with our union and not implemented by this Legislature. You know, we beat around the bush, this bill was put forward by the sponsor because he has a problem with one of our Chiefs, that's the bottom line. That's it.

**P.O. GREGORY:**

All right, thank you. Oh, question; you have a question, Legislator Trotta?

General Meeting - June 3, 2014

**LEG. TROTТА:**

I've got a few. Okay. When the Professor spoke earlier about the leadership in a department and that if there was an ethical problem in the leadership, it affects the members. They look at the leadership. They're looking for guidance and they will make decisions based upon what we have. Now, you brought up the Chief, I didn't. This is not about the Chief.

**MR. MORRIS:**

You bring up the Chief all the time.

**LEG. TROTТА:**

Excuse me. This bill has nothing to do with that.

**MR. MORRIS:**

Okay.

**LEG. TROTТА:**

But you brought it up and I'm going to address it.

**MR. MORRIS:**

Go ahead.

**LEG. TROTТА:**

The fact of the matter is he's had substantiated complaints, serious, serious substantiated complaints.

**P.O. GREGORY:**

Question.

**LEG. TROTТА:**

My concern and my question to you is don't you think that it affects your membership, the PBA's membership and the Detectives' membership when they're making a decision on the street, when they look to their leadership. Do you think that has an affect? I want you to answer honestly, not as a union representative --

**MR. MORRIS:**

You don't need --

**LEG. TROTТА:**

-- but as a cop.

**MR. MORRIS:**

You don't need to tell me to answer honestly, thank you very much. All right? You don't.

**LEG. TROTТА:**

Okay.

**MR. MORRIS:**

I'll answer and I'll answer honestly. Our members every day go out and make the right decisions every day. It's got nothing to do with who's up above them. We have good leadership in this department. You have a problem with the Chief, you said you didn't, you just admitted that you do. That's what this bill is all about, bottom line.

General Meeting - June 3, 2014

We have no problem with education in this department, no problem with getting advanced degrees, they're all wonderful. We do a lot of education while you're on the job. The bottom line about this bill, it's gone on -- we're going on, we're getting into the merits of the bill. The bottom line is we have a collective bargaining agreement and it needs to be negotiated between our union and the County Executive. That's the bottom line on this.

**LEG. TROTТА:**

Are you concerned for the safety of your men, your membership?

**MR. MORRIS:**

I'm always concerned for their safety.

**LEG. TROTТА:**

Okay. Now, what everyone has been speaking here is none of these people have top secret clearances. So I -- going back to what I had, when I knew things. I couldn't tell people. I knew where people were, what people were doing. Now, because we don't have that in this department, it puts your membership, the PBA and the SDA in peril. So do you think that they should have this clearance?

**MR. MORRIS:**

It is my understanding we do still have a Chief that has the clearance. And my understanding is despite what you're saying and despite what the last gentleman is saying, that's not completely true, the way it's being presented, and I think Legislator Kennedy will be able to find out from the Commissioner and the Chiefs if he speaks to him.

**LEG. TROTТА:**

Is not completely true good for you? I mean, are you -- so --

**MR. MORRIS:**

I'm saying what you're saying is not completely true, that these things cannot be discussed; that's what I am being told.

**LEG. TROTТА:**

Well, I can tell you firsthand because I had top secret clearance and I was told not to tell members of this department certain things. Okay? So it is true.

**MR. MORRIS:**

We all know about everything that you did. Thank you.

**P.O. GREGORY:**

Okay, thank you. No more questions? All right, thank you. Any other speakers?

*Applause*

Okay. No other speakers; what say you, Mr. Trotta?

**DR. HENRY:**

May I speak?

**MR. NOLAN:**

No.

**P.O. GREGORY:**

No, you can't. You already did. Only one time.

**DR. HENRY:**

I would like to respond to --

**P.O. GREGORY:**

Only once. Only once, sir.

**LEG. TROTТА:**

Motion to recess.

**P.O. GREGORY:**

Okay, we have a motion to recess.

**LEG. D'AMARO:**

On the motion?

**D.P.O. SCHNEIDERMAN:**

There's no second, hold on.

**LEG. D'AMARO:**

Oh, I'm sorry.

**P.O. GREGORY:**

Is there a second?

**LEG. MURATORE:**

Can I make a motion to close?

**LEG. ANKER:**

Second.

**P.O. GREGORY:**

Okay, there's a motion to close, a second to close. Motion by Legislator Anker, second by Legislator Martinez. Anybody on the motion?

**LEG. MURATORE:**

No. DuWayne? DuWayne? I made the motion.

**P.O. GREGORY:**

Oh, I'm sorry. I'm sorry.

**LEG. MURATORE:**

And Sarah seconded.

**P.O. GREGORY:**

Legislator Muratore made the motion, Legislator Anker made the second. I'm getting old in my 45 years.

**LEG. MURATORE:**

But you have ethics.

**P.O. GREGORY:**

But I have ethics. And a college degree, too.

*(\*Laughter\*)*

Anybody on the motion? Okay. All in favor? Opposed? Abstentions?

**LEG. TROTTA:**

Opposed.

**LEG. MURATORE:**

One opposed.

**P.O. GREGORY:**

Okay.

**MR. LAUBE:**

*Fifteen (Opposed: Legislator Trotta - Not Present: Legislator Kennedy & Spencer).*

**P.O. GREGORY:**

IR 1390 is closed.

All right. ***(Public Hearing on) IR 1431-14 - Adopting Local Law No. -2014, A Charter Law to authorize Reserve Fund transfers (Presiding Officer Gregory).*** I don't have any cards on this Public hearing. Is there anyone in the audience that would like to speak on this matter, please come forward. Okay, I will make a motion to recess.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Sixteen (Not Present: Legislators Kennedy and Spencer).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1487-14 - Adopting Local Law No. -2014, A Charter Law to consolidate financial management functions in the County Department of Audit and Control (Lindsay).*** I have several cards, the first of which is Comptroller Carpenter, Angie Carpenter.

**MS. CARPENTER:**

Treasurer. Is that a Freudian slip?

**P.O. GREGORY:**

Oh, geez.

*(\*Laughter\*)*

That was a Freudian slip. I'm sorry, for those vested.

**MS. CARPENTER:**

Or maybe wishful thinking.

*(\*Laughter\*)*

**P.O. GREGORY:**

County Comptroller. I mean -- I did it again. Oh, my God. I'm going to shut up.

(\*Laughter\*)

**MS. CARPENTER:**

Certainly I can do the job well, but I'm very delighted, happy and honored to be the Treasurer.

I have some good news for you guys, before I start with my remarks. Today is June 2nd -- 3rd, rather, and the first day that delinquent taxpayers are coming into the office, so it's a little bit hectic out there in Riverhead. But we got our first payment from the towns. And why I'm mentioning it; it's quite unusual to, this early -- because it actually came from the Town of Islip, they only closed their offices last night at seven o'clock, stopped collecting, but we received the first payment from them of \$70 million. Last year at this time, we were really knocking on the doors of the Tax Receivers to get the money in, and Islip sent their first payment of 35 million last year on June 13th. So this is hopefully a very encouraging sign that people are paying their taxes sooner and the Receivers are getting them in. So we're up 70 million today thanks to the Town of Islip.

I'd also like to preface my remarks by putting on the record that I am totally understanding of the fact that this legislation would not have any direct impact on me because it would not take effect until the end of my term, so it wouldn't affect me or any of the people in my office. However, it does not change my total opposition to even the consideration of this.

I would like to begin and end my remarks today with a quote, and the following certainly clearly demonstrates the facts. *"Our system of checks and balances is real and its function works effectively. The sound, financial structure that our Founding Fathers put in place works very well and I don't think anyone can really dispute it. The ideal, of course, in my opinion is to leave well enough alone."* The previous testimony was given before the Suffolk County Legislature in 2006 by County Comptroller Sawicki.

To reiterate the importance of checks and balances, one only has to remember the absolute abuse of taxpayers perpetrated by the single financial model, which this is proposing, of the Roslyn School District where \$12 million of public funds were misappropriated. And the further example of waste of \$28 million of ratepayer money squandered by LIPA. Suffolk County continues to face one of the worst fiscal challenges in its history, going out for special borrowing, something not done in Suffolk County for well over 20 years. Revenue Anticipation Notes, RAN borrowings; 85 million in May of '12, 160 million in April of '13 and 85 million this past April, and this was done to meet operating expenses.

We've also experienced something not seen in many years, and that was the downgrade last year of the County's stable bond rating by Moody's, followed by the Office of the New York State Comptroller putting Suffolk County on its list of fiscally stressed counties. In these days of enhanced oversight, fiscal control boards in place in our neighboring County and across the country, why would Suffolk County, which is larger than 13 states, seek to have less oversight on its finances? It just doesn't make sense.

It is a fact that some of the other counties in New York State have one finance officer, Treasurer or Comptroller. However, with a population of nearly one and a half million residents, we are the largest County in the State outside of New York City. And Nassau, the next largest County, does have both a Treasurer and Comptroller.

I would also ask if the Office of Budget Review has been asked or will be asked to look into this and do a true analysis this time around, or is the Legislature going by their previous report last year which kind of indicated it wasn't a good idea? At a time when the County continues to need to collect every single penny due, to continue to promote an ill-advised merger of the Treasurer with the Comptroller would only exacerbate an already dangerous situation regarding staffing.

General Meeting - June 3, 2014

Yes, it appears on paper that you can save money when you eliminate positions, but at what expense when it comes to service to the public? When you're talking about eliminating the Treasurer and Deputies, positions that reflect the on-site decision makers directly involved in the day-to-day collection and protection of hard-earned tax dollars, you can clearly see that this entire merger scheme is pennywise and pound foolish. To try to promote that consolidation of function is going to produce savings, is illusionary and deceptive. The function of both departments will still have to be performed and supervised.

On the issue of checks and balances, segregation of duties is an important principal in the world of finance. One person should not be in a position to initiate --

**P.O. GREGORY:**

Angie --

**MS. CARPENTER:**

-- approve and review. The County's financial advisor --

**P.O. GREGORY:**

Angie?

**MS. CARPENTER:**

Yes.

**P.O. GREGORY:**

I'm sorry, your time has expired. Can you wrap up, please?

**MS. CARPENTER:**

I will.

**P.O. GREGORY:**

Thank you.

**MS. CARPENTER:**

CMA weighed in on this in the past advising against such a restructuring of the County finances. The independent auditors, Ernst & Young, also weighed in on this a number of years ago stating that the current County set-up is right, that we have the ideal situation from the structure of checks and balances. Back last Fall when one of the County Executive's Deputies stated on the record that the County Executive is going to reach out to the electeds, to the Comptroller, to the Treasurer to work together to come up with some real cost savings, I for once was encouraged. I've written three letters to the County Executive since then pledging my support to sit down and identify real, sustainable cost savings, but unfortunately to date I have not received a response.

I'd like to close by sharing this last quote; *"To tinker with the financial system that's in place, that's already earned us high distinction, just makes no sense to me whatsoever, particularly when there was no documentation, no evidence that we could gain anything, any efficiencies by doing this. The separation of duties is extremely important in any public entity when you're talking finances. If the two offices were together, one would oversee both functions. How would you audit yourself?"* And this, too, was testimony given in front of the Charter Revision Commission by Comptroller Sawicki in 2008.

At a time when the public is calling for more fiscal oversight, for more scrutiny, considering tampering with what has worked so well for Suffolk County since we first elected our Treasurer over 110 years ago, when in peril, the one thing everyone should be fighting to protect. Unfortunately we had --

**P.O. GREGORY:**

Angie.

**MS. CARPENTER:**

-- far too many examples -- one last sentence, promise.

**P.O. GREGORY:**

You said that five pages ago (*laughter*).

**MS. CARPENTER:**

Well, I didn't say that, but now I'm saying it.

**P.O. GREGORY:**

I know, I'm teasing.

**MS. CARPENTER:**

We've had far too many examples in some school districts, municipalities, and you know what, even on our own County of malfeasance. You can't have the fox guarding the hen house. Without the independence of both, the fiscal integrity, transparency that is so essential in this time of fiscal uncertainty would be comprised and certainly jeopardized. Thank you.

**P.O. GREGORY:**

You have a question from Legislator Browning.

**LEG. BROWNING:**

Thank you, Angie. You know, just for clarification, because -- and let's go back to one of your statements, because I know that when I came out to visit you, you mentioned to me that you have -- you found ways to find some savings. And I believe when we were going through the Operating Budget process, you had mentioned that there was an opportunity to find savings, and you were going to be reaching out to the County Executive. So you're telling me that since back then, the County Executive's Office, the Administration has not reached out to you or made any effort to meet with you.

**MS. CARPENTER:**

No, not at all. As I said, I sent three letters, I will be happy to share copies with anybody. In fact, I think I did CC the Legislature, the Presiding Officer, when I did send those letters in December, February and January, I believe. I can get them to you. But also, too, on the record here he stated that he was going to be reaching out to us.

**LEG. BROWNING:**

Okay. And I don't know if there's anybody in the room from the County Executive's Office, so I would like to think that maybe they would come back with an answer to us as to why you've never been contacted.

**MS. CARPENTER:**

Thank you.

**LEG. BROWNING:**

The other thing is, is that there's a lot of chatter about, you know, who -- what counties have Comptrollers, what don't. You're not an elected, you know, who's elected, who's not elected. Does every County have a Treasurer?

**MS. CARPENTER:**

The vast majority of counties in the State do have Treasurers. Of those that have Treasurers, 70% of them are elected. You know, when Legislator Spencer was out -- and I'm sorry he's not here -- he had asked about some facts and figures. And I have prepared a report, an analysis comparing us to the next five largest counties and that should be in your boxes, and it has some information about the volume of what we do in the office and everything that I think will hopefully give some clarification to finally just realize that this isn't the way to go for savings, but there are many ways that we can save and I for one am happy to find it.

**LEG. BROWNING:**

So pretty much every County has a Treasurer, but not all --

**MS. CARPENTER:**

Almost every County.

**LEG. BROWNING:**

Almost every County --

**MS. CARPENTER:**

Almost every county.

**LEG. BROWNING:**

-- has, however they're not all elected.

**MS. CARPENTER:**

Seventy percent of those that have Treasurers are elected.

**LEG. BROWNING:**

Which makes you -- you serve at the pleasure of the voters, the taxpayers.

**MS. CARPENTER:**

The voters, that's who we answer to.

**LEG. BROWNING:**

You do not serve at the pleasure of the -- you know, of the County Executive, or whether it be a County manager, whatever. So your responsibility is to the taxpayers and to the people who elected you.

**MS. CARPENTER:**

And that's the beauty of it. With a million and a half people, that you have two separate, independent elected offices controlling the money.

**LEG. BROWNING:**

That's my next question. And my next question is, does every County have a Comptroller?

**MS. CARPENTER:**

No, probably only eight or nine have Comptrollers. Because that auditing function, you know, is something that would be more germane or more appropriate to be farming out, to doing out independently. We do have independent auditors also. And our County Comptroller is supposed to be doing internal audits, I know that Legislators can request audits. And just for a point of information, the Audit Committee is meeting more regularly, we've had two meetings already this year; one without and one with the independent auditors, and we are going to that goal of trying to meet quarterly, because I am chairing the committee this year.

General Meeting - June 3, 2014

**LEG. BROWNING:**

Okay. So do you feel that Suffolk County, bottom line, is better off because of the two independently elected officials?

**MS. CARPENTER:**

Well, that certainly was a softball question. I didn't ask you to ask it, I most certainly appreciate it.

**LEG. BROWNING:**

I just want a yes or no answer.

**MS. CARPENTER:**

But I will go to my death saying absolutely, regardless of whether it affects me or not -- and it doesn't -- it's still so very wrong and I am still 100% opposed to it and will do anything I can to stop it.

**LEG. BROWNING:**

Check and balances, right?

**MS. CARPENTER:**

Absolutely.

**LEG. BROWNING:**

Okay. Thank you, Angie.

**MS. CARPENTER:**

Thank you.

**P.O. GREGORY:**

Legislator Kennedy, then Legislator D'Amaro.

**LEG. KENNEDY:**

No, Lou was before me. Go ahead.

**LEG. D'AMARO:**

No, I wasn't before you.

**LEG. KENNEDY:**

No? Okay. Hi. How are you?

**MS. CARPENTER:**

Good.

**LEG. KENNEDY:**

This is like Yogi Bera used to say, huh? De ja vu all over again.

**MS. CARPENTER:**

Yes.

**LEG. KENNEDY:**

Has there ever been an occasion for you to question the validity of a check that you were charged or that you were supposed to pay out, or something in the process where you said, *"This may not just look like it's right, let me take a look at it"?*

**MS. CARPENTER:**

To be honest with you, and that's the only way I know how to play it, when the auditor -- when the audit -- you know, Audit & Control goes through and does their due diligence and reviews the invoices and does everything that they're supposed to do --

**LEG. KENNEDY:**

Yes.

**MS. CARPENTER:**

They send the file electronically to us for disbursements. However, we do look forward to where we are with the cash, what obligations we have in front of us. And we have questioned times when payments are going out to fund an account that is probably very healthfully funded and one was the Benefit Fund. We know what the amount of expenditures is on a given month and you can't like just routinely send a payment to replenish the fund when it isn't needed and you are in a position, meaning the Treasurer's Office, when -- and I'm likening this back to last year when cash was so tight that the Deputy was literally running down to cashiers every hour to check to see what had come in on tax money, because we were that tight with the cash.

So we do question it. And also, too, that there are things when people -- when there are two separate elected, you know, finance people in place, if there are things that people -- employees in the County feel are not appropriate, it's another person that they can go to.

**LEG. KENNEDY:**

So there's a couple of points there, I guess. And I'll recall probably a time two years ago where a couple of us were on the phone with Albany, pretty close to almost begging for them to forward the --

**MS. CARPENTER:**

State, uh-huh.

**LEG. KENNEDY:**

-- State reimbursements and the State participations so that we can make payroll. Because like any organization, I guess, you have a hierarchy, and when times are tight, you have to kind of decide, what am I going to do first, buy groceries or am I going to pay for cable TV? And similarly here, we try make payroll and then, you know, we take a look at what's going on with all the other things that we have out there. And that is something that you as the Treasurer do?

**MS. CARPENTER:**

Absolutely. And on the daily cash report that goes out, at the bottom of it -- and I know the Presiding Officer and the Budget Chairperson gets it -- we have listed there what is coming up, what State aid, what sales tax payment is due next, what the payment was historically last year so we can get a sense of what we might be getting, what debt service payments are on the horizon, what funds have to be designated or set aside for future borrowing repayments. So this is all part of what is done on a daily basis with the cash and the cash management.

**LEG. KENNEDY:**

Now, you just got elected to a third term.

**MS. CARPENTER:**

I did.

**LEG. KENNEDY:**

Okay. And I think it was pretty significant, right? Overwhelmingly. So is it safe to say -- would you say that the majority of the voters in Suffolk County embrace the methodology that we have, or at

least from your perspective, an elected Treasurer?

**MS. CARPENTER:**

Well, certainly the voters came out and vote for -- voted for the Treasurer, even though the race was uncontested, as was the race for the Sheriff and the District Attorney. And interestingly enough, it appeared that the voters were more pleased with their -- and certainly, I would not say this in any disparaging way to the DA nor the Sheriff whom I consider, you know, very good friends and happy to be working alongside of, but the Treasurer got a higher percentage of votes than the other two people running unopposed. So it kind of, you know, made it easy for me to say, *"Well, I guess they like the Treasurer."*

**LEG. KENNEDY:**

Cream rises to the top. There you go. All right, thank you.

**MS. CARPENTER:**

Thank you.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. Good afternoon.

**MS. CARPENTER:**

Hi.

**LEG. D'AMARO:**

How are you today?

**MS. CARPENTER:**

Good.

**LEG. D'AMARO:**

I want to explore the checks and balances, because that's a very interesting point that you make. You know, we learn about checks and balances from a very early age, it's an integral part of our system, our democracy, every level of government.

**MS. CARPENTER:**

And you live it every day, being the checks and balances to the County Executive.

**LEG. D'AMARO:**

That's correct. Checks and balances, in my mind, means that a separate branch of government, or an independent branch of government has the power and authority to actually be a check on the power of another branch of government, that you have a veto power, that you have a power to override a veto in the Legislative and Executive context. You can actually -- one body can actually affect and make a final determination over and against the wishes of another branch. Explain to me how the Treasurer's Office can do that with the Comptroller's Office.

**MS. CARPENTER:**

Well, you're -- what you're saying certainly sounds very legalese, and being an attorney, I'm sure that is second nature to you, but not to me. And when I look at checks and balances when it comes to finances, I have to look at the tenant that was certainly put forth by the Office of the State Comptroller many, many years ago that pointed to the incompatibility, the incompatibility of a Treasurer and a Comptroller being combined. That you cannot have the person that authorizes your payments the same person that dispenses the cash, that holds the money, that decides how much is

going out, or decides where it's going or when it's going. There's your checks and balance.

**LEG. D'AMARO:**

Well, so let's say the Comptroller decides to authorize a payment, okay. And you're saying that your office has the authority to not make that payment?

**MS. CARPENTER:**

We're the ones that make the checks and send the checks.

**LEG. D'AMARO:**

But do you have the power not to make the payment?

**MS. CARPENTER:**

Well, I certainly have the power to pick up the phone and say to the Comptroller, you know, *"This is not an appropriate, you know, expenditure that should be made."* There have been times over the years that I have picked up the phone and called the Comptroller and asked them not to send out the payments that they had sent over and authorized.

**LEG. D'AMARO:**

Okay. So let's say the Comptroller says, *"Well, I'm going to do it against your advice anyway"?*

**MS. CARPENTER:**

Well, then I'd ring my Legislature immediately.

**LEG. D'AMARO:**

Okay.

**MS. CARPENTER:**

Because you would be the ultimate checks and balance.

**LEG. D'AMARO:**

Yeah, I'm not -- you know, I'm just -- I'm a little -- I will -- I want to have a discussion with you about impropriety, or what you're talking about, you know, being able to highlight something you believe is inappropriate or wrong, that's all positive. But at the end of the day, the Comptroller's Office does not have authority over your office and vice versa. There is no real veto power, inherent power within your office or the Comptroller's Office.

**MS. CARPENTER:**

But as much as the Comptroller, who is the one that gets the vouchers from the departments and says, *"Yes, okay, this is a legitimate expenditure,"* and sends it over to the Treasurer and sends -- he can send -- he can say it all he wants; if we don't send out the money, it doesn't go out.

**LEG. D'AMARO:**

Right. But that's like if I write a check against my bank, can my bank say, *"No, I'm not making that payment"?*

**MS. CARPENTER:**

I don't know, you'd have to ask your bank.

**LEG. D'AMARO:**

Well, I'm making a point. The point is I'm asking you, do you have the authority to say, *"No, I'm not going to send that check"?*

**MS. CARPENTER:**

If it's not appropriate, absolutely. If the money's not there? Absolutely.

**LEG. D'AMARO:**

How many times have you exercised that authority?

**MS. CARPENTER:**

Off the top of my head I'm not going to venture a guess, but we'll look into it and get back to you.

**LEG. D'AMARO:**

Right. So you're saying that what -- the Comptroller, who's also an independently elected official, makes a decision to pay something.

**MS. CARPENTER:**

He's not making an arbitrary decision.

**LEG. D'AMARO:**

No, no, I'm not saying he is.

**MS. CARPENTER:**

He has --

**LEG. D'AMARO:**

Let me just finish my thought.

**MS. CARPENTER:**

He's basically --

**LEG. D'AMARO:**

If he says, *"Go ahead and pay this,"* and sends it down to you, do you review the propriety of that payment?

**MS. CARPENTER:**

If it's brought to my attention that there might be something inappropriate, yes.

**LEG. D'AMARO:**

And then --

**LEG. CILMI:**

And we have.

**LEG. D'AMARO:**

Okay, I'm trying to understand this. And you have the authority within your office to then formally say to the Comptroller's Office, *"Using my authority under the Charter, I am not going to make this payment"*.

**MS. CARPENTER:**

I'm not going to answer that unless I look at the Charter again, because --

**LEG. D'AMARO:**

I'm just trying to understand checks and balances. I want to see --

**MS. CARPENTER:**

All right. If you want to, you know, look for a reason to justify supporting, diminishing the very sound fiscal model that we have in place, a double model, you don't have one combined financial model. When you have one combined financial model and one person sends out the checks, who's the same person that holds the money, you get the Roslyn School District. And if that's what you care to have for Suffolk County, then I guess we want to push to make sure that the Treasurer is eliminated and combined with the Comptroller, or vice versa.

**LEG. D'AMARO:**

Well, I'm not hoping to become, you know, a County that does things illegally like the Roslyn School District, I didn't say that. I'm just trying to understand --

**MS. CARPENTER:**

I'm not suggesting that you would want to see that. But what I am trying to caution everyone is when you have a single financial model, that's when trouble comes to the surface.

**LEG. D'AMARO:**

Right.

**MS. CARPENTER:**

Orange County, California, that almost went bankrupt, had the very model that you're proposing here for Suffolk County -- and not you, but the sponsor of the legislation and all those that have pushed it. That's the same model that almost saw or did see Orange County, California go bankrupt.

**LEG. D'AMARO:**

Right. But I don't -- I don't know anything about Orange County's bankruptcy.

**MS. CARPENTER:**

Okay. Well, then we'll get that information to you.

**LEG. D'AMARO:**

But what I'm saying --

**MS. CARPENTER:**

It's very, very real.

**LEG. D'AMARO:**

Okay. But --

**MS. CARPENTER:**

And that's the very model that this legislation would --

**LEG. D'AMARO:**

Angie, if you don't want me to ask the questions on my mind, that's fine. I have nothing else.

**MS. CARPENTER:**

No, go right ahead.

**LEG. D'AMARO:**

No, that's fine.

**P.O. GREGORY:**

Okay. All right. Any other questions? Okay. All right. Thank you, Madam Treasurer.

**MS. CARPENTER:**

Thank you.

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

**P.O. GREGORY:**

All right. Next, I have a card for John Cochrane. Mr. Cochrane? Okay, welcome.

**MR. COCHRANE:**

Good afternoon. Is it on?

**P.O. GREGORY:**

Yes.

**MR. COCHRANE:**

Good afternoon, Ladies and Gentlemen of the Suffolk County Legislature. I thank you for this opportunity to speak briefly in opposition to this Resolution 1487. Essentially, it mentions specifically overlapping of positions. At the present moment, the best of my knowledge, because I was there for 12 years, there is no overlap. In the Treasurer's Office, they do the tax history, they take payments. They have specific duties assigned to them, none of which, to the best of my knowledge, overlap with what takes place in the Comptroller's Office, where they audit and do financial review, and so forth.

So overlap is not a real issue here. All you would do would be take certain positions that are now in the Treasurer's Office, redesignate them and they'd be done in the, quote, Comptroller's Office. So overlap is a very important consideration. I don't see saving money, because there is not an overlap.

Number two, as far as checks and balances go, to go back to Mr. D'Amaro's comments, quite often some of these decisions that you could call checks and balances are really judgment calls by two equally --

**LEG. D'AMARO:**

Thank you.

**MR. COCHRANE:**

-- elected officials.

**LEG. D'AMARO:**

Amen.

**MR. COCHRANE:**

And I'll give an illustration. When I first took over as Treasurer, the Comptroller's Office was taking the money received from sewer payments and changing the checks. When that was brought to my attention, I immediately exercised my powers as Treasurer and said, "We're not going to accept these payments based upon the manner in which they are being handled." And we sat down and we worked it out, and it didn't become an issue. We corrected the problem, because it was an illegality that one elected official could discuss and bring to the attention of the other. We didn't override each other, but we both had equal clout, if you want to call it that.

And lastly, Angie mentioned briefly Orange County, California, where I do have some knowledge and background, because that occurred when I was the Treasurer of Suffolk County. And the one individual, and, again, it was speculation as to what his motives might have been, but he had the

General Meeting - June 3, 2014

power in this single department to borrow funds and invest the funds. And boldy, some -- the public relations stories, he thought that he was a pretty wise investor and he could borrow that money and invest it in bonds that would bring the County considerable funds. The market reversed on him and a near bankruptcy took place. So there was an Orange County experience that was generated under this type of single department.

So with that, I was told early in my political career, you've got something important to say to intelligent people, stand up, speak up, and sit down, and I thank you.

**P.O. GREGORY:**

Thank you, Mr. Cochrane. All right. Oh, Legislator D'Amaro has a question for you.

**LEG. D'AMARO:**

I really appreciate you coming here today. So, yeah, I hear what you're saying and I don't -- that's the kind of discussion that I'm trying to have here, because, you know, what we've -- we've been through this debate before.

**MR. COCHRANE:**

A long time ago.

**LEG. D'AMARO:**

You know, many years ago, I ran on a platform of eliminating the Treasurer's Office, as you recall, because you beat me in that race (*laughter*).

**MR. COCHRANE:**

Exactly.

**LEG. D'AMARO:**

But, you know, these are serious issues.

**MR. COCHRANE:**

Yes.

**LEG. D'AMARO:**

You know, you're talking about taxpayers' money, hundreds and millions of dollars of taxpayer money, and who handles it, who gets to dispense it, how is it cared for, how is it -- who is it entrusted to? These are very important issues, and I really -- what I'm trying to do is get out of my mind the checks and balances as I understand it, because at the end of the day, this Legislature can override a veto, but there's really no inherent or statutory authority between the Comptroller and the Treasurer's Office.

Now, putting that aside, you might want to call the Treasurer something more of a watchdog, let's say, over finances, where you have a responsibility that whatever's coming across your desk and being sent down from whatever authorities can ask you to spend the County's money, you would look at that. And I'm trying to understand what's the analysis done at the Treasurer's level? You know, do you question the substance of the expenditure, the policy behind it, the appropriateness of it? What function is happening in that Treasurer's Office that is threatened if it is put underneath the Comptroller's Office? I'm trying to understand that.

**MR. COCHRANE:**

You're removing a second overview of the financial transaction that's taking place. The Comptroller may send over under the present circumstances a requisition.

**LEG. D'AMARO:**

Mr. Cochrane, could you just speak into the mic, please?

**MR. COCHRANE:**

Oh.

**LEG. D'AMARO:**

Thank you.

**MR. COCHRANE:**

A requisition received for payment for a certain matter. The Treasurer, seeing that, or the Treasurer's staff seeing it, would say this is not in accordance with the requisition. So they would then contact the Comptroller's Office and say, "This requisition hasn't been properly serviced at your area." So it's not really a check and balance, as much as it is a second viewing of the transactions that take place at the governmental level.

**LEG. D'AMARO:**

Right, or an internal control, if you will.

**MR. COCHRANE:**

That's correct.

**LEG. D'AMARO:**

It never hurts to have another layer of oversight, another set of eyes looking at things before ultimately something gets paid --

**MR. COCHRANE:**

Right.

**LEG. D'AMARO:**

-- is what you're saying, I believe.

**MR. COCHRANE:**

Right.

**LEG. D'AMARO:**

Okay. All right. That answers my question. Thank you. Nice to see you.

**MR. COCHRANE:**

Thank you, Lou, good to see you. Thank you, Ladies and Gentlemen. I'll be happy, if there are any other --

**P.O. GREGORY:**

No. No other questions. Thank you, sir.

**MR. COCHRANE:**

Thank you very much, Mr. Presiding Officer.

**P.O. GREGORY:**

All right. Next card I have is for Kenneth Williamson.

**MR. WILLIAMSON:**

Good afternoon. My name is Ken Williamson. I was trained as an electrical engineer, served and retired as a Naval Officer, served and retired as an airline pilot for both PanAm and Delta. I'm

speaking for myself as a resident of Hauppauge for 49 years.

I've offered my remarks to this Legislative body on a number of previous occasions for the simple reason that this proposed consolidation of the Treasurer and Comptroller's Office into a single position is one of the most absurd propositions I have heard during my 49 years living in Suffolk County. I was aghast when I first heard it. Today I shudder when considering its implications for our future.

In Suffolk County, oversight and balance and finance is provided by separating the accounting functions of the County Treasurer from the auditing functions of the County Comptroller. Different people in different departments check the very same thing and check each other. It's not a question of who has authority over the other, it's a question of disclosing what is being done. That applies to your remarks about who has authority to do things.

**LEG. D'AMARO:**

Thank you for replying. I don't agree with you.

**MR. WILLIAMSON:**

You should be impressed to know that the airlines continued independent cross-checking is the relentless standard of conduct in the cockpit.

In this age, we are surrounded by a culture that's satisfied by performing official duties poorly or maliciously. What reason prompts such a blind eye to independent cross-checking for error and malpractice? The management theory offered here of improved economy and streamlining operations has long been dismissed and shown to be imaginary and meaningless. If you believe these reasons are valid, then you should investigate your own institution of learning.

The character of this proposed -- proposal raises questions about the character of those who propose it. Some of our County officials have developed a -- may have developed a genuine aversion to audits after the Town of Babylon failed in its New York State audit.

Others may be seeking private access into public funds, such as the current scandal at the I.T. Commissioner's Office. It may be in the interest of such people to lower the bar on vigilance, but it is not in the interest of Suffolk County to let that happen or to continue. We, as the public, are becoming very suspicious.

Each Legislator who voted to advance this proposal to consolidate should stand up, confess his personal reason for supporting it. What personal agenda moves you? Are you seeking political favor, position, and power?

**D.P.O. SCHNEIDERMAN:**

Mr. Williamson, your three minutes have expired. I'll --

**MR. WILLIAMSON:**

Two lines.

**D.P.O. SCHNEIDERMAN:**

Okay, that's fine.

**MR. WILLIAMSON:**

What personal agenda moves you? Are you seeking political favor, position and power? Have you been promised support for continued terms in office as a team player? I ask the Chair to open the floor to allow your responses to that -- those questions. Thank you for this time.

**D.P.O. SCHNEIDERMAN:**

Thank you, sir. Okay. Our next speaker is Paul Borowski.

**MR. BOROWSKI:**

Hi. Good afternoon. I strongly oppose the I.R. 1487, against consolidating financial management functions of the Comptroller and Treasurer's Office. As I spoke to you last year, I continue to address the Suffolk County Legislature today, that it is continually a negligent proposal to merge departments that represent checks and balances for Suffolk County, and to have a public vote in November on a ballot is just fiscally not prudent.

Being a banker for over 35 years, having my MBA in Science -- in Finance, excuse me, being a voice of Hauppauge for over 10 years, just given the basic example of being in a bank, would you have someone submit you an expense report and the same person pay the cash? I don't believe so.

So, regardless if this proposal would take effect today or in 2018, it is still brought up again and it remains to be the same poor approach. I strongly oppose this resolution. If it's today or any future attempt, I'll be back. Thank you.

**D.P.O. SCHNEIDERMAN:**

Thank you, Paul. The next speaker -- I'm sorry. The next speaker is George Talley.

**MR. TALLEY:**

Good afternoon. I oppose this bill as well. I was a Board Trustee of the Brentwood School District for 10 years, president for four years. We had a 350 million dollar budget. We have an Assistant Superintendent of Business. We have 40 people in the Accounting Office. We have a Treasurer that signs the checks. We have a Claims Auditor that will stop everything from the Superintendent on down. We have an external Claims Auditor. We have an internal Claims Auditor. And Roslyn had this, too. The Superintendent was stealing and was surprised to find out that the Assistant Superintendent also was stealing. Somebody got up in the crowd and said, "Could you please tell me why we're sending \$450,000 of material bought at my Home Depot to the Hamptons?" Boom. "Motion to stop the meeting," and it was stopped, and everybody ran like hell, and then the investigation started.

So to take this here and do what trying -- somebody's trying to do, I think it's a political vendetta and it starts with Bellone, and, right now, he can't get it done. So now he's going to take a freshman Legislator and put the onus on him and use him as a pawn. Absolutely disgusting.

Do the right thing. That's what I heard today, do the right thing. Well, do the right thing and kill this thing. Any questions? Thank you.

**D.P.O. SCHNEIDERMAN:**

Okay. The next speaker is Ruth Ann DiLena.

**MS. DILENA:**

Good afternoon. My name is Ruth Ann DiLena and I'm from Mount Sinai. I am a retired New York State Court employee, starting off as a Court Officer, and retiring as a Principal Court Analyst. I am here today in opposition of the 1487 bill.

I am a homeowner in Suffolk County since 1974. I have paid taxes every year, real estate taxes, school taxes, so I have a vested interest in the financial situation of Suffolk County. I believe we need more checks and balances, and also, as you aptly put, a watchdog, a different set of eyes, a new set of eyes, because, as we all know, when we've done things, we can read it over and over and you get a new set of eyes, someone sees it just a little differently, they see it freshly. So I would recommend that they keep the two offices.

## General Meeting - June 3, 2014

There is very few counties Upstate that could even come close to being the size of Suffolk and Nassau County. But Suffolk County -- I'm actually from Upstate in Steuben County, and when I see our population, when I see our traffic, when I see everything that's going on here and I go back to Corning, New York, it's like I am going to a third world almost, because it's so entirely different from Suffolk County.

I know we have the red light cameras, we're increasing the use of the red light cameras, and my son, unfortunately, was caught by one of those, and the check was made out for \$80 to the County Treasurer. So that alone is a large part that's coming into the Treasurer's Office.

So, again, I would like to say I very much oppose this. I hope that -- would like to see it totally squelched and not brought up again, but I hope it's not a political vendetta. And I would like to see Angie's Office, the Treasurer's Office, and Joe Sawicki, the Comptroller's Office, continue as each individual office. Thank you.

### **D.P.O. SCHNEIDERMAN:**

Thank you, Ms. DiLena. Our next speaker is Kevin Crumlish.

### **MR. CRUMLISH:**

Good afternoon. My name is Kevin Crumlish. I'm a resident of West Islip for the last 44 years.

I also served on the School Board in my community, and I was the Chair of the Finance Committee. I was a nervous wreck just having that responsibility. I used to meet with the Finance Administrator weekly, go over certain things, not that I was an auditor, but I wanted to get a sense what it was all about. After a while, there was a relationship, I had trust in the particular individual. And even as a School Board President, I had the ability to write checks, not necessarily to write checks, but authorize the checks. So, occasionally, if you're on vacation, they had a stamp, they could stamp it without you. I told him he had to get a hold of me any way he could before he put my name on that stamp for a check. So the integrity of checks and balances is very, very important.

We talked about integrity here today, you know, a very simple process that we all, you know, grow up to a certain way. But, all of a sudden, people, high education -- you know, we just happened to mention that Roslyn Superintendent of Schools and the Finance Office. You normally have more than one people that start stealing, right? You know, we got attorneys here, we got courthouses all over the place. People steal. Anybody who doesn't realize that, they've got their head under a table. All right? So the checks and balances, I'm in total opposition for the consolidation of those two departments. You know, how many do we got here? Seventeen, 18 Legislators, your responsibility to do the right thing. Any questions?

### **D.P.O. SCHNEIDERMAN:**

Thank you, sir. No questions, sir. Okay. Our last speaker is Olga Murray.

### **MS. MURRAY:**

Good afternoon, Ladies and Gentlemen. My name is Olga Hopkins Murray. I'm the Islip Town Clerk. However, I'm here in my individual capacity as a Suffolk County resident.

Number one, I'm opposed to the consolidation of the financial management functions for the Suffolk County -- for Suffolk County. Both in my personal and my business lives, the very first thing I do is have the dictionary either next to me in hard copy or on my desk copy, my desktop on my computer. There's a lot of talk about checks and balances, and looking to Merriam-Webster's, which is my go-to, I'll paraphrase it. A system that allows each branch of government or an organization to amend or veto acts of another branch so as to prevent any one branch from exerting too much power. Too much power. And power over what? Power over the money of the Suffolk County

taxpayers.

I would like at this point to read into the record a letter from Jodi Giglio, Councilwoman from the Town of Riverhead.

*"Dear Suffolk County Legislators, this letter serves as an objection to the merger of the Suffolk County Treasurer's Office with the Comptroller's Office. We need a Treasurer that is elected and accountable to the public in watching over their hard-earned tax dollars. Merging the two departments with the Comptroller overseeing both and replacing an elected official in the Treasurer's Office, in my opinion, eliminates the necessary checks and balances, which is why it is an elected position to begin with. This appears to me as a case of the fox watching the henhouse. The Comptroller will be responsible for funds coming in and going out, eliminating necessary checks and balances.*

*It is unclear how one person can manage and supervise two separate offices, one in Hauppauge and the other in Riverhead, on a daily basis without maintaining the current staffing levels. I, Ms. Giglio, asked the question at the Public Hearing held last year as to how much this will cost, save the County, and if there were a plan, to maintain the efficiency of this office. Please provide me with a copy of the plan and the cost analysis, if there is one.*

*I, as a taxpayer and an elected official in the Town of Riverhead, appreciate the right to vote on who is accountable for the funds taken into the County. This right will be taken away. As seen on the Federal level, too often appointees and employees are scapegoats for elected officials."*

**D.P.O. SCHNEIDERMAN:**

Olga, your time is up, but if you want to finish with a sentence or two, that's fine.

**MS. MURRAY:**

Thank you. *"An elected official is accountable to the public who decides their fate in the election. I believe the oversight of funds received by the County should be left in the hands of the Treasurer and the expenditures in the hands of the Comptroller.*

*Thank you for considering my position. Sincerely, Jodi Giglio."* Thank you.

**D.P.O. SCHNEIDERMAN:**

Before you go, stay at the podium, because there is a question from a Legislator. Legislator Lindsay.

**MS. MURRAY:**

Hi.

**LEG. LINDSAY:**

Hi, Olga.

**MS. MURRAY:**

Good morning.

**LEG. LINDSAY:**

Good to see you today.

**MS. MURRAY:**

Good afternoon.

**LEG. LINDSAY:**

Good afternoon. I just have a couple of quick questions for you. In Islip Town, since -- even though you're here as a taxpayer, but if you could speak in your official capacity for a moment.

**MS. MURRAY:**

I apologize, I'm not here in that capacity.

**LEG. LINDSAY:**

That's okay. If you could just -- if you could answer this question.

**MS. MURRAY:**

If I can, I'd be glad to.

**LEG. LINDSAY:**

Okay. Do you know approximately how many homeowners within the Town grieve their taxes on an annual basis?

**MS. MURRAY:**

No, I do not. That process is currently undergoing.

**LEG. LINDSAY:**

Okay. Are you aware of the cost that is charged back to the Town for interest because those -- as they come back to the County to be verified, they have to go back to the Town to then be awarded, but there is a time lapse and there is a time element that's associated with it. After that time element expires, the County ultimately lays out the interest for it that would go back to the homeowners and then -- but the Town is ultimately responsible for the actual expense itself. Are you aware of what that amount is for the Town of Islip?

**MS. MURRAY:**

Legislator Lindsay, if you'd be glad to put that -- if you don't mind putting that in writing, I'd be glad to provide a response.

**LEG. LINDSAY:**

Okay. I appreciate that. Thank you.

**MS. MURRAY:**

Okay.

**D.P.O. SCHNEIDERMAN:**

Was there any other questions? No? All right. Thank you, Olga.

**MS. MURRAY:**

Okay. Thank you.

**D.P.O. SCHNEIDERMAN:**

That's the last card I have on this Public Hearing. Was there anyone else who wanted to be heard?

Okay. Ma'am, if you'll come forward, identify yourself for our records, and we'll give you three minutes to make your comments known.

**MS. PAPE:**

Hi. Good afternoon. My name is Mary Pape, and I'm a hardworking taxpayer from East Islip, and I'm opposed to the bill that is before you, which would eliminate the Suffolk County Treasurer's Office. I believe strongly in the system of checks and balances that are in place, and I feel that it needs to remain to protect us, the taxpayer.

## General Meeting - June 3, 2014

I've also been asked to read a letter from a fellow taxpayer, Laura Prince-Vomvos, who is a real estate broker and, again, a fellow taxpayer. She states:

*"Dear Honorable Legislators of Suffolk County, I am sorry that I am unable to stand before you today and share with you my comments, but I ask you to please consider my statement when voting on the measure to abolish the Office of the County Treasurer.*

*Today is an important day in our County, as a vote is proposed in front of the Suffolk County Legislature Public Hearing today that would eliminate the entire County Treasurer" -- excuse me -- "Treasurer's Office and considerably change our checks and balances system as to be put in place for our protection in the 1960s. In a time where the economy is suffering from an overpopulation of housing short sales and foreclosures, this proposal seems to me to be one of the most irresponsible measures that has ever been put before you.*

*As the Chief Investment Officer in Suffolk County, it is the County Treasurer's duty to protect the assets of the County and its nearly 1.5 million residents. It is the Treasurer who administers the collection of the delinquent property taxes. Do we really want the same entity who is collecting the taxpayers' dollars to also be the same which is the authorization of overseeing how they are spent and further recordings of such? Do we want the main source of tax collection from the high rate of foreclosures to cease to exist, and, in turn, the lack of implementation cause the uncollection to fall on us, and on you, and as our neighbors and taxpayers in the same community when our taxes are increased to cover the burden of lack of incoming tax revenue due to the failure of prompt recovery of such?*

*Please note that we elect this person. This is our checks and balance system. I urge the Legislators not to do away with our choices, our checks and balances, and instead, go back to the cut of the duplication of services for many of the programs that are offered over and over by Town, County and State and Federal Government, like the existence of six housing plans that are combined to one list that could actually help people. I simply do not understand all the different programs that run interference with one another" -- excuse me -- "one another, and avoid from moving to the top of the list without years of wait. Without us -- without us having one simple plan for our community in need, we cannot educate our landlords, and this results in our seniors and Veterans remaining on a list that exists for years.*

*While I'm sure this is a topic I can share in the future detail" -- "in the future in detail one day, it may be considered of where to cut and consolidate, not in an office that was set up to secure our recovery of funds and collections of such with a checks and balances system needed more so than ever before.*

*Today is the one day to once again vote down this ludicrous idea and come up with a serious cost-cutting measure, not a cost-cutting measure that will jeopardize the very important systems of checks and balances that are being taken away from us Americans every day. Very rarely do I take" --*

### **D.P.O. SCHNEIDERMAN:**

That's the three minutes, if you could finish up, please.

### **MS. PAPE:**

All right. She just has, *"Very rarely do I take a political stand, but this is the day that I feel is surely worth it. I believe this idea is driven is the best idea of a particular party and not the best interest of the people. Today of all days, it is time to cease being a Democrat, cease being a Republican, and just be an American.*

General Meeting - June 3, 2014

*Thank you in advance for voting in opposition to the bill before you. Fondly, Laura Price-Volmos, and she's an Associate Broker, a parent, a child, a community leader and a caring individual."* Thank you.

**D.P.O. SCHNEIDERMAN:**

All right. Thank you. Okay. Anyone else who wishes to be heard? Okay. Seeing none, the sponsor, Legislator Lindsay, what would you like to do?

**LEG. LINDSAY:**

I'd like to make a motion to close.

**D.P.O. SCHNEIDERMAN:**

Okay. There's a motion to close by Legislator Lindsay.

**LEG. KENNEDY:**

I'm going to make a motion to recess.

**LEG. TROTTA:**

Second.

**D.P.O. SCHNEIDERMAN:**

And motion to recess by Legislator Kennedy; a second on the motion to recess by Legislator Trotta. Is there a second on the motion to close?

**LEG. CALARCO:**

Second on the motion to close.

**D.P.O. SCHNEIDERMAN:**

A second on the motion to close by Legislator Calarco.

**LEG. KENNEDY:**

On the motion to recess.

**D.P.O. SCHNEIDERMAN:**

George, which comes first?

**MR. NOLAN:**

Recess.

**D.P.O. SCHNEIDERMAN:**

Okay. The motion to recess goes first, so.

**LEG. KENNEDY:**

Something of this magnitude that we have talked about at length and that we spent a considerable amount of time last year on, and now is once again before us in a slightly different iteration, and that has impact throughout the whole County, absolutely, positively should be held over for at least one more meeting, so that our East End residents would have ample opportunity to go ahead and address us.

As all of us are aware, that is our first night meeting for the year. So, likewise, where residents have not had the opportunity to be able to go ahead and appear before us due to conflicts with work schedules, child care, or what have you, the potential for residents and citizens to come out and speak and share their thoughts with us I think is quite significant. So we're talking about once again a very tight time frame here. We will be together again literally in 14 days. I think it makes some

sense to hold it over.

**D.P.O. SCHNEIDERMAN:**

Okay. On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. Mr. Kennedy, you talk about having it in Riverhead. Riverhead is the County Center, and I think -- and there's so many people on the East End, it's really -- I don't think it's got anything to do with the Treasurer working there physically, it's just that the people of the East End, it's really hard to come to Hauppauge during the day. And I think it would be really -- and I've spoken to the sponsor about this. I think it's important to give everyone an opportunity to speak on this issue. Thank you.

**D.P.O. SCHNEIDERMAN:**

Legislator Lindsay.

**LEG. LINDSAY:**

With all due respect to my colleagues, you know, this was spoken about and discussed at great length last year. We're taking it up here with a few different gyrations, hopefully eliminating the political arguments from it, as well as the legal challenges that came -- that arose.

Just to follow the calendar year and how this would work, we had a Public Hearing today. Anybody that wishes to make comments can come to committee on June 11th. On June 17th, when we're in session in Riverhead in the afternoon, anybody could speak during the Public Portion in regards to it. And if it does pass, it goes to County Executive's Office, who has to wait for 15 days, and then hold a Public Hearing. And at that Public Hearing, they would have another chance to speak some time in July. We would respectfully request to the County Executive that that Public Hearing be held somewhere -- that that Public Hearing be held in Riverhead to give more ample opportunity for our East End residents to come and make comment on it.

So that would be -- through the Chair, that would be my response to my two colleagues.

**D.P.O. SCHNEIDERMAN:**

I'd like to comment on this, too, because it is, in essence, a ballot initiative. There's, obviously, a timeline. If it goes too long, then it can't get onto the ballot. I don't know exactly what that sequence is, but I wouldn't want to hold it over and then wait a whole 'nother year. There are ample opportunities for people to comment.

Legislator Browning. But maybe somebody could provide that sequencing in terms of when it would have to be passed to make -- there's a window of time where it has to be approved so that it can get onto the ballot.

**LEG. BROWNING:**

You know, I don't disagree with Al and with John. I think that East End residents should have an opportunity. Maybe nobody will show up, we don't know that. And, you know, Jay you living on the East End, too, what about your constituents all the way from Montauk? Why wouldn't you want to give them an opportunity to come to the Legislature and voice their opinion or not, if they choose not to? And, you know, here we go again with another "we're down to the wire." And if this is such an important bill, it should have been introduced at the beginning of the year to give plenty of time for debate, and discussion, and public hearings.

And, again, I think, you know -- you know, I personally, I don't agree with this. And I know that they're trying to do this to, you know, get it on the ballot, but the way I see it is, you know, put it on the ballot however -- whatever way you want to word it to convince people that this is the right

thing to do. You know, what's the language going to say when it goes on the ballot in November? Is it going to be written in a way that tell the taxpayers and the voters that, well, this is a great thing, this is the way you should do it? Probably, that's what's going to happen. And I -- like I said, I believe that we should save it, let the East End residents have an opportunity. And, you know, again, it should have been introduced at the beginning of the year. It's not that this is something that somebody just thought up about. It was discussed last year, and they knew that there was a time issue, and they knew what the deadlines were. So, again, if you wanted to get it out on time, you should have done it a couple of months ago.

**D.P.O. SCHNEIDERMAN:**

Legislator Lindsay.

**LEG. LINDSAY:**

Just in response through the Chair, I mean, if this is the precedence now that every time a bill comes up we're going to hold two public hearings, one on the East End and one in the west side of the County, then, that's fine, I think we should debate that. But to hold this to a higher standard when it's gone through this process now for the second time, I just -- I don't think is necessary.

**D.P.O. SCHNEIDERMAN:**

If I could respond, too. This is very similar to a proposal last year, which was fully vetted in both, you know, East and Western Suffolk. I just -- but, ultimately, the voters never got a chance to vote on it because of a technicality. So, I just -- from a technical perspective, I want to make sure that we are following proper procedures. If delaying it for this Public Hearing means it goes a whole 'nother year, I think that's important to know. So that's why I'm asking about the calendar on it. But I'll right now defer to Legislator Kennedy.

**LEG. KENNEDY:**

Well, let's get that one off the table right away. So let's go to Counsel first. George, typically referendum language has to be filed with the Board of Elections somewhere in the early part of September.

**MR. NOLAN:**

My recollection is 60 days prior to the General.

**LEG. KENNEDY:**

So counting backwards, we're somewhere in maybe the first week of September.

**MR. NOLAN:**

Beginning of September, yes.

**LEG. KENNEDY:**

Okay. So we have more than ample time in the schedule at this point if we were to hold over to June 17th, because we're together again then on July 30th, I believe, right?

**MR. NOLAN:**

I think it's the 29th, which if we adjourned or recessed this Public Hearing to the 17th, it would be eligible for a vote on the 29th of July if it was discharged from committee. And I think the County Executive would have sufficient time to hold his Public Hearing and sign it, if that's what he wanted to do, in order for it to be on the ballot.

**LEG. KENNEDY:**

Absolutely, there's no -- so there is absolutely no compromise or issue with scheduling. And, you know, as I said previously, the opportunity to avail not only our East End town residents, but, quite frankly, with six of us who are Legislators from Brookhaven Town, in many cases residents are

General Meeting - June 3, 2014

equidistant between Riverhead and Hauppauge. As I also pointed out, June 17th is our first evening meeting. Many, many people cannot take off from work to go ahead and come to see us.

And, quite frankly, to the sponsor, this is an amendment of the Charter. It is really the most significant thing we might contemplate. It's not like, you know, cleaning a stream, or replacing a culvert or something. We are really talking about reconstituting the essence and the core of our whole governing structure here in Suffolk County that's been in place for the better part of 50-plus years.

So I really think that it does warrant a full vetting and a full opportunity. It is probably one of our hallmarks that we go out of our way to avail ourselves to receive input from the public on what we do. And so holding this over for a simple two-week period I don't think really is going above and beyond the bar.

And I couldn't disagree more with the fact that this version is radically different than last year's version. I seriously question the legal basis to even bind a whole 'nother Legislature, but that's another matter. As far as notice from the public, I don't think it's a big -- a large or inordinate request at all. I think it's very prudent.

**D.P.O. SCHNEIDERMAN:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. You know, I think this is very unfair to put the sponsor of this bill in a position of having to defend the decision to follow the rules. I mean, Legislator Kennedy, I think every time you recommend a bill to this Legislature, we need to have two public hearings then. This is just patently unfair. I've been accused, our integrity has been questioned today, our motives are questioned today. I'm not going to do that here in this debate. Okay? But the fact of the matter is the rules are the rules. And this Legislator, as we all do, are following our rules. You can make an argument that -- a passionate argument that we need to go out to the East End and they have a vested interest, and this is too much of an important issue. That's funny, I only hear that argument every time this bill comes up. What about all the other bills that affect every single resident of this County? I mean, who's playing the game here?

**LEG. KENNEDY:**

Well, through the Chair, if you'll entertain a reply --

**D.P.O. SCHNEIDERMAN:**

Hold on. Hold on.

**LEG. KENNEDY:**

-- there's no game being played here at all, Legislator D'Amaro. And, as a matter of fact, all 18 of us were, you know, accused of all kinds of nefarious things. This is, as I just pointed out, going to probably the most basic function that we have as Legislators, which is affecting the very core and the essence of our whole governing structure. And it is not my effort to go ahead and single out Legislator Lindsay at all. As a matter of fact, quite frankly, I know my colleague, Legislator Cilmi, has contemplated putting forward a rule change that would require a minimum of two public hearings for everything we do. Now, I don't think we need to do that when we're going to clean a culvert.

**LEG. D'AMARO:**

Right. But I --

**LEG. KENNEDY:**

But if we're going to change the governing structure, absolutely, we should be --

**LEG. D'AMARO:**

Could I have the floor here, though?

**D.P.O. SCHNEIDERMAN:**

Hold on.

**LEG. D'AMARO:**

And I don't mind you responding, John, at all and I appreciate that. My point is that if you want to have two public hearings, then put the rule out, put the proposal forward, that's fine. You're making it appear as though somehow the sponsor of this bill is denying the public an opportunity to voice their opinion on an important issue, and that is simply not true.

We had a Public Hearing today. Now, I admit to you, it's difficult to come from Montauk to come here for a hearing in the middle of the day. Then change the rule. Don't raise this issue on one issue only. This is the second year in a row. I've never heard this argument made before until that bill came up last year and now I'm hearing it again today. Then change the rule. Do not tell this Legislator that he is somehow denying the public an opportunity to voice an opinion. It is just patently not fair.

**LEG. KENNEDY:**

I will be happy to put in the procedural request to amend the rule. And, as a matter of fact, I think I'll ask Counsel now that any time we're going amend the Charter, that we absolutely ought to have two public hearings. And as the calendar lays at this point, the next meeting is a Riverhead meeting at night, and we only have two night meetings all year. Maybe we should have more of those.

**LEG. D'AMARO:**

John, I agree with you. I don't have an issue. You know, my policy, whether I was chairing a Zoning Board or sitting as a Legislator, was everyone should be given a full and fair opportunity to be heard. If you feel that our rules prohibit that, then let's examine the rule, but don't raise this issue every time we talk about merging the Treasurer's Office into the Comptroller's Office. It's just -- you know, it's just not -- in my mind, we should be looking at a global fix, if there's a problem here, and let's not just single out one issue once a year. I just don't think that's fair.

**D.P.O. SCHNEIDERMAN:**

Okay. So we have other Legislators who wish to be heard, so I'm going to end the little back-and-forth and we'll go to Legislator Cilmi.

**LEG. CILMI:**

I just wanted to make a point that Legislator D'Amaro will get his wish and Legislator Kennedy doesn't have to file a bill, because it's already filed, laid on the table today, that we should have two public hearings for -- at least two public hearings. It's a rule change, so that in the occasion where we need to get something done expeditiously, we can waive that rule.

**LEG. D'AMARO:**

There you go.

**LEG. CILMI:**

But the bill's been filed. We'll address it in the committee cycle upcoming.

**D.P.O. SCHNEIDERMAN:**

All right. Anyone else? I have something I want to say on this. Are you finished, Legislator Cilmi?

**LEG. CILMI:**

One more thing. And, by the way, I filed that, and not in response to this bill, but, rather, to address the -- what may be an upcoming issue with the speed cameras, with the Local Law on the speed cameras, which I thought be best dealt with in two public hearings.

**D.P.O. SCHNEIDERMAN:**

Okay. I have something I want to say. First of all, I'm enjoying the sudden interest in what the East End has to say. That's refreshing. But I will say, you know, we don't have a lot of bills that put things on the ballot, where we actually allow the full public to weigh in on an issue. That's what this, in essence, is doing. So the East End, as well as every resident of the County, if this passes, will have an opportunity to be heard on this issue. So I think there will be an ample opportunity for the East End to be heard.

I am a little bit concerned about the timing here. I know the last time we passed something like this, there was a legal challenge. That can delay the clock as well, too. So I want to make sure there's ample time.

So, right now, the motion that's before us is a motion to recess, not to close. So I'm going to call the vote on the recess, and then -- the recess comes first, and then the vote to close, depending upon how the recess vote goes. Okay. And we'll do this by roll call.

**LEG. SPENCER:**

Laura.

**MR. LIPP:**

It's up to you.

**MS. GELLERSTEIN:**

That would be me. Okay. I can do this.

*(\*Laughter\*)*

*(Roll called by Lora Gellerstein, Chief Deputy Clerk).*

**LEG. KENNEDY:**

Yes.

**LEG. SPENCER:**

On the mic, please.

**MS. GELLERSTEIN:**

Pipe down.

*(\*Laughter\*)*

**LEG. TROTТА:**

Yes.

**MS. GELLERSTEIN:**

This is the motion to recess, right? Legislator -- Presiding Officer Gregory.

*(\*Tim Laube, Clerk, entered the auditorium\*)*

Thank you, God.

*(\*Laughter\*)*

**LEG. CILMI:**

Here he comes to save the day.

**P.O. GREGORY:**

I think we should do it all over again in Riverhead.

*(\*Laughter\*)*

**D.P.O. SCHNEIDERMAN:**

I'll second that. We're in the middle of a roll call on recessing. We have just the motion and the --

**MR. LAUBE:**

Ready?

**D.P.O. SCHNEIDERMAN:**

Yeah.

**MR. LAUBE:**

All right.

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

**LEG. KENNEDY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. SPENCER:**

No.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. MC CAFFREY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

Yes.

**MS. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

No.

**LEG. ANKER:**

No.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes -- no. No.

**P.O. GREGORY:**

No to recess.

**MR. LAUBE:**

Eight.

**D.P.O. SCHNEIDERMAN:**

Okay. So next is a motion to close. We'll do a roll call as well.

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

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

No.

**LEG. TROTТА:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

No.

**LEG. KRUPSKI:**

No.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Ten.

**P.O. GREGORY:**

Okay.

**MR. LAUBE:**

Check that. It was 11 on the last one.

**P.O. GREGORY:**

All right. Next Public Hearing is ***I.R. 1488 - A Local Law to modify County's Hardship Property Redemption Process (Spencer)***. I don't have any cards on this Public Hearing. Is there anyone in the audience that would like to speak on this matter, please come forward? Seeing none, Legislator Spencer?

**LEG. SPENCER:**

I am going to recess. I'm working with the Executive on this, and we should be able to close it.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Motion to recess by Legislator Spencer, second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

*(\*The following testimony was taken by Lucia Braaten & Transcribed by Kim Castiglione - Legislative Secretary\*)*

**P.O. GREGORY:**

***IR 1501 - Adopting Local Law No. -2014, A Local Law to bar environmental polluters from conducting business with Suffolk County (Martinez).*** I do not have any cards on this resolution -- this Public Hearing. Is there anyone in the audience that would like to speak on it, please come forward. Seeing no one, Legislator Martinez?

**LEG. MARTINEZ:**

Motion to close.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Motion to close by Legislator Martinez. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *(Not Present: Legislator Browning)*

**P.O. GREGORY:**

***Procedural Motion No. 8 - To set a public hearing regarding the alteration of rates license for Davis Park Ferry Co., Inc.*** I have one card. Mr. Lund, John Lund.

**MR. LUND:**

Thank you for providing time on this. I would just hope that this speeds along. We're in the middle of the season and it's complicated enough when the rates are changing. I hope Budget Review has done due diligence and has gotten all the information they need and can proceed on this matter.

The only other thing that I would like to add is that this is usually placed on the table and then the actual riders find out about it, and then there is very little opportunity to add more boats, which we totally realize will cost us more. But once the Budget Review process is started, to go back with a different set of criteria and have them rework it if you want to add more boats to the ferry schedule or modify the schedule in any kind of a logical way, it's making -- it's making more work and costing the taxpayers more money in the investigative process. So in the future, if you could modify the process of it, at least our ferry company at Davis Park, if we could -- if we could be in on the beginnings, it would be appreciated. And I think we would end up with better service than we have now.

**D.P.O. SCHNEIDERMAN:**

Thank you.

**MR. LUND:**

That's it.

**P.O. GREGORY:**

Thank you.

**LEG. LINDSAY:**

I have a question.

**P.O. GREGORY:**

Mr. Lund, Legislator Lindsay has a question for you.

**LEG. LINDSAY:**

Sorry, Mr. Lund. My question is probably to BRO. We got a report from the BRO Office and there was several issues on there that they needed -- they had asked be reconciled and I just want to see if those were reconciled. Dr. Lipp, if you could address that.

**MR. LIPP:**

So we issued a report on May 22nd. We received the financial's on April 15th. We issued the report as soon as we could on May 22nd. We were not required to finalize the report until May 30th. So we submitted our report already and the Public Hearing can't be closed, George could confirm this with me, until the next General Meeting. And then if the County Executive wishes to have a CN introduced, then you could act on the rate request then. But it's up to the ferry company to ask for the request, they did, and we issued our report. Short of going over what the report said, I'll wait for any further questions.

**P.O. GREGORY:**

Are you finished, Legislator Lindsay? Legislator Calarco.

**LEG. CALARCO:**

I just wanted to make a motion to recess since the Budget Review report was not done in time. But to Mr. Lund, I think we can talk and see what we can do to maybe get the law into a manner where the ridership can have a little bit more say and be willing to maybe take a little bit more -- if you're willing to take a little bit higher increase in fare in order to get an extra boat or two that you may feel is necessary. We'll try to work that out.

**P.O. GREGORY:**

Let me just hold off and ask if there's anyone else that would like to speak first. I don't have any other cards. Anyone else like to speak on this matter? Nope. Okay. We have a motion to recess by Legislator Calarco. Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen. *(Not Present: Legislators Browning, Kennedy and D'Amaro)*

**P.O. GREGORY:**

Okay. Procedural Motion No. 8 is recessed.

***Procedural Motion No. 12 - To set a public hearing regarding the Alteration of rates for North Ferry Co., Inc.*** I have one card, Julie Ben-Susan. You have one card, three minutes for the both of you.

**MS. BEN-SUSAN:**

We understand.

**P.O. GREGORY:**

Okay.

General Meeting - June 3, 2014

**MS. BEN-SUSAN:**

Thank you. Good afternoon, Ladies and Gentlemen. Thank you for your attention. My name is Julie Ben-Susan and this is Bridge Hunt, and we are the General Managers at North Ferry Company. We run 19 hours a day, 365 days a year, from the Village of Greenport to Shelter Island, to and from Shelter Island. We have been operating at a loss since 2008, and we've cut into our cash reserves to a point where we must seek rate relief from you.

The slowing of the economy, compounded by the impact of hurricanes Irene and Sandy, and the gas shortages that followed them, reduced our volume and revenue significantly. That money is lost forever. This past winter, as you know, was long and cold and cut into our discretionary traffic once again. We've been postponing all of our capital expenditures that are not absolutely necessary for safety. This is not sustainable and not a prudent way to run a business.

We are proposing an increase to our rates below the level of inflation. We have not raised our passenger components of our fares in order to avoid penalizing multiple occupancy vehicles. The other increases are -- relate to the CPI for the period since our last rate increase. We ask you to consider our petition favorably and to act on it quickly so that we can harvest the much needed revenue this summer. Thank you very much, and if you have any questions, Bridge and I will be happy to answer them.

**P.O. GREGORY:**

Okay. Thank you.

**LEG. TROTТА:**

I have a question.

**P.O. GREGORY:**

Oh, I'm sorry. Legislator Krupski and then I heard Legislator Trotta next.

**LEG. KRUPSKI:**

Could you -- so this is -- I have a question actually, and don't go. I have a question for Mr. Nolan. This is the Public Hearing today?

**MR. NOLAN:**

It is.

**LEG. KRUPSKI:**

And can we close it today?

**MR. NOLAN:**

Cannot.

**LEG. KRUPSKI:**

So we need another Public Hearing?

**MR. NOLAN:**

We have to keep the Public Hearing open, because 15 days have to elapse between when BRO issues their report and when we close the Public Hearing. So the plan is to close it on the 17th. Hopefully, somebody's going to make a request to the County Executive for a Certificate of Necessity so the rate increase can be considered at that time. That's what we typically do in this situation when we're up against the clock.

General Meeting - June 3, 2014

**LEG. KRUPSKI:**

Thank you. And I did -- I mean, I did review the BRO report, but I just wanted to make sure it wasn't going to be delayed. And it is important to have a Public Hearing in Riverhead on this.

**P.O. GREGORY:**

Okay. Legislator Trotta.

**LEG. TROTТА:**

How much does it cost to go across with a car?

**MR. HUNT:**

The same day car and driver is \$10, I mean just going in one direction. The same day return is 15. We're asking to increase that to \$11 for the car and driver one way, or \$16 for the car and driver same day return.

**LEG. TROTТА:**

Okay.

**P.O. GREGORY:**

Okay. Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

No, I was also going to point out that we have to recess, so I'll reserve -- I'm sure you'll be there again at the next meeting.

**MR. HUNT:**

Yes, we will.

**D.P.O. SCHNEIDERMAN:**

And I did meet with the residents of Shelter Island. I think you were both there, and that was very, very positive, with Supervisor Dougherty. We held a public meeting and there wasn't any -- anybody who spoke out negatively about the proposal. Everybody seemed to feel that it was reasonable. But we can't act on this today, it has to be recessed.

**MR. HUNT:**

We understand.

**MS. BEN-SUSAN:**

We understand that. Thank you.

**MR. HUNT:**

Thank you very much for your consideration.

**P.O. GREGORY:**

Legislator Barraga.

**LEG. BARRAGA:**

Just a quick question. You indicated that you've been operating at a loss since 2008. Answer me this. When you say operating at a loss, does that mean you're making less profit after 2008, or have you got to a point where expenses are exceeding revenues and you have to go into some sort of reserve fund to keep on going.

**MR. HUNT:**

That second answer is the right answer. Our expenses exceeded revenue in each of the years from 2008, and we started losing modest amounts, say \$6,000, \$10,000. In 2010 we lost \$215,000. In 2011 we lost \$344,000. Our cumulative losses to date are 613,429 -- \$613,429. Where is the money coming from? The money's been coming from not reinvesting in our infrastructure. So the depreciation has been eroding our system of pilings and ramps that lead to the boats. We need to repair a bulkhead and the paving on the shore side. So we've been gradually cutting into the equity of the firm, and we're at the bottom.

**LEG. BARRAGA:**

Thank you for clarifying that for us.

**MR. HUNT:**

Oh, you're very welcome.

**P.O. GREGORY:**

Thank you. Legislator Krupski.

**LEG. KRUPSKI:**

One question for the ferry company. Now, when you get on the ferry you get a ticket, the ferry operator punches the ticket. And you told me when we met earlier that you are going to an automated system. Could you describe that?

**MR. HUNT:**

I sure will. I didn't bring the equipment because I didn't want to promise it tomorrow and then everybody says where is it, but we are in the outfit stage now. We're past proof of concept and we have working devices. It's a hand held device, it's waterproof. It talks through blue tooth through a printer that's worn on the belt and issues a ticket.

There are three phases of implementation. The first phase, we'll collect tickets very much the way we collect them now, except we will have a transaction on the return trip. We will have a transaction and know when the commuter used their commuter ticket. Currently they're just punches and they can happen or not happen. We can have a situation where a deckhand sold a ticket to a car that's going to Greenport, an hour later they see the same person coming back. They know they sold the ticket. They wave to them. The car next to them is outraged, how come they are letting all these free rides go by. This system there would be a scan at every crossing, and for the first time, we'll be able to foot the number of scans, the number of transactions, the number of vehicles on the boat with a car counter as the cars come off. I think that's going to help us a lot in the goodwill category. That's the first phase.

The second phase is a ferry pass system. Right now we use paper script, which is passed around and arguably used inappropriately to get excessive discounts. People will have individual ferry passes that will contain their funds and will be debited according to their discount rate.

And the third phase of implementation will allow us to collect credit card fares on the boat. We have been working with our banking relationship to make sure that goes smoothly. I don't want to promise that in the short-term. There are a number of details to work out, but clearly as our economy moves away from cash it's getting more and more important.

**LEG. KRUPSKI:**

Thank you.

**P.O. GREGORY:**

Thank you. Anyone else? Okay. That's all the cards that we have. Is there anyone else in the audience that would like to speak on this matter?

**D.P.O. SCHNEIDERMAN:**

Motion to recess.

**P.O. GREGORY:**

Okay. Motion to recess by Legislator Schneiderman. Second by Legislator Krupski. All in favor? Opposed? Abstentions? Procedural Motion No. 12 is recessed.

**MR. HUNT:**

Thank you so much.

**MS. BEN-SUSAN:**

Thank you.

**MR. LAUBE:**

Fourteen. *(Not Present: Legislators Browning, Lindsay, D'Amaro and Spencer)*

**P.O. GREGORY:**

Okay. ***Procedural Motion No. 14 - To set a public hearing for the inclusion of a new parcel into existing Agricultural District (SCTM No. 0300-166.00-04.00-001.004 – Darryl Glennon)***. I have one card, Kenneth Smith -- Schmitt, excuse me.

**MR. SCHMITT:**

Good afternoon. My name is Ken Schmitt. I'm Chairman of the Suffolk County Farmland Agricultural Farmland Protection Board. The Board serves at the pleasure of the Legislature. Legislator Krupski, he serves on the Board as your representative.

In March, the month of March is designated as open enrollment period for parcels that would like to be included in our existing ag districts within the County. We have four districts throughout the County. With -- in cooperation with the Suffolk County Planning Department staff, they do a lot of the research work on it. The applications come to the Protection Board and we review them very thoroughly. This year there was nine parcels, nine tax parcels that applied for inclusion into the ag districts. After a thorough review, we approved that seven of them be included. Two parcels we felt didn't qualify.

I think this is important to the County that we encourage bona fide people to join ag districts. It's a tool that's used to preserve, help preserve agriculture. State of New York, Suffolk County, and the towns in Suffolk County have spent hundreds of millions of dollars in preserving farmland at cost to the taxpayers. This doesn't preserve -- the Ag District Program does not preserve the land in perpetuity, but it's a tool to help agriculture prosper. And as agriculture prospers, that's a preservation tool in itself. And this occurs at no cost to the taxpayers of Suffolk County.

I recommend that the Legislature approve the applications or act on the application. I think the Planning Department will put them on the table later in the day. Am I right?

**MS. FISCHER:**

Yeah.

**MR. SCHMITT:**

And just ask for your support on that. It's an important issue for the ag community and also to the taxpayers of the County.

**P.O. GREGORY:**

Thank you, Sir.

**MR. SCHMITT:**

Thank you.

**P.O. GREGORY:**

Any questions? Nope. That's all the cards that I have on this procedural motion. Is there anyone else in the audience that would like to speak? Please come forward. Seeing no one, motion to close by Legislator Schneiderman. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen. (*Not Present: Legislators Browning, Lindsay and Stern*).

**P.O. GREGORY:**

Okay. ***Procedural Motion No. 15 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District (SCTM Nos. 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia & Heather Forest)***. Okay. I don't have any cards on this matter. Anyone in the audience that would like to speak on it? Yes, Sir?

**MR. SCHMITT:**

Excuse me. I spoke on behalf of No. 14 through 20, all the parcels.

**P.O. GREGORY:**

You wanted to be recognized for all of them?

**MR. SCHMITT:**

For all of them.

**D.P.O. SCHNEIDERMAN:**

Incorporate your testimony into the hearing for all of these, right? Okay.

**P.O. GREGORY:**

All right. No one else? Do I have a motion?

**D.P.O. SCHNEIDERMAN:**

Motion to close.

**P.O. GREGORY:**

Motion to close.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Legislator Calarco, second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (*Not Present: Legislators Lindsay and Stern*)

**P.O. GREGORY:**

Okay. ***Procedural Motion No. 16 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District (SCTM No. 0504-004.00-01.00-016.000 – Pal-O-Mine***

**Equestrian, Inc.).** I don't have any cards on this matter. Is there anyone in the audience that would like to speak on it? Please come forward.

**LEG. CILMI:**

Motion to close.

**P.O. GREGORY:**

Motion to close by Legislator Cilmi, second by Legislator Schneiderman. On the motion.

**LEG. CILMI:**

On the motion, just very briefly. Just to make my colleagues aware that there was some contentiousness on this application. However, the parties, both Pal-O-Mine and the Village of Islandia met with me in my office yesterday, and it seems like we are well on our way to -- to an agreement. In fact, the attorneys for both parties are sitting next to one another in the audience as we speak.

*(\*Laughter\*)*

**LEG. CILMI:**

So it's all good. And let's close this and we'll move forward from here.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Seventeen. *(Not Present: Legislator Lindsay)*

**P.O. GREGORY:**

Motion is closed. ***Procedural Motion No. 17 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District (SCTM No. 0600-098.00-01.00-016.005 – Edward Partridge).*** Is anyone here to speak on this matter? Okay. Motion to close by Legislator Schneiderman. I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *(Not Present: Legislator Lindsay)*

**P.O. GREGORY:**

***Procedural Motion No. 18 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District (SCTM No. 0900-051.00-02.00-005.010) – Channing Daughters Winery LLC.*** I don't have any cards. Anyone who would like to speak on this matter please come forward.

**D.P.O. SCHNEIDERMAN:**

Motion to close.

**P.O. GREGORY:**

Motion to close by Legislator Schneiderman, second by Legislator Krupski. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. That was 16. *(Not Present: Legislators Hahn and Lindsay).*

**P.O. GREGORY:**

***Procedural Motion No. 19 - To set a public hearing for the inclusion of a new parcel (SCTM No. 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC) and the disapproval of another parcel (SCTM No. 0600-076.00-02.00-012.001) - Kenneth Kaufold - into an existing Agricultural District inclusion of new parcels.*** I don't have any cards on this matter. Would someone like to speak on it? Please come forward.

**LEG. KRUPSKI:**

So moved.

**P.O. GREGORY:**

Motion to close by Legislator Krupski, seconded by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. *(Not Present: Legislators Hahn and Lindsay)*

**P.O. GREGORY:**

***Procedural Motion Number 20 - To set a public hearing for the proposed inclusion of a parcel (SCTM No. 0600-021.00-01.00-003.000) - MF & LK Holdings LLC - in an existing Agricultural District.***

**LEG. KRUPSKI:**

Mr. Presiding Officer.

**P.O. GREGORY:**

Yes.

**LEG. KRUPSKI:**

This is a -- I think it's a scrivener's error. This should be on for disapproval. This application went through the process and it was recommended by the committee for disapproval. Once they establish a legitimate agricultural operation they can reapply next year.

**P.O. GREGORY:**

Okay. Just give me a second.

**D.P.O. SCHNEIDERMAN:**

So what do you want to do, recess?

**LEG. KRUPSKI:**

Should recommended for disapproval.

**MR. NOLAN:**

Right. It's referencing I.R. 1500, which authorizes a disapproval of a new parcel for inclusion into an existing Certified Agricultural District. So just we should note that that's the proper name of the Public Hearing, but we can hold the Public Hearing because it's properly advertised with the right terminology. So even though it's wrong on our agenda, it's okay to proceed.

**D.P.O. SCHNEIDERMAN:**

To close it.

**MR. NOLAN:**

Yes.

General Meeting - June 3, 2014

**P.O. GREGORY:**

All right. So motion to close by Legislator Krupski. Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. *(Not Present: Legislators Hahn and Lindsay)*

**P.O. GREGORY:**

Okay. I'd like to set the date for the following public hearings to be held June 17th, 2014 at 6:30 p.m. at the Maxine Postal Auditorium in Riverhead: I.R. 1096, A Local Law to establish healthy food standards at Suffolk County facilities; I.R. 1394, A Local Law to warn consumers of the dangers of liquid nicotine; I.R. 1507, a Charter Law to improve budget and fiscal communication in County Government; 2014 and 2015 Suffolk County Community College Budget. I make the motion.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Seventeen. *(Not Present: Legislator Hahn)*

**P.O. GREGORY:**

We're going to do the Consent Calendar. I'll make a motion to accept the Consent Calendar.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Seventeen. *(Not Present: Legislator Hahn)*

**P.O. GREGORY:**

Okay. Back to the Capital Budget. ***Amendment No. 2. (Amending the proposed 2015-2017 Capital Program and the proposed 2015 Capital Budget)***. Mr. Clerk, did we have a motion?

**MR. LAUBE:**

You have a motion and a second on Number 2.

**P.O. GREGORY:**

We do. Okay. Robert, did you respond to the Budget Amendment 2 earlier this morning?

**MR. LIPP:**

I believe Kate was speaking about it.

**P.O. GREGORY:**

Okay.

**MR. LIPP:**

I could, but it's her resolution, perhaps she would.

**P.O. GREGORY:**

Gotcha.

**MR. LIPP:**

So I was asked if I had spoken about Resolution No. 2 this morning and I said I believe that you had done it since it was your -- you're the sponsor, so I would defer to you unless you want me to do the talking.

**LEG. BROWNING:**

Yeah. I think I explained it's a stormwater remediation project in Yaphank on County Road 21. And like I said earlier, State of the County address -- you can't hear me?

**MR. LAUBE:**

Yeah, we're having trouble.

**LEG. BROWNING:**

Okay. And, you know, we have heard a lot of conversation this year about water quality projects and the need to protect our waterways. And so that's why I'm asking for your support, because this is about stormwater remediation, protecting our waterways, protecting the Yaphank Lakes. And I don't know what else could be said.

**D.P.O. SCHNEIDERMAN:**

Legislator Browning, you have requested money, some of it in 2015. Is this project ready to go?

**LEG. BROWNING:**

This is a project that's been sitting for about five years, and basically there's been no money to keep moving.

**D.P.O. SCHNEIDERMAN:**

All the planning is done? Do we know why it never progressed?

**LEG. BROWNING:**

Money.

**D.P.O. SCHNEIDERMAN:**

Do we know what -- did DPW recommend this money or no, they did not, right?

**LEG. BROWNING:**

I believe there was a study and a plan and the actual project needs to move forward.

**D.P.O. SCHNEIDERMAN:**

And is there, is this something that's eligible for FEMA funding or no?

**LEG. BROWNING:**

I don't -- I can't say.

**MR. LIPP:**

The resolution is for serial bonds, 750,000 in 2015.

**LEG. BROWNING:**

He's asking is it eligible for FEMA funds, but I don't know that I could respond to that.

**D.P.O. SCHNEIDERMAN:**

It's funded, though, with serial not, you know.

**MR. LIPP:**

Correct.

**D.P.O. SCHNEIDERMAN:**

You said it's a stormwater project, and what, phase one was completed?

**LEG. BROWNING:**

No, no. There is no phases. This is on County Road 21 in Yaphank.

**D.P.O. SCHNEIDERMAN:**

I mean, I'm -- and this was discussed with the Capital Budget Working Group and it was not voted for inclusion into the Omni, but it's fine to vote on it on its own, on its merits, so okay.

**LEG. BROWNING:**

Sure.

**P.O. GREGORY:**

Okay. Anyone else? No. Robert, I forget, what was the recommendation, BRO's recommendation on this?

**MR. LIPP:**

We didn't write this one up.

**P.O. GREGORY:**

Oh, it wasn't in the program?

**MR. LIPP:**

Correct, it was not in the proposed program, so we didn't write it up.

**P.O. GREGORY:**

Legislator Calarco.

**LEG. CALARCO:**

Just to follow-up on that, Dr. Lipp. When was the last time this program -- project was in the Capital Budget?

**MR. LIPP:**

Planning was appropriated in 2008.

**LEG. CALARCO:**

Two-thousand and eight? At that time was there funds in place for construction and they just never -- it never got approved in a certain year, or it's just going to progress? How did this project fall off?

**MR. LIPP:**

So the -- I believe the money, it's listed in the file that we have as other, which we believe is water quality money.

**LEG. BROWNING:**

It was approved by the Water Quality Review Board, however, there was no money.

**LEG. CALARCO:**

So the Water Quality Review Board thought this was a worthwhile project. They just didn't have the resources to do the project.

**MR. LIPP:**

That was several years ago. Since then we've had challenges with the dollars.

**D.P.O. SCHNEIDERMAN:**

If I may. How much is in that 477 fund? Is there money now to do it?

**MR. LIPP:**

Well, the issue there is, off the top of my head, there is probably close to three million dollars, I want to say, is the fund balance. That being said, on a stand alone year at a time basis, because of the increase in staffing in that fund. It's basically a break even fund. So as you use that money, it draws down, number one. And number two, increases in salaries and benefits could put the fund on a small negative on a standalone basis in the near future unless we act and react to the staffing levels that we have in there.

**D.P.O. SCHNEIDERMAN:**

Robert, do you have how much we spent on planning on this project in 2008?

**MR. LIPP:**

We're taking a look now.

**D.P.O. SCHNEIDERMAN:**

And if you could tell me whether that was spent with 477 funds as well.

**LEG. BROWNING:**

Yeah, I'm trying to remember. I know it was approved and I'm trying to think.

**D.P.O. SCHNEIDERMAN:**

While Robert looks that up, I guess my question maybe is for George. If we were to fund it during the year with 477 funds, does it need to be in the Capital Budget if we're using 477 funds, pay-as-you-go?

**MR. NOLAN:**

Pay-as-you-go, when we fund something from 477 it's transferred out of that into a capital project, but it's cash. Did I say that right, Robert?

**MR. LIPP:**

Right. So the money that was appropriated was 200,000. We believe that was water quality, but we're looking for that still; it's a different file. And of the 200,000 there's 800 and something left over, so most of the 200,000 was spent. And as George is saying, in general that's pay-as-you-go. Water quality money is a portion of 477 and it's on a -- used on a pay-as-you-go basis. It's not borrowed. If it's double your water quality money.

**D.P.O. SCHNEIDERMAN:**

But it does sound like it was a priority of that Water Quality Committee, so it would have been in the pipeline for that 477 calculations that I've heard before, not today, in terms of what the pipeline projects on that 477 fund. Because usually we're told what the available balance is after, you know, those pipeline -- already pre-approved projects. So I don't see why we couldn't do this with 477 funds. Sounds like there's ample money to do it.

**MR. LIPP:**

I question the ample part simply because of what I said earlier. There's maybe three million.

**D.P.O. SCHNEIDERMAN:**

Three million dollars. And, Kate, what's the total here?

**LEG. BROWNING:**

Seven-fifty.

**D.P.O. SCHNEIDERMAN:**

Seven-hundred and fifty thousand? Can the resolution be modified to be 477? Are we allowed to modify on the floor?

**LEG. BROWNING:**

I don't know.

**D.P.O. SCHNEIDERMAN:**

George, to change the funding source?

**MR. NOLAN:**

We are able to amend these resolutions on the floor. I don't know how much Robert's going to like that, and I also don't -- I can't speak to the fact of whether there is, in fact, 477 monies going to be available for this project.

**D.P.O. SCHNEIDERMAN:**

Right. But if there are not, then next year in 2015, if the money is not available, there will be additional money that comes in because it's a sales tax generated program. We could amend the funding source in '15. We'd need a super-majority vote, but that could be done and have it switched to serial bonding.

**MR. LIPP:**

I'm sorry. Is there a question for me?

*(\*Laughter\*)*

**D.P.O. SCHNEIDERMAN:**

What I was saying is that if it was funded with 477 funds in 2015 and the monies turned out to not be available, we could change the funding source in the Capital Budget to serial bonds, or it would require 14 votes to do this.

**LEG. BROWNING:**

Can we change this 750 from serial bonds to 477?

**MR. LIPP:**

Your wish is my command.

**LEG. D'AMARO:**

Can we decide after this vote?

**D.P.O. SCHNEIDERMAN:**

I would support it certainly if you do that.

**MR. LIPP:**

So if you wanted to amend it, you could just say what the amendment is on the floor, and then we would prepare the corrected copy resolution at the end of the meeting and reflect it tomorrow.

**P.O. GREGORY:**

Legislator Krupski, you had a question?

**LEG. KRUPSKI:**

I think -- I think it would have universal support. I mean, it's a water quality. I'm really -- and I'm a big fan of doing drainage for water quality purposes, but I think everyone is a little reluctant, honestly, to add to the serial bonds for 2015. I think that's the big problem. If you could amend it to 477 money I know I would certainly support it.

**LEG. BROWNING:**

Can we, George?

**MR. NOLAN:**

I'm really looking at Robert to see, (A), does it work from a budget standpoint. But I'm also (B), I'm thinking that probably this expenditure would have to go back before that committee.

**MR. LIPP:**

So --

**LEG. KRUPSKI:**

I agree. But there's probably no reason that they wouldn't support it.

**MR. LIPP:**

I disagree with that. Okay, so maybe I didn't make myself clear before. So we're basically at limit in terms of the money coming in versus going out on an annual basis for the water quality portion of the quarter cent sales tax, number one. There is a small fund balance of three million. The Water Quality Review Committee meets each year and their requirements in terms of what they're recommending become increasingly more restricted because there's very, very, very little money left. On top of that, we're talking about a couple of years ago we said well, we're only going to have this much staffing that we put into 477 for a limited time, and we're at the margin now when we're going into the negative. So I don't really see that this is something clear, but it actually is a difficult sell in terms of the funding in water quality, in my professional opinion.

**P.O. GREGORY:**

Okay. Legislator Browning?

**LEG. BROWNING:**

Okay. I believe what's current now is that the water quality, the committee, has been limiting all their projects to \$100,000 per project. And because of the cost of this is why they have not been moving it forward, because it's over 100,000.

**P.O. GREGORY:**

Okay. So have you officially made an amendment?

**D.P.O. SCHNEIDERMAN:**

No, she's going to stick with it.

**P.O. GREGORY:**

You're going to stick with your --

**LEG. BROWNING:**

Well, I don't know that I can, can I?

**D.P.O. SCHNEIDERMAN:**

You can amend, but if you feel like -- I wouldn't amend it if you don't think the 477 would fund it.

**LEG. D'AMARO:**

Right.

**LEG. BROWNING:**

Right, well, that's the problem. If they're only going to approve \$100,000, then they're not going to approve this.

**D.P.O. SCHNEIDERMAN:**

Well, I don't understand why they would impose that rule on themselves. They may be doing that, I'm not disputing that, but this is a fund that --

**LEG. BROWNING:**

No, I'm looking at an e-mail. I just received an e-mail telling me that that's what they've been doing.

**D.P.O. SCHNEIDERMAN:**

I don't know. Robert, that fund takes in around eight million dollars a year and about half if it goes towards salary and benefits.

**MR. LIPP:**

Okay. As I said before, it's on a break even basis the fund, okay? So in other words, the money coming in, all of it is being spent now. And it could be, depending upon projections, that maybe a little more or a little less than that. So all they have to dish out is what's remaining of the fund balance. And in a perfect world we would start shedding people from 477 and move them back to General Fund, but the General Fund doesn't have the resources for that. So water quality is in a bad position.

**P.O. GREGORY:**

Okay. Now, Robert, is this -- how does this -- if this resolution, this amendment, were passed, how would it -- would it conflict with the -- what we passed earlier?

**MR. LIPP:**

No. There's nothing -- there's nothing in the Omnibus Resolution that even speaks to this capital project. If you -- George could give you the specifics if you wanted to amend it on the floor to however you wish to. Then we would incorporate that amendment into the resolution, and we'd send it over to the County Executive's Office tomorrow if you adopted it.

**P.O. GREGORY:**

Okay. All right. So we have a motion and a second.

**LEG. STERN:**

Mr. Presiding Officer.

**P.O. GREGORY:**

Yes, Legislator Stern.

**LEG. STERN:**

On the motion. I mean, I'm inclined to support Legislator Browning in this particular project. I got to tell you, I don't know if I would be supportive of looking at 477 for this type of project. I'm much more inclined to support it in its present form, and adding it to our Capital Program, making it part of our Capital Budget. To find out that there's a limitation on 477 projects, you know, would only I think strengthen my personal position on that, knowing that this kind of project really isn't going to come out of 477 because of that kind of limitation. So I'm inclined to support it in its present form.

General Meeting - June 3, 2014

**LEG. BROWNING:**

Thank you. And, you know, again, to remind you, this is at the Yaphank Lakes. This runs into the Carmans River, through Southaven Park. So again, we've been talking about water quality all year, and I don't know how much more to say that I think water quality projects are something that we should all be supporting.

**P.O. GREGORY:**

Okay. We have a motion and a second. I'm going to do a roll call, Mr. Clerk.

**MR. LAUBE:**

Yes, Sir.

**LEG. KRUPSKI:**

What's the motion? Can you go over it?

**P.O. GREGORY:**

To approve.

**MR. NOLAN:**

It's the original --

**LEG. KRUPSKI:**

The original motion.

**MR. NOLAN:**

Serial bonds.

**LEG. KRUPSKI:**

Thank you.

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

**P.O. GREGORY:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Absolutely.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. TROTТА:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

No.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**MR. LAUBE:**

Fifteen.

**P.O. GREGORY:**

Okay. We have Budget Amendment No. 3. Legislator Browning.

**LEG. BROWNING:**

Okay. I'll make that motion to approve.

**LEG. MURATORE:**

Second.

**P.O. GREGORY:**

Okay. I'll read the description. ***Budget Amendment No. 3 - Intersection improvements on County Road 16 Horseblock Road at County Road 21 Yaphank Avenue.*** It adds \$150,000 for planning in 2015, and 1.5 million for construction in 2017 to remove the ramp at the County Road 16 and County Road 21 intersection.

**LEG. BROWNING:**

Okay. If anybody's familiar with Horseblock Road and Yaphank Avenue where the road -- it's -- it curves off to the right. There's no traffic lights. It's a very dangerous intersection, because you

General Meeting - June 3, 2014

have traffic that's coming from Victory, and there's been numerous accidents at this location. We have been reached out to by local residents because of the number of accidents, by the local ambulance company, and you know, they -- it was coupled into a larger Capital Program, but we'd like to be able to see it moved forward. You know, I did speak with DPW. You know, I know that this is a project that is on their radar. Obviously it's up to us to support moving it forward. I'll take you there, and I'll have the ambulance company call you, if you want. But, again, it's a real safety issue, and the local residents that are on Yaphank Avenue are seeing numerous accidents. What they would do is take away that curve and everybody would have to drive to the traffic light and make that right turn onto Yaphank Avenue rather than take that curved road.

**P.O. GREGORY:**

Okay. Robert, did we consider this in the Work Group as well?

**LEG. BROWNING:**

Yes, we did.

**MR. LIPP:**

Yes, and it wasn't --

**P.O. GREGORY:**

What was the final outcome?

**MR. LIPP:**

Decided not to include it in the Omni.

**P.O. GREGORY:**

So it's not included or was it deferred?

**MR. LIPP:**

No, nothing -- no action was taken on this.

**P.O. GREGORY:**

So this would create a capital project?

**MR. LIPP:**

Yes. This is a new capital project.

**P.O. GREGORY:**

Oh, okay. I thought it was moving funds.

**MR. LIPP:**

No, it's something completely new.

**P.O. GREGORY:**

Okay.

**LEG. D'AMARO:**

DuWayne.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. Just through the Chair to Legislator Browning. This is something that has been recommended by the Department of Public Works and it was part of a larger project? You just would like to pull it out and move it quicker along?

**LEG. BROWNING:**

Right. It's coupled in with a couple of other project. And, you know, we started getting a lot of phone calls from local residents and the ambulance company because of the numerous accidents. There's no traffic light, there's no stop signs. I don't know if you're familiar with that location.

**LEG. D'AMARO:**

Not exactly.

**LEG. BROWNING:**

You know, if you're coming off Montauk Highway and going onto Horseblock, when you come up, the road goes two ways. And what happens is you have to right turn signal to take the right fork, but you also have another road, Victory Road, and people think that you're making a right turn onto Victory, but -- and it's only a matter of feet from that one to the Yaphank Avenue entrance. So it's caused a number of accidents, and again, it's, you know, it's something that we wanted to get fixed.

**LEG. D'AMARO:**

Right. And the Department of Public Works agrees with you that it needs to be fixed.

**LEG. BROWNING:**

They agreed that it needs to be fixed. When we reached out to them initially they said yes, it's in our program, we do want to get this done.

**LEG. D'AMARO:**

Thank you.

**P.O. GREGORY:**

Okay. I have to state that, you know, with all due respect, Legislator, you know I respect you a lot, but, you know, these amendments came before the Working Group and we made a decision as a group not to support or to support certain things. I know there's been some apprehension about the size of the Capital Program. These amendments, not just yours, but some others, will increase the bottom line to that, particularly in 2015. I think, you know, to be a part of the process I think we have to respect the final outcome of that process. If the Department of Public Works feels that this is an important project, I think they should move it on their own. I mean, I think to your admission you said that they already have it coupled with another project, so I don't see why we would do something that they haven't sought to do themselves.

**LEG. BROWNING:**

Yeah, but I don't know if, Robert, you have that capital project, the one that this is kind of lumped in with. I think it's lumped in with another capital project. I know it is.

**MR. LIPP:**

A couple of years ago it was part of a project for multiple locations, road improvements, that was included in what the department was looking to do, but there was insufficient funding to do all of those multiple projects. And this is one of the multiple projects that were never advanced because of that limited funding, and then since then it hasn't been included in the Capital Program.

**LEG. BROWNING:**

I'm looking at an e-mail. Okay. There was -- DPW requested 20 new projects in the 2013 Capital Program. And one was this, so it goes back to 2013. I don't see a capital -- I don't see a number.

General Meeting - June 3, 2014

Sorry. Okay. I mean, all I can ask, I mean, certainly, I'll see if I can find an offset, but, again, it's -- it is a dangerous intersection. I'm sure if you call Police Headquarters they'd be happy to explain to you the occurrences that have happened there.

**P.O. GREGORY:**

Okay. All right. So we have a motion and a second. Roll call.

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

**MR. LAUBE:**

Who was the motion and second again?

**P.O. GREGORY:**

Legislator Browning and who was the second? Do we have a second?

**LEG. MURATORE:**

I'll second it.

**MR. NOLAN:**

Muratore.

**P.O. GREGORY:**

Oh, Muratore.

**MR. LAUBE:**

Thank you.

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

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

No.

**LEG. MC CAFFREY:**

(Not Present.)

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

No.

**LEG. ANKER:**

No.

**LEG. HAHN:**

No.

**LEG. KRUPSKI:**

No.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

No.

**MR. LAUBE:**

Five.

**P.O. GREGORY:**

Okay. ***Budget Amendment No. 4 - Aquatic invasive nuisance species eradication in lower Lake Yaphank.*** This adds \$750,000 for construction in 2015 to complete the second phase of the project. This project previously received funding for the planning phase under Capital Project 8710. Motion by Legislator Browning.

**LEG. BROWNING:**

Motion to approve.

**P.O. GREGORY:**

And second?

**LEG. CALARCO:**

I'll second it.

**LEG. MURATORE:**

(Raised hand.)

**P.O. GREGORY:**

Second by Legislator Calarco.

**D.P.O. SCHNEIDERMAN:**

On the motion.

**P.O. GREGORY:**

On the motion.

**LEG. BROWNING:**

This is similar to Rob's Canaan Lake. There's the upper lake and the lower lake, sorry, Rob. But there's the upper lake and the lower lake, and I believe about 14, 15% of the lake actually belongs to Suffolk County. The entire project, this is not paying for the entire project, this is just our portion of that lake that we'd like to pay for.

**D.P.O. SCHNEIDERMAN:**

So this is a Brookhaven project, Town of Brookhaven is doing this, and Canaan Lake is a County project and we're doing it. And Brookhaven isn't contributing to the dredging of Canaan Lake, right? But is Brookhaven asking the County to contribute to the dredging of Yaphank Lake?

**LEG. BROWNING:**

Yes, they are.

**D.P.O. SCHNEIDERMAN:**

Well, why wouldn't we then be asking them to contribute to the dredging of Canaan Lake?

**LEG. BROWNING:**

I don't know, we voted for it. It's not my --

**D.P.O. SCHNEIDERMAN:**

What's fair is fair. Brookhaven does own a piece of Canaan Lake as well, do they not, the Town of Brookhaven? Do we know, Legislator Calarco, what percentage?

**LEG. CALARCO:**

I don't know the percentage off the top of my head. They do own a portion of the Canaan Lake underwater lands. And I tend to actually agree with your line of thinking, that since we are upponying up for Canaan they should be ponying up for Yaphank. The reality is the reason why the Yaphank Lake has moved forward faster than Canaan Lake has is because they've actually dredged the upper lake already, was because they had more resources available to them in the forms of Caithness host benefit package's monies.

**D.P.O. SCHNEIDERMAN:**

Right. So to me, what's fair is fair. If we're going to pay for part of this, they should pay for part of ours. I would say at this point we do Canaan Lake, let them do Yaphank Lake. That's my personal opinion.

**LEG. BROWNING:**

Well, you know, the Councilwoman reached out to me to get some assistance with it. There was some issues and I know probably Liz across there could probably answer more about what the issues were with the Town of Brookhaven. But when they started the dredge I guess there was some other environmental problems with it that was raising the cost for them. So, again, I always say we should pay for what's ours. I'm not asking for anything more than what's ours.

**D.P.O. SCHNEIDERMAN:**

I think with Canaan Lake our cost went up, too, because originally it was a million dollars over two years, and now it's one point two or --

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

**LEG. CALARCO:**

No, no, no, no, no.

**D.P.O. SCHNEIDERMAN:**

It's a little higher.

**LEG. CALARCO:**

At this point, Caanon Lake is still a million dollars deep. The additional money that was being sought under that project was not to do the dredging, it was actually to then rehab the area to create the --

**D.P.O. SCHNEIDERMAN:**

Okay. So I wasn't imagining something.

**LEG. CALARCO:**

To improve the public access for kayak and boat launch.

**D.P.O. SCHNEIDERMAN:**

Oh, okay. Because I remember that additional 200,000 you were looking for at one point. It wasn't for dredging, okay. But I still stand by my earlier remark, so I am not going to support this one.

**LEG. BROWNING:**

Okay.

**P.O. GREGORY:**

Legislator Stern and then Legislator Spencer.

**LEG. STERN:**

Yeah, thank you. Through the Chair, maybe to Legislator Browning. I'm not familiar with the location, but there is an upper lake and a lower lake?

**LEG. BROWNING:**

Right.

**LEG. STERN:**

And there's work that's been done on the upper lake?

**LEG. BROWNING:**

Correct.

**LEG. STERN:**

My question to you would be if the work is not done, as you're suggesting here, on the lower lake, what happens to the work that was done on the upper lake? Is there -- was there any kind of meaningful impact that was made through the work on the upper lake? And if the lower lake isn't taken care of, does that have an impact on the upper lake? I know when we were discussing Caanon Lake, it was a very in-depth conversation about the dynamics of the lake.

**LEG. CALARCO:**

Yes.

**LEG. BROWNING:**

I think --

**LEG. STERN:**

Here I just don't know what we would be getting and what -- to what extent would the work that has been done be negated if the work isn't done going forward.

**LEG. BROWNING:**

Well, it's an invasive species and they've cleaned the upper lake. And obviously, if the lower lake is not taken care of, we can only assume that there's going to wind -- the invasive species is going to spread again back up to the upper lake. And again, this is a lake that runs into the Carmans River, runs into Southaven Park, and we could potentially wind up seeing the invasive species invading into Southaven Park.

**LEG. D'AMARO:**

I'll bet.

**P.O. GREGORY:**

Okay. Legislator Spencer?

**LEG. SPENCER:**

I happen to have some knowledge of the project because my -- which I haven't introduced to everyone, my new Chief in my office, Liz Alexander used to work with Connie Kepert, and Connie was, I guess, instrumental in coming up with the funding for the upper lake. There was a combination of town, private funds. We're talking about an invasive species here, so it's in a sense for this project for -- we're getting \$100 worth of resources for our 14%, so we're trading in \$14 for \$100, in a sense.

I understand the limitations and constraints that, you know, again the Working Group was up against, but sometimes when we have more information like this, it allows us to look at projects. So we really -- if we don't do our fair share, then we're talking about an invasive species. Then again, where you've had other levels of government and private partnerships come together to try to accomplish something that's important for the environment, then I really think that we have an obligation to, in this situation, consider supporting this. I will support it.

**P.O. GREGORY:**

Thank you. Legislator Krupski.

**LEG. KRUPSKI:**

This is a little bit different from Caanon Lake. I do agree with Legislator Schneiderman on his -- you know, if we're paying Brookhaven's share on Caanon Lake, it is fair for them to pay, especially since it's one dredge operation on the lower lake that they're going to do that one operation, they're going to do the whole thing. They're not going to segment it and have, you know, the County do a separate operation there.

And also, if they did the upper lake, the river flows downhill into the lower lake, so there's no contamination from invasives coming down because it's already -- the lower lake's already invaded. So there's no relationship. It's not like they did the lower lake first and then the upper lake wasn't done and then it could contaminate the lower lake; that's not the case. Sorry, Kate.

*(\*Laughter\*)*

**P.O. GREGORY:**

I do agree with the theory. I think -- you know, it's an unusual circumstance where we're paying for work on the town lake and the town has an opportunity to pay for work on the County lake, there should be some type of reciprocity.

General Meeting - June 3, 2014

I just met with some of my people in the village who are asking for us to do some work in one of the canals and I told them, *We can't do it, it's a private canal. We don't have the money, you guys could do it.* I would be contradicting myself if I supported something like this. So I can't support this. I do think it's an important project, but I do think the Town should step up and pay for it.  
Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

Just one last thing, because I supported a couple of the other ones, Legislator Browning, that you put forward. They were -- the last one in particular was a public safety proposal with the ramp being removed and, you know, that was one of our priorities as a Working Group, was to look at public safety issues. This is an environmental project, it sounds like it's a good one, but I'm concerned about 2015 and our debt service that will then come in 2016 from those actions. So I -- again, I can't support this for a number of reasons.

**P.O. GREGORY:**

Okay. We have a motion and a second.

**MR. LAUBE:**

You do.

**P.O. GREGORY:**

Roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. ANKER:**

No.

**LEG. HAHN:**

No.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

No.

**D.P.O. SCHNEIDERMAN:**

No.

**P.O. GREGORY:**

No.

**MR. LAUBE:**

Seven.

**P.O. GREGORY:**

Okay. *Budget Amendment No. 5-2014 - Improvements to County marinas, adds 500,000 for planning in 2016 for marina improvements at Smith Point County Park north.* Legislator Browning.

**LEG. BROWNING:**

Okay. I will make a motion to approve.

**P.O. GREGORY:**

Motion to approve. Is there a second?

(\*Laughter\*)

Is there a second?

**D.P.O. SCHNEIDERMAN:**

I'll second.

**P.O. GREGORY:**

Second by Legislator Schneiderman. Okay. On the motion?

**LEG. BROWNING:**

I can tell you, this marina has been -- I couldn't even tell you how many years this marina has been in existence. There's a master plan for the marina which never gets to move forward. We're looking at it as to try and make it a revenue generator for the County. Right now there's a launch ramp for the boats, that's it. There have been a number of plans, we put out an RFEI. And again, I know we talked about it during the budget process, you know, to say alienate it. You know, so I think we're

General Meeting - June 3, 2014

going to have to really have a conversation about what's going to happen to this marina, with this marina, if we're going to do anything with it. But it could be a revenue generator for the County if it was done right, so that's why I ask for your support.

**P.O. GREGORY:**

Okay. Legislator Hahn.

**LEG. HAHN:**

I'm going to support this. You know, we live here on the Island, wanting access to the water. And I believe we do need to expand access to marina boat slips through public marinas, and so I'm going to support this.

**P.O. GREGORY:**

Okay. Anyone else? No. Legislator Browning, what does this \$500,000 do, actually?

**LEG. BROWNING:**

This would start -- this is basically to help start planning.

**P.O. GREGORY:**

So there's no plan but it's to put money in to develop the plan?

**LEG. BROWNING:**

No, there is a master plan for Smith Point Beach and the marina, but basically it's at a standstill.

**P.O. GREGORY:**

Well, what's the master plan?

**LEG. BROWNING:**

Well, I know we met with New York Rising and we were trying to get some Sandy money to help, you know, to try and do something with this. However, there are so many other projects and only so much money, that it was kind of taken off the table. So I'm trying to remember, it would be planning money, 500,000 for planning in 2016 and to work on marina improvements which would be putting in boat slips and, you know, bringing in some other opportunities, to bring in some revenue for the County. And electric.

**P.O. GREGORY:**

Okay. Legislator Krupski?

**LEG. KRUPSKI:**

Just for clarification; this is Project No. 7109?

**P.O. GREGORY:**

Yes.

**LEG. KRUPSKI:**

The Budget Review, it doesn't mention Smith Point? It mentions Timber Point, Shinnecock and Tadsen's?

**MR. LIPP:**

This is a County-wide marina project, 7109, so it doesn't specify which marina; it's a sink project, in that sense.

**LEG. BROWNING:**

Yeah, I don't even think Smith Point's included in that one.

**MR. LIPP:**

There was no request for that location by the department so, therefore, Legislator Browning wants to add this to add to the department's request.

**LEG. KRUPSKI:**

I'm not sure -- I can't answer the other -- the condition of the other marinas that are in here, except for Tadsen's which really -- I mean, you're looking at -- the requests here I think are way out of line for something like -- at least for Tadsen's where you pull out 20 or 40 pilings and people have room to launch a kayak or a canoe into Moriches Bay. I'm not sure where the rest of the money would be spent because I'm not familiar with them. Maybe someone else could speak to them.

**P.O. GREGORY:**

Yeah, I don't know. It doesn't look like Gil Anderson is here.

**LEG. D'AMARO:**

Where is he?

**P.O. GREGORY:**

Or Dawson.

**LEG. BROWNING:**

Was there somebody here from DPW? No.

**P.O. GREGORY:**

Yeah, I don't think so.

**D.P.O. SCHNEIDERMAN:**

This is for 2016, so it won't effect next year's budget and there will be another Capital Budget in-between now and then, so this does kind of fall into that planning category. If it's something the County wants to move forward with in the future or might want to move forward, it might be good to reflect it in the Capital Budget.

**LEG. BROWNING:**

I -- I'm trying to think, I think it's tomorrow, I have a meeting with Parks and DPW tomorrow with regards to Smith Point, to decide the future of it.

**P.O. GREGORY:**

So out of all the projects, it's a County-wide project, but they didn't include it in that program.

**LEG. BROWNING:**

Like I said, they have this master plan for Smith Point Beach and the marina. You know, my guess is pretty much, generally, when they are -- when there's funding available and there's a storm, money gets shifted.

**MR. LIPP:**

So point of information. If you look for this -- this particular Capital Project, if you look up on the TV screen, these are DPW's requested --

**MS. GAZES:**

Parks.

**MR. LIPP:**

I'm sorry, Parks, rather. This is Parks' requests for what they would do with the funding that's in the proposed program. I'm sorry, that's what Parks would do --

**LEG. BROWNING:**

That doesn't talk about Smith Point.

**MR. LIPP:**

-- with the requested funding, not with the recommended, because the requested funding is higher.

**LEG. TROTТА:**

Isn't that Timber Point?

**P.O. GREGORY:**

I can't see it.

**LEG. BROWNING:**

I think if you look at each and every one of those, they're already up and running marinas, and this is one that they started and they didn't finish.

**MR. LIPP:**

And those three projects that are listed there are based upon the \$650,000 request as opposed to the \$400,000 that is in the recommended budget. So they wouldn't be able to do all three of those projects anyhow.

**D.P.O. SCHNEIDERMAN:**

They need more money.

**LEG. BROWNING:**

Yeah, there's not money in there for any of them.

**P.O. GREGORY:**

Okay. Anybody else? Okay, roll call. Oh, did you have a comment, Mr. Vaughn?

**MR. VAUGHN:**

No.

**P.O. GREGORY:**

Okay. All right. Roll call.

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

**LEG. BROWNING:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. McCAFFREY:**

No.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

No.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

No.

**P.O. GREGORY:**

No.

**MR. LAUBE:**

Seven.

**LEG. BROWNING:**

*(Laughter).*

**P.O. GREGORY:**

Okay. ***Budget Amendment No. 6-2014 - Restoration and stabilization of historic seaplane hangar at Suffolk County Vanderbilt Museum. Adds \$100,000 for planning in 2015, advances \$100,000 for planning from subsequent years to 2015 --***

**MR. LIPP:**

Point of information? It's conflicted.

**P.O. GREGORY:**

Oh, got it, but let me finish reading it -- *and deletes three million for construction in subsequent years.*

Okay, Robert, you had something to say?

**MR. LIPP:**

This conflicts with the Omnibus Resolution which took the money out. So if you took it out twice, you'd have a negative number in there. And you can't add if the Omnibus is taken out, has been the procedure all along.

**P.O. GREGORY:**

So you're saying this would create a deficit.

**MR. LIPP:**

I'm saying it can't be voted on, but yes. It conflicts with what the Omnibus did.

**P.O. GREGORY:**

Right.

**D.P.O. SCHNEIDERMAN:**

Sorry, Doc.

**LEG. HAHN:**

We can't vote on it, Doc.

**P.O. GREGORY:**

You wanted to make a statement?

**LEG. SPENCER:**

I do, I do. Since I have been on the Legislature, every time the Vanderbilt comes up we hear moans and groans, *Why don't we sell it? Why don't we do this?* And when I became -- when I got on the Legislature, in fact, the Vanderbilt Board was not composed of one person in my Legislative District. It was actually -- it's the Suffolk County Vanderbilt Museum and it's almost like holding John Kennedy responsible for this building. This is our building, we own this. We're a hundred percent responsible for it.

Now, the problem that -- my concern is, though we have Lance who is someone that was from our BRO office, and I think the problem is that the Vanderbilt comes up piecemeal. And, you know, when we look at the Vanderbilt, the Vanderbilt's on the Little Neck peninsula, it is -- first of all, it's parkland; secondly, it is a recharge basin; third, it is part in terms of any sort of runoff into Northport and Huntington Harbor, 20 acres that make up the Vanderbilt Complex, but it's the museum, it's the seaplane hangar, it's a significant part of Suffolk County history, it's the planetarium. And if we decide to -- we're not going to do anything else for the Vanderbilt, we're still responsible for the Vanderbilt. In fact, it's become my responsibility, even if I dislike the Vanderbilt, we're still responsible.

The problem with the seaplane hangar is that the seaplane hangar sits right on the water's edge. It's a concrete and steel building that every time a storm washes through, the bottom destabilizes a little bit further. And initially there was \$3.2 million, the County Executive had pushed off the funding for next year to subsequent years. BRO decided to eliminate it but keep the 200,000 in planning money, and then I think the Working Group said, *Just eliminate everything.*

## General Meeting - June 3, 2014

This building is in danger of eminent collapse into Northport Harbor. It's a seaplane hangar, it's concrete, it's steel. You'll create an environmental, toxic situation that we will be 100% responsible for. We can't stick our head in the sand. And I'm looking for \$200,000 in planning money, even if we make a decision to have a comprehensive presentation and we're going to raze it, we can't ignore that, we're responsible for that. And this building, if you go into Northport Harbor, year after year you can just see the foundation washing away from it. There's no town involvement, there's no State involvement, Suffolk County owns this building. If we neglect to do something about this, we do this at our own peril. And I'm on the record today stating, you know, if we look at the consequence of it, you know, I think that -- but I have an obligation to make everyone aware of that. So I don't know. If we can't do it in the Omnibus, I'm looking for a minimal amount of money to complete the plan.

The reason the Vanderbilt comes up piecemeal is because Lance, as a BRO person, when there was the comprehensive plan several years ago in 2005-2006, he only spends the money that he needs. So he does 100,000 here, 200,000 there when the projects are ready. So when you hear it, you constantly hear, *Vanderbilt*. But it's just like Dennison, it's just like this building, it's ours, we own it. They have an endowment, they're trying to become self-sufficient. We have the best planetarium on the east coast, it's something that benefits every one of us, but it is part of the integral history of Suffolk County.

So that's -- we really need to figure out a solution. If I have to figure out a way to get the \$200,000, but I just -- I'll bring Lance to explain that. But it's not Doc Spencer's Vanderbilt, it just is geographically located in my district. It's all of ours. So thank you.

### **P.O. GREGORY:**

Thanks, Doc. Legislator Krupski.

### **LEG. KRUPSKI:**

I've got a question for my colleague across the horseshoe there. There's a Board of Directors that runs the Vanderbilt Museum?

### **LEG. SPENCER:**

Yes, that we appoint. So we have entrusted them, and we even have oversight, but we appoint that board.

### **LEG. KRUPSKI:**

So they're requesting \$200,000. What exactly would they do? Wouldn't they just go and look at the building and get an estimate on either demolition or restoration? What -- how would you spend \$200,000? I haven't seen it, I've only seen the pictures. Where would that money -- that money go?

### **LEG. SPENCER:**

Well, just with any of the Capital projects, the 200,000 is really more of kind of that 10 to 20% figure that we use in terms of coming up with a particular plan for a Capital Program issue. So it's really, I think, becomes synonymous when we talk about a planning phase. So with that money, with DPW assisting us in terms of getting out and assessing that with the board, with outside professional help. I don't know exactly how that precise 200,000, but that's typically kind of the benchmark that we use when we talk about planning monies.

### **D.P.O. SCHNEIDERMAN:**

We can't even vote on this, as I understand it. So I don't know how much we're going to debate it, but.

**LEG. KRUPSKI:**

All right, sorry.

**LEG. SPENCER:**

Now --

**D.P.O. SCHNEIDERMAN:**

It's conflicting.

**LEG. SPENCER:**

Why does this conflict as opposed to the other amendments?

**MR. LIPP:**

Okay. So, there's actually two ways to look at it. Number one, the Omnibus decreased -- your conflicting because you're increasing. Number two, you're taking out the money in subsequent years and the Omnibus already took the money out. You're amending -- all we could do here is amend the proposed Capital Program. So we've gone from three million and change to zero in the Omnibus, so your three million and change reduction would give it a negative million in subsequent years. You can't, it's an impossibility.

**D.P.O. SCHNEIDERMAN:**

A technical problem.

**LEG. D'AMARO:**

DuWayne, can I just comment?

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, I want to understand that also. According to your printout, Rob, it says this is adding \$100,000 for planning in 2015. Is there any issue with that?

**MR. LIPP:**

Yes. Yes, because the Omnibus took out all funding. So you're going -- so the rule has always been, for years and years and years, that standalones could only move in the same direction as the Omnibus. If you want to change that as a Legislature, that's your prerogative, but it would be internally inconsistent with the Omnibus.

**LEG. D'AMARO:**

So you can propose a standalone, the rule has been you can propose a standalone that is not -- that covers a matter that's not otherwise affected in the Omnibus; is that what you're saying?

**MR. LIPP:**

Correct. And actually, sometimes what Legislators --

**LEG. D'AMARO:**

So why --

**MR. LIPP:**

I'm sorry.

**LEG. D'AMARO:**

So why -- so let's say we pass this. What would be your dilemma, then?

**MR. LIPP:**

The dilemma would be, A, it was addressed in the Omnibus and it's moving in the opposite direction, so that's inconsistent. If that doesn't bother you as a Legislature, you could make a new rule that would change what we've been doing as a precedent, number one. Number two, all you could do, since none of the resolutions, including the Omnibus, is adopted into law yet, all you're doing here --

**LEG. D'AMARO:**

But Rob, this amends the Omnibus.

**MR. LIPP:**

No, it does not.

**LEG. D'AMARO:**

Well, in my view it does.

**MR. LIPP:**

But it doesn't. What it does is it -- and if you look at the resolutions, what it does is it amends the proposed Capital Program, and that's the only thing you're allowed to do. The Omnibus is not a resolution that was adopted into law yet, even, and you only have one bite at the apple to amend the proposed program.

**LEG. D'AMARO:**

Okay, that makes sense to me. So then why can we consider any standalone? If the Omnibus is the one bite at the apple to amend the Capital Program, how do we consider any standalone?

**MR. LIPP:**

So, number one, if you're -- let's say in this case here with the Vanderbilt, let's say that the Omnibus was increasing, either increasing or doing nothing to the sea plane hangar. In that case, Legislator Spencer's Introductory Resolution would be allowed to go because, number one, if it's not -- if Omnibus did nothing, then it's a moot point and his resolution would apply. Number two, if the Omnibus was increasing, what he would be doing here then is increasing on top of that which would be an allowable, non-inconsistent resolution.

**LEG. D'AMARO:**

Right. But so -- but you would yet -- if it was increasing it would be allowable, but only because it doesn't conflict with the Omnibus; right?

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

All right. So, but even though -- so you are, in effect, enacting a standalone, which is all this is seeking to do. Couldn't you just view this bill or this standalone, which is a separate resolution, as altering the resolution that we just passed today?

**MR. LIPP:**

No. I'd have to defer to --

**LEG. D'AMARO:**

Because it comes second in time.

**MR. LIPP:**

No. I'd have to defer to Counsel, but the way we prepare all the amendments is we're making changes to the proposed Capital Program. It's the only way we know how to --

**LEG. D'AMARO:**

No, I agree, this would change the proposed Capital Program. And it would also, in effect, supercede the Omnibus to the extent there's a conflict.

**MR. LIPP:**

No, they're separate actions, it wouldn't supercede. But once again, I'm beyond --

**LEG. D'AMARO:**

Then why is it when there's no conflict it becomes part of the Omnibus? It seems like a double standard.

**MR. LIPP:**

It doesn't -- all of the standalones, the five standalones are separate and distinct from the Omnibus. They're all making amendments to the proposed Capital Program having nothing to do with the Omnibus. It's just if they conflict, then they're not allowed to --

**LEG. D'AMARO:**

Well, shouldn't we just include in a resolution like this to the extent that there is a conflict in a prior resolution, it's void and this supercedes; would that make this possible, you know, doable to you?

**MR. LIPP:**

I'm going to have to defer to Counsel on that one.

**MR. NOLAN:**

It would be the same result. I mean, if you pass the Omnibus and it zeros out, let's say, a Capital Project, it just is inherently in conflict to pass a resolution later in the day to add money.

**LEG. D'AMARO:**

I agree, unless you put language in the second resolution saying it supercedes -- to the extent there's a conflict, it supercedes the prior resolution.

**MR. NOLAN:**

Well, if you added that, but that's completely contrary to the way we -- the practice we've had up to this point.

**LEG. D'AMARO:**

Right, right.

**MR. NOLAN:**

So it just -- it can't fly this way.

**LEG. SPENCER:**

One last thing.

**P.O. GREGORY:**

Legislator Spencer.

**LEG. SPENCER:**

So I -- I don't understand it exactly. I mean, it seems more of semantics and procedural than -- because we can bring another resolution, like we just looked at four of Kate Browning's issues that we're adding in money to the Capital Program. But because this was considered in the Omnibus, we're saying that we can no longer really consider it. Because that's real money, I don't care how we look at it. But we're saying it conflicts because this was considered in the Omnibus, but the money was taken away so it's zero, so it doesn't really exist anymore as a project. So what if it was

renamed or considered something else, a separate project? So, you know, it's confusing to me. And I'll sit with you privately, I won't waste this Legislative body's time any longer. But it is interesting, if this was something completely different and not called Vanderbilt Seaplane Hangar, it would be allowed? Is that because it was considered?

**MR. NOLAN:**

Well, Doc -- I mean, Legislator Spencer, right, the Kate Browning resolutions today were in no way -- they weren't included in the proposed budget, they weren't addressed in the Omnibus, and so, you know, she was free to try to pass a resolution to add money.

**LEG. SPENCER:**

We're adding money, right.

**MR. NOLAN:**

Right. But today the Legislature has already acted in terms of this particular project, you know, zeroing it out, so it just -- we can't at this point pass another resolution saying, *Well, we mean to add money to the project*. It's just inherently contradictory and inconsistent and it just -- we can't adopt a Capital Program that way.

**LEG. SPENCER:**

I'll accept that explanation and not tie up any more time. But if it was cut for a different purpose and just called something, you know, and -- I think I have a plan to work it out another way. So then, you know, I'll withdraw my standalone -- well, what's the way to handle this?

**D.P.O. SCHNEIDERMAN:**

That's fine, withdraw this.

**LEG. D'AMARO:**

Could I just waste a little more time on this?

(\*Laughter\*)

**P.O. GREGORY:**

Yeah. Please do, we have all night.

**LEG. D'AMARO:**

I think we have things we could consider. I think I heard prior, George, that we can amend a budget bill here on the floor.

**MR. NOLAN:**

Right, you could amend this particular standalone.

**LEG. D'AMARO:**

So why can't we just amend this first, if we're so inclined, to say that to the extent that this resolution conflicts with the previously passed Omnibus or resolution, however you want to word that, that this resolution shall be controlling and then you eliminate the conflict?

I think that would get you where you need to be.

**MR. NOLAN:**

Well, then you're basically looking to undo what's in the Omnibus.

**LEG. D'AMARO:**

Just to the extent of this bill, though. Now, by the way, not to really waste time, but this goes to the argument as to why you should not vote in an Omnibus fashion and should be voting on this stuff line by line. Because then if you have four bills that conflict with what you voted on on an

General Meeting - June 3, 2014

all-or-nothing vote earlier in the day, some of the stuff you didn't like, some you did, but overall you said, *Let me go for it*. Now, anything that you put in that conflicts never sees the light of day; that's the problem with an Omnibus bill. But I think we can address that if we develop a policy that says on a standalone, if there is a conflict, so that we can consider it and vote on it, let's just put some limiting language in there that says, *This bill supercedes the prior bill*.

**MR. NOLAN:**

Yeah. I wouldn't recommend that at this point. I think it's something maybe worth talking about in terms of our process going forward, but I certainly wouldn't recommend that as an action, to pass an Omnibus and then pass a resolution later in the day that this supercedes the Omnibus. I think that's --

**LEG. D'AMARO:**

But we do that all the time, every time we amend the Capital Budget throughout the year. We do it all the time.

**P.O. GREGORY:**

Legislator Calarco.

**LEG. CALARCO:**

Well, I just was going to offer a compromise solution here to Legislator Spencer, and that's, you know, unfortunately we have ourselves in a situation where the Working Group decided to remove funds out of this project line and it was something I actually opposed in the Working Group, but it is the will of the group and what we did and we passed a resolution to do that. And it is very, I think, very touchy ground to start talking about undoing resolutions we only just approved earlier in the day. But I think that we can work with Legislator Spencer to find an offset, either in this year's Capital Budget or in the -- during the course of the year next year to find some funds to do this. I think he made a very good case about the need for us to address this building and whether it's to address it in a fashion of maybe getting rid of it or restoring it, whatever the case may be. We have to deal with this building.

**LEG. SPENCER:**

Thank you.

**P.O. GREGORY:**

Okay. Sounds like a solution.

**LEG. SPENCER:**

I appreciate that solution and I'll withdraw my standalone.

**P.O. GREGORY:**

Okay. Thank you.

All right, so let's move on, we've got a lot of work. Page four, **Tabled Resolutions (to June 3rd, 2014):**

***IR 1096-14 - Adopting Local Law No. -2014, A Local Law to establish healthy food standards at Suffolk County Facilities (Hahn).*** Legislator Hahn.

**LEG. HAHN:**

That has to be tabled because it was amended and we need to reopen the public hearing.

**P.O. GREGORY:**

Okay, motion to table. Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1314-14 - Adopting Local Law No. -2014, A Local Law to require consumer notification for disparate gasoline pricing (Schneiderman).***

**D.P.O. SCHNEIDERMAN:**

Motion to table.

**P.O. GREGORY:**

Motion to table. I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1415-14 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the installation of a Closed Loop Signal System on various County Roads (CP 3309)(County Executive).*** Do I have a motion?

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Calarco. Second by Legislator Anker. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1415A, Bonding Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,000,000 bonds to finance the cost of the installation of a closed loop traffic signal system on various County roads (CP 3309.315), same motion, same second.***  
Roll call.

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

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. SPENCER:**

Pass.

**LEG. D'AMARO:**

Yes to add to pipeline debt.

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

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**LEG. SPENCER:**

Yes.

**MR. LAUBE:**

*Fifteen (Opposed: Legislators Trotta, Cilmi & Muratore).*

**P.O. GREGORY:**

All right, thank you.

**Budget & Finance**

***IR 1499-14 - Amending the 2014 Adopted Operating Budget to transfer funding to the Health Department for a tick awareness video, the Youth Bureau for Long Island Latino Teachers Association (LILTA), and the Department of Social Services for Touro Law School – Family Law Clinic and Hope House Ministries (County Executive).*** Motion by Legislator Martinez. Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fourteen.

**LEG. BROWNING:**

Can we explain what this is?

**MR. LAUBE:**

*Thirteen (Opposed: Legislators Cilmi, Barraga, Kennedy, Trotta & McCaffrey).*

**P.O. GREGORY:**

Okay.

***IR 1459-14 - To reappoint James J. Cassara as a member of the Suffolk County Citizens Advisory Board for the Arts (Lindsay).*** Motion by Legislator Lindsay. Second by Legislator Anker. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**Education & Information Technology**

**P.O. GREGORY:**

***Ir 1467-14 - Appropriating funds in connection with Renovations to the Sagtikos Building - Grant Campus (CP 2118)(County Executive).*** Motion by Legislator Anker. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1467A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$200,000 Bonds to finance the cost of planning renovations to the Sagtikos Building – Grant Campus (CP2118.110),*** same motion, same second. Roll call.

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

**LEG. ANKER:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes to pipeline debt.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1468-14 - Appropriating funds in connection with the Plant Operations Building – Grant Campus (CP 2144) (County Executive).*** Motion by Legislator Anker. Second by --

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1468A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$125,000 Bonds to finance the cost for the Planning Plant Operations Building – Grant Campus (CP 2144.110), same motion, same second. Roll call.***

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

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

*Eighteen.*

**Environment, Planning & Agriculture**

**P.O. GREGORY:**

***IR 1311-14 - Authorizing Suffolk County to enter into an Intermunicipal Agreement thereby creating the Peconic Estuary Protection Committee (County Executive).***

**LEG. KRUPSKI:**

*(Raised hand)* Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski. Second by Legislator Schneiderman. Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay, ***IR 1457-16 --***

**D.P.O. SCHNEIDERMAN:**

Cosponsor on that.

**P.O. GREGORY:**

***-- Appointing Sarah S. Anker as a member of the Suffolk County Soil and Water Conservation District (Presiding Officer Gregory).***

**LEG. KRUPSKI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski. I'll second. All in favor? Opposed? Abstentions?

**LEG. ANKER:**

Recused.

**MR. LAUBE:**

*Seventeen (Recused: Legislator Anker).*

**P.O. GREGORY:**

***IR 1458-14 - Appointing Albert Krupski as a member of the Suffolk County Soil and Water Conservation District (Presiding Officer Gregory).***

**LEG. ANKER:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Anker. Second by?

**LEG. HAHN:**

*(Raised hand).*

**LEG. MURATORE:**

*(Raised hand).*

**P.O. GREGORY:**

Oh, look, they're fighting to second, oh boy.

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

Which one do you want, Al? Legislator Hahn. All right. All in favor? Opposed? Abstentions?

**LEG. KRUPSKI:**

Recuse.

**MR. LAUBE:**

*Seventeen (Recused: Legislator Krupski).*

**P.O. GREGORY:**

***IR 1466-14 - Appropriating funds for the purchase of equipment for the Environmental Health Laboratory (CP 4079) (County Executive).***

**LEG. KRUPSKI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski. Second by Legislator Hahn. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***1466A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$190,000 in bonds to finance cost of acquisition of equipment for the Environmental Health Laboratory (CP 4079.525), same motion, same second. Roll call.***

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

**LEG. KRUPSKI:**

Yes.

**LEG. D'AMARO:**

Just on the motion, please?

General Meeting - June 3, 2014

**P.O. GREGORY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, just to BRO. I'd like to know how much this would add to pipeline debt, if we pass this.

**MR. LIPP:**

One hundred ninety thousand.

**LEG. D'AMARO:**

One ninety. Thank you.

**P.O. GREGORY:**

Okay. Same -- same motion, same second. Roll call.

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

**LEG. KRUPSKI:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

*Thirteen (Opposed: Legislators D'Amaro, Trotta, Barraga, Cilmi & Muratore).*

**P.O. GREGORY:**

***IR 1489-14 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Barbanell property - Dwarf Pine Plains - Pine Barrens Core - Town of Southampton - (SCTM No. 0900-307.00-03.00-005.000) (County Executive).***

**D.P.O. SCHNEIDERMAN:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman.

**LEG. KRUPSKI:**

Second.

**P.O. GREGORY:**

Second by Legislator Krupski. Anyone on the question? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1490-14 - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Boom Development Corp. Property - Town of Riverhead - (SCTM No. 0600-017.00-01.00-001.001) (County Executive).*** Motion by Legislator Krupski. I will second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1491-14 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Active Recreation/Hamlet Park /Historic and/or Cultural Park component - for the North Fork Preserve, Inc. Property North Fork Preserve IV - Town of Riverhead - (SCTM No. 0600-021.00-01.00-001.004) (County Executive).*** Motion by Legislator Krupski.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

I'd just like to say, this is a rather unusual purchase of farmland. However, you know, Real Estate and Planning and everyone worked on this to make sure that this would stay as active farmland within the Suffolk County park system, and that I think people are satisfied that it could be -- it will always be used as active farmland. That was very important. Thank you.

**P.O. GREGORY:**

Okay. Anyone else? Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**LEG. KRUPSKI:**

Mr. Presiding Officer, could we take Procedural Resolution No. 21 out of order, please?

**P.O. GREGORY:**

Which one is that?

**LEG. KRUPSKI:**

In the manilla folder.

**P.O. GREGORY:**

You guys want to do that now?

**LEG. KRUPSKI:**

There's a lot of staff here, so they don't have to wait until the end of our program.

**P.O. GREGORY:**

They're not complaining.

**LEG. KRUPSKI:**

They're tired.

**D.P.O. SCHNEIDERMAN:**

We're moving so fast with the agenda now, let's just keep going.

**P.O. GREGORY:**

Do you guys --

**LEG. CILMI:**

Keep going.

**LEG. KRUPSKI:**

It's part of the --

**P.O. GREGORY:**

All right.

**LEG. KRUPSKI:**

It's part of that committee, so it's not inappropriate to take it out of order now.

**P.O. GREGORY:**

All right. You've got a motion. Is there a second?

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

Second by Legislator Hahn. All right. All in favor? Opposed?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

All right, it's before us. All right. Do we have a motion?

**LEG. MURATORE:**

*(Raised hand).*

**P.O. GREGORY:**

Motion by Legislator Muratore. Do we have a second?

**LEG. KRUPSKI:**

*(Raised hand).*

**P.O. GREGORY:**

Legislator Krupski. Okay. All right, ***Procedural*** Motion -- ***Resolution***, I'm sorry, ***21, Setting land acquisition priorities in accordance with "AAA Program" requirements (Phase 2 - 2014)(Hahn).***

Okay. I guess it would be appropriate to have Ms. Lansdale or someone from the Planning Department come up and be prepared to answer any questions. There are six acquisitions, as I recall; or am I -- yes, there are.

**MS. LANSDALE:**

Yes, that's right.

**P.O. GREGORY:**

So this went before the Environment Committee. This will be the second round of parcels for acquisition under the new Triple A Program. They were discussed last week in Executive Session in the Environment, Planning & Agriculture Committee. There are six parcels, as I just stated. Does anyone have any questions?

I will say, there is one farmland preservation of development rights or acquisition of development rights, the Gus Wade Farm that's in my district, Wheatley Heights; it's Gus Wade Farm or Colonial Springs Farm. It's the last farm in the Town of Babylon. I ask for your support. The Town of

General Meeting - June 3, 2014

Babylon has not received -- and correct me if I'm wrong, Ms. Lansdale -- has never received any monies to preserve development rights in the Town of Babylon for farms, and thus, we have the last farm, which is under threat of development. So I ask my colleagues to support.

**LEG. BROWNING:**

Why start now? (*Laughter*).

**P.O. GREGORY:**

Yeah, why start now? I know.

**MS. LANSDALE:**

That's correct, Presiding Officer.

**P.O. GREGORY:**

And the curbs are in. I see hands; Legislator Hahn.

**LEG. HAHN:**

I hate to do this. I'm going to just question -- because again, this is a new process and we've got to work out kinks. So to the Counsel, and I asked this of Sara earlier and she said that we bundled them last time. I'm going to ask if, in the future, we can put them forward singularly; I think that it is important to vote on them each separately. And so just remind me if we specified that anywhere in any of the Triple A details that we did.

**MR. NOLAN:**

This actually came up at the last meeting and the language -- I read the language of the Statute to be that they come in as one Procedural Motion and that they be bundled. So if there's a -- and later we vote on them individually if we get to the acquisition phase. So I think we'd probably have to change the language again of the Triple A Statute if we wanted to vote on these individually.

**LEG. KRUPSKI:**

I think Counsel makes a good point. These aren't -- these are -- we're authorizing offers to be made, this isn't authorizing acquisition, so.

**LEG. HAHN:**

Well, but --

**LEG. KRUPSKI:**

There's no guarantee that these parcels will be acquired at the end.

**LEG. HAHN:**

This is the whole purpose of what we did, adding the extra step, was that it's no longer just the planning steps. We're telling them to go -- you know, to go forward on these, they'll come back to us when they have a signed contract. So we're not -- we're going to be told at that point, *Let's not ruin the integrity of the program by pulling out after we already have a signed contract.*

So, you know, at this point, this is the point where -- when we -- we're making the decision that we want to buy these. That's the decision we're making. The later step, the acquisition step is just the transfer of the money and formerly, you know, authorizing the contract, etcetera. But --

**MR. NOLAN:**

I would just say --

**LEG. HAHN:**

Okay. Go ahead.

**MR. NOLAN:**

I would just say, Legislator Hahn, that the point of this process, the new process, at least in part, was to empower the EPA Committee to review them in total and to come back to the Legislature with a package of priorities and present it that way. And I personally don't think there's anything wrong with that, as long as at the end there's an individual vote on the acquisition.

I think under the old system, nobody ever did that vetting of how much money do we have, let's look at a bunch of parcels together, let's look at it collectively, and now we have the committee doing that and this Legislature has empowered the committee to do that. So I just throw that out.

**P.O. GREGORY:**

Okay. Anyone else? Legislator D'Amaro.

**LEG. D'AMARO:**

Well, I'm not the kind of person to say I told you so, but I told you so. Okay? So I agree with Legislator Hahn, that once we pass this bill today, the offers will go out, some will be accepted, and then when you come back to the Legislature for that final step or approval, it's going to be -- the argument will be made, as was made ad nauseum for many years, *Well, you know, we've already made the offer. We would be disingenuous to tell people we're going to buy their property and then we pull out because the Legislature doesn't approve it. We put all this work into it, it cost the taxpayers' money to do it.* Yeah, you're absolute right. And that's why I have argued since day one that these bills should be considered case by case.

Now, this bill could be before us as separate bills and it could be understood that collectively, the EPA Committee proposes all of these bills as a priority. But I said at the time that you're, in effect, disenfranchising us from voting on these because we don't have really another bite at the apple; it's take it or leave it. These all or nothing votes are putting us in a position where we're going to spend numerous hours from County employees to get all the ducks lined up and dot the I's and cross the T's and go into contract, and then how do we say no?

So I agree with you, Legislator Hahn. This bill -- you know, it's wonderful to get the suggestion and the opinion from the Environment Committee that these should be the priority, and I give great deference to that and I will listen to that. But nonetheless, I should have the opportunity to then say, *I don't necessarily agree with this priority and here's why*, but this bill tells me take it or leave it, and I think that is a change we have to make.

**LEG. HAHN:**

And I could have sworn your bill did that. That's why I was a little confused when --

**LEG. D'AMARO:**

Well, I had said last time --

**LEG. HAHN:**

I know (*laughter*).

**LEG. D'AMARO:**

-- and I thought my bill did that also. I thought we had done that, and then I was told at the last meeting, *No, we never did that*. You know, I don't know what happened there. But in any event, I'm happy to work with you on an amendment.

**P.O. GREGORY:**

Okay. Anyone else? Okay. We have a motion and a second?

**MR. LAUBE:**

Yes.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**LEG. HAHN:**

Abstain.

**LEG. D'AMARO:**

Opposed.

**MR. LAUBE:**

Sixteen.

**D.P.O. SCHNEIDERMAN:**

Abstain.

**MR. LAUBE:**

*Fifteen (Opposed: Legislator D'Amaro - Abstention: Legislators Hahn & Schneiderman).*

**LEG. KRUPSKI:**

Thank you for taking that out of order.

**P.O. GREGORY:**

All right, back to page six, Government Ops.

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

1047, a Local Law to regulate pet dealers in pet -- oh, no, we did that. I'm sorry. Yeah, not again. De ja vu. Oh boy.

*(\*Laughter\*)*

All right, sorry, guys.

***IR 1425-14 - Adopting Local Law No. -2014 A Local Law to streamline the functions of certain Occupational Licensing Boards (County Executive).***

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**Human Services**

**P.O. GREGORY:**

***IR 1492-14 - Recognizing October as "Disability Employment Awareness Month" in Suffolk County (Muratore).*** Motion by Legislator Muratore. Second by Legislator Calar --

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**Parks & Recreation**

**P.O. GREGORY:**

***IR 1388-14 - Authorizing beach fee waiver during extreme heat events (Schneiderman).***

**D.P.O. SCHNEIDERMAN:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

Second.

**P.O. GREGORY:**

Motion by Legislator Schneiderman. Second by Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

*(Laughter).*

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

Second by Legislator Hahn.

**LEG. D'AMARO:**

Can I get an explanation on this bill?

**P.O. GREGORY:**

Okay. Did I see someone over here?

**LEG. D'AMARO:**

Yes, right here. Just an explanation.

**P.O. GREGORY:**

Legislator Barraga, on the motion.

**LEG. BARRAGA:**

I just want an explanation in terms of how you defined *extreme heating event*.

**D.P.O. SCHNEIDERMAN:**

So it's a -- if I may. So the National Weather Service, it's defined by them. So it has to be over 105 degrees for a two-hour period. If it's 105 degrees for a two-hour period, it gets classified as an extreme heat warning. It doesn't happen every year, it's typically every couple of years we have a day.

**LEG. BARRAGA:**

Does one wait to suspend the fee until it hits 105, or --

**D.P.O. SCHNEIDERMAN:**

No, the National Weather Service would have to declare an extreme heat warning. Excessive heat warning; what's the terminology? Excessive heat warning. And then the County Executive then would have the option to waive the fees or not, they don't have to. You typically will hear on the news that, you know, at Jones beach and Robert Moses, the State has waived the fees. I always wondered like why that never happens at the County. I found out it can't because the County Executive has to come back to the Legislature just so that we could approve the fee waiver; that's kind of ridiculous. So the County Executive ought to have the power, and for a public safety issue. You know, it may be getting more frequently as the planet warms, but there certainly are dangerous events. And we open up cooling centers, typically, and this would be one other option, is to open up the beaches.

**LEG. BARRAGA:**

So if there was a weather report indicating an extreme heat wave for Tuesday and that came out, say, 7:30, eight o'clock in the morning, the County Executive would have the option to suspend the fees for the entire day?

**D.P.O. SCHNEIDERMAN:**

Yes. Yeah, as long as they issue -- the National Weather Service issued that excessive heat warning, the County Executive would have that ability to do that.

**LEG. BARRAGA:**

Any idea of the loss of revenue, or how often this would occur?

**D.P.O. SCHNEIDERMAN:**

We did have some estimate. You know, it typically wouldn't be every year, it might be every other year, every few years. And I think it was somewhere in the range of like \$9,000, something in that range. Robert, do you have that?

**MR. LIPP:**

No, I don't have that. We didn't write a number into the fiscal impact statement.

**D.P.O. SCHNEIDERMAN:**

We might make it up at the concession, though (*laughter*).

**LEG. BARRAGA:**

Okay.

**LEG. McCAFFREY:**

Jay, we talked about this in committee and I remember it was like 9,000 for one day and four or \$5,000 for another day. It only happened twice in the last five years.

**D.P.O. SCHNEIDERMAN:**

Tom? Tom Vaughn, you had numbers, I think, right?

**MR. VAUGHN:**

Yes, sir. So I can confirm that it has happened over only twice in the last five years that we've had -- that we've met the definition of an excessive heat warning. The first time that it happened was on Monday, July 21st, 2011, and there was a -- there would have been -- had this been in place and had we activated it, there would have been a \$9,974 loss in revenue.

**LEG. D'AMARO:**

How much?

**MR. VAUGHN:**

Nine thousand, nine hundred and seventy-four dollar loss in revenue. And the second time was on July 19th, 2013, and on that day there would have been a \$17,241 loss in revenue.

Just one thing, and we did talk about this in committee. If you look statistically through other types of heat events, so for example, as the National Weather Service would define a heat advisory, which is slightly cooler, we actually tend to have more people attend the beach on those slightly cooler days, which is why we think that this bill is limited enough in scope without being overwhelming or potentially misused.

**P.O. GREGORY:**

We have several people.

**LEG. BARRAGA:**

I'm not finished.

**P.O. GREGORY:**

Oh, I'm sorry, Legislator Barraga.

**LEG. BARRAGA:**

What's the genesis for this? Is there some sort of demand by a group? I mean, it would seem to me that, you know, for an extremely hot day, I'm not so sure, would people be running to the beach? Would they be going to a nice, cool shopping center where they can get a meal and they can do some shopping, it's completely air-conditioned? Are they running off to the beach at 104, 105 degrees?

**D.P.O. SCHNEIDERMAN:**

If I may. Since it's my bill, I could tell you the genesis of it. It really came out of a meeting with the Parks Commissioner. When I first became Chairman of the Parks Committee this year, I sat down and we talked about issues in general. And I asked the Commissioner, I said, *Why, when it's particularly hot and the State is waiving the fees at the beaches, why doesn't the County*, and the response was basically because the County Executive doesn't have that power. You would think in an emergency situation the County Executive would, but it's really not clear, so this makes it clearer.

And there are families that, you know, the \$15 fee to go to the beach may be a deterrent for them to go. A lot of families, as you know, in Suffolk County may not have the means, they might not have air conditioning and these are dangerous heat events. And it's really, it's purely a public safety issue. I know, you know, as a prior Town Supervisor, you want every tool that you have available in an emergency, it's as simple as that. And I felt this is a tool that the County Executive ought to have.

**LEG. BARRAGA:**

All right.

**P.O. GREGORY:**

Okay. Legislator D'Amaro, did you --

**LEG. D'AMARO:**

Yes.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Just through the Chair, to the sponsor. So what's the cutoff temperature, 105?

**D.P.O. SCHNEIDERMAN:**

So the definition of an excessive heat warning is 105 degrees, you know, triple digits, 105 degrees for a two hour or longer period, forecasted.

**LEG. D'AMARO:**

Forecasted, so not actual -- like Legislator Barraga says, you don't --

**D.P.O. SCHNEIDERMAN:**

They would issue the warning because they believe --

**LEG. D'AMARO:**

It's issued like a day before or whenever.

**D.P.O. SCHNEIDERMAN:**

It might be a few hours before, yes.

**LEG. D'AMARO:**

Right. So why not just -- why have the excessive heat warning requirement? Why not just allow the County Executive, if it's a really hot day, to waive the fee?

**D.P.O. SCHNEIDERMAN:**

The original bill was broader, it had different categories by which the County Executive could do this. This did not come at the request at all of the County Executive. This, as I had spoken, was my initiative and the County Executive actually -- the Administration said they would like it actually less broad and more specific, so that people weren't constantly saying, *Are you going to do it? Are you going to do it?* I think the Administration prefers it -- Tom, am I correct -- more narrowly constructed?

**MR. VAUGHN:**

We did prefer the more narrow construction of the bill.

**D.P.O. SCHNEIDERMAN:**

So I amended the bill to make it just the extreme events.

**LEG. D'AMARO:**

I mean, I think heat becomes dangerous below 105 degrees.

**D.P.O. SCHNEIDERMAN:**

I completely agree with you.

**LEG. D'AMARO:**

Right. So if it's purely a public safety matter, and we've only hit that point twice in five years; but nonetheless, I'm sure what you're saying by public safety matters, that people have been injured or perhaps even, you know, killed from excessive heat, you know, it seems like this bill is not broad enough to cover the concern that you have.

**D.P.O. SCHNEIDERMAN:**

I'd be willing to look at some of those other categories in the future, but I would ask that we pass it the way it is. At least, you know, we'd have that ability and we can talk. You know, there's going to be a different fiscal impact in each case.

**LEG. D'AMARO:**

Yeah, but you can't put a price on saving lives.

**D.P.O. SCHNEIDERMAN:**

I agree with you.

**LEG. D'AMARO:**

You know, I mean, if the whole objective of this bill is public safety, and, you know, we want to have open access to the shoreline for everyone, it's not about collecting revenue anymore, it's about public safety and saving lives and young children perhaps that are unfortunate and don't have air conditioning or access, even, to cool down any other way. You know, how do we tell them, *You can come in at 105 degrees, but not at 104?*

**D.P.O. SCHNEIDERMAN:**

I agree it doesn't go far enough. This is A compromise bill and I'm certainly willing to look at amending in the future, but I would just ask that my colleagues move it forward, at least with this provision.

**LEG. D'AMARO:**

Okay. Thank you.

**P.O. GREGORY:**

Okay, Legislator Muratore.

**LEG. MURATORE:**

To the sponsor; why did you pick 105, Jay? I mean, like Legislator D'Amaro said, I mean, really 104, 105; what about 99?

**D.P.O. SCHNEIDERMAN:**

So we needed a trigger, a mechanism by which would enable the Executive to have the power to waive the fees, so we used National Weather Service definitions. So they describe an extreme heat warning as two hours or more of 105 degree temperatures. It's their definition, it's not mine.

**LEG. MURATORE:**

Okay.

**D.P.O. SCHNEIDERMAN:**

So that's when they -- you know, there's heat advisories, there's heat warnings, there's excessive heat warnings. This is kind of like the top category, the excessive heat warning.

I have no problem with adding other categories. Again, I peeled it back to help the bill pass so at least we could start somewhere. Maybe I shouldn't have compromised so quickly (*laughter*).

**P.O. GREGORY:**

Okay. You done, Tom?

**LEG. MURATORE:**

Yes, sir. Thank you.

**P.O. GREGORY:**

Okay. Legislator Spencer.

**LEG. SPENCER:**

I believe this is a really good bill. And I like the fact that you're starting at a very narrow circumstance, because it will let us see what the consequences are.

You know, one of the things I think that should also be considered, in addition to saving lives, that if you look at one Medevac, it will exceed the \$17,000 that you're talking about in savings. So I'm curious to find out, during these excessive heat days, how much money FRES is spending in terms of just rescues and things of that sort. So there's -- so I do think that there's a potential -- it's hard to quantify it, but we probably could look at numbers in the extreme heat emergencies and how much our, you know, fire and rescue, how much they spend. But as far as when we look at how the weather service defines it, 105 versus 104 versus 103, and obviously there's differences in whether or not there's humidity involved versus a dry heat, but it relates to the risk of heat exhaustion and when that is actually triggered. So when we talk about heat exhaustion being an immediate medical emergency, that can result in loss of life, and there is a distinction in terms of looking at those definitions. And so we need parameters.

I agree that probably in the future it should be expanded, but I like this because we'll be able to see the economic impact of it. And, you know, 99 may seem really, really hot, but I think the weather service uses kind of medical definition to define when someone is at increased risk of heat exhaustion. So I think you have a good bill. I think it's reached the right balance, there might be room in the future but I plan to support it, and thank you for bringing it.

**P.O. GREGORY:**

Okay. Legislator Krupski.

**LEG. KRUPSKI:**

I have a question for the Commissioner of Parks. So what does it cost to run our beaches every year?

**COMMISSIONER DAWSON:**

*(Laughter)* You've got to know, I'm not standing here with the budget. Are you asking --

**LEG. KRUPSKI:**

Well, I mean, it's a general question in terms of really the infrastructure that we pay. Because when I go to the beach, I'll go to a County beach, we'll go down to the end of the road and there's a park district and we don't -- when you go in, you don't pay because you're a member of the park district. But when you pay your taxes every year, there's a separate line on the tax bill, Cutchogue/New Suffolk Park District. So when you go to the County beach you would pay; is that correct?

**COMMISSIONER DAWSON:**

That's correct.

**LEG. KRUPSKI:**

Okay. So if you're going to a -- you've got all this infrastructure. Now, the sponsor wants to put more infrastructure in place, on a hot day someone's going to have to make that determination of,

General Meeting - June 3, 2014

Oh, it's a heat alert, or it's not a heat alert. It's 104; no, it's 105. Is that -- so, what is it going to cost? Are you going to have to put extra people on?

**COMMISSIONER DAWSON:**

By infrastructure, you're talking about additional staffing --

**LEG. KRUPSKI:**

Yes.

**COMMISSIONER DAWSON:**

-- in regards to Park Police and park maintenance staff? I mean, when the temperature reaches 105 degrees, when the beaches get crowded, we bring on extra Park Police regardless. And as far as the additional trash that might be generated, you know, if we bring on a couple of extra seasonals at \$8 an hour, its insignificant. I mean, compared to the -- we're already saying it may cost up to \$17,000 in loss of revenue; you're talking under a thousand dollars for staffing, if that answers your question.

**LEG. KRUPSKI:**

Somewhat, but what does it cost to maintain the beaches? My point is there's a cost to maintain the beaches as a whole. I don't see why you'd set up additional infrastructure because it's one degree hotter than the previous day. Someone's going to have to make that call and say, *It's free today.*

**COMMISSIONER DAWSON:**

Well, I think that's the point of the bill. I think the County Executive is going to make the call when it reaches that threshold of an excessive heat warning.

**LEG. KRUPSKI:**

And to Doc Spencer's point of the heat exhaustion. During those extreme heat events in the past, do you have any numbers for what it cost for FRES or any -- or any other emergency rescue people, to take people who have taken people to the hospital because of heat exhaustion, who might otherwise have gone to the beach for free?

**COMMISSIONER DAWSON:**

Are you asking that of me or the Legislator.

**LEG. KRUPSKI:**

You.

**COMMISSIONER DAWSON:**

No, we didn't complete that analysis. We looked at what the cost was going to be do our department.

**LEG. KRUPSKI:**

Thank you very much.

**P.O. GREGORY:**

All right, I have a question for you. What's the current fee to enter our beaches?

**COMMISSIONER DAWSON:**

For residents, for persons with a green key it's \$15 a -- I'm sorry, for people with a green key it's \$8 and without it's 15; 8 and 15.

**P.O. GREGORY:**

Okay. And what beaches does this particular resolution apply to?

**COMMISSIONER DAWSON:**

Smith Point, Cupsogue and Meschutt.

**P.O. GREGORY:**

Okay. So in order for my residents to take advantage of this, they would have to drive 45 minutes, probably, at minimum to Mastic to take advantage of it, and then pay \$15 if they don't have -- well, they would be waving the \$15 fee. They'd probably pay \$8 in gas for something like that. All right. Okay. Oh, I have another -- are you familiar with -- are there other beaches with a town, village that are in the vicinity? -

**COMMISSIONER DAWSON:**

Well, Babylon has Venetian Shores. I mean, your area is pretty close down to Jones beach and Robert Moses.

**P.O. GREGORY:**

Yeah, but that doesn't apply to that.

**COMMISSIONER DAWSON:**

Well, no, those are County and town beaches. But I think as the sponsor indicated, generally when we hit these heat warnings, they're doing it anyway. The reason we don't do it is because the fee structure is determined by the Legislature. I don't have the ability to --

**P.O. GREGORY:**

I thought the sponsor said that the State is doing it. I'm not familiar with the town doing it.

**COMMISSIONER DAWSON:**

The State does. I don't know if Babylon does. I know that when I was in Islip, we waived the requirement to have your recreation card on those extreme --

**P.O. GREGORY:**

Right, okay. All right. Anyone else? Legislator Anker.

**LEG. ANKER:**

So I'm trying to understand, though, that we're encouraging people to go outside during a heat wave. As far as the health situation, is that -- I don't know who can answer this. I don't know, Greg maybe. Is that something that we should really be doing at this point? I mean, I'll ask the sponsor to the legislation; have you checked with the doctors to see if this is --

**D.P.O. SCHNEIDERMAN:**

Where's Doc Spencer?

**LEG. ANKER:**

-- something we need to do?

**D.P.O. SCHNEIDERMAN:**

The beaches tend to be 10 to 20 degrees cooler, so that's the ideal, to bring them out to the beaches to cool down. Like we open up cooling centers, that kind of thing. But I can't answer the physiological question; that's something more for our Legislator Doctor to answer. Doc, is the beach a safe place to be on a hot day?

**LEG. SPENCER:**

It depends on if --

**LEG. KENNEDY:**

He might have to charge us.

(\*Laughter\*)

**LEG. SPENCER:**

It depends on basically the age of the person; very young, very old are at more increased risk. Those that are very fair skinned, appropriate sun exposure, sun block, there's a lot of reflection off of very white sand that you can get a lot of UV exposure damage, create basil cell carcinomas and things of that sort. But in general, with the appropriate sun block, umbrellas or hats, things of that sort, the beach is a great place to be.

**D.P.O. SCHNEIDERMAN:**

Thank you.

**LEG. D'AMARO:**

DuWayne?

**P.O. GREGORY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Just to add to that. According to Today's Senior Network, it says that the heat index, when it reaches 90 degrees, becomes dangerous. *The heat index is how hot it feels when both temperature and humidity are taken into consideration*, and it says, *Even if the outside temperature is only in the mid 80's, the humidity can make it feel like it's over 90 to 100 degrees*. So maybe we should have a sliding scale based on age. So if you're a senior and you're above 65 -- all kidding aside, I agree with Legislator Anker also that this particular senior organization recommends that when you get into the excessive heat, and they say over 90 degrees, they recommend staying cool by staying in a cool, air-conditioned place and staying hydrated wearing light clothing, a hat and sunscreen, nothing about going to the beach where it could be exceedingly hot and sunny.

**D.P.O. SCHNEIDERMAN:**

What about our young families; you know, a single mother with four or five kids, you know, without air conditioning?

**LEG. D'AMARO:**

No, but I'm not saying you shouldn't be concerned about them.

**D.P.O. SCHNEIDERMAN:**

Because I hear --

**LEG. D'AMARO:**

I'm saying you might be sending them into the frying pan is what I'm saying.

**D.P.O. SCHNEIDERMAN:**

Well, I'm not sending them there, I'm giving them the option. So they -- you know, they have to use their discretion. They don't have to go to the beach --

**LEG. D'AMARO:**

No, but we're encouraging them.

**D.P.O. SCHNEIDERMAN:**

No, we're opening cooling centers, typically, as well, so.

**LEG. D'AMARO:**

Well, see that makes sense to me.

**D.P.O. SCHNEIDERMAN:**

And I would say, yes, for a senior citizen, it's probably better to go to our cooling center. But maybe, you know, a young mother with four kids, maybe go down to the beach and cool down.

**LEG. D'AMARO:**

I don't know. I don't know if that's the right --

**LEG. TROTТА:**

It's a sunscreen issue, too.

**LEG. CILMI:**

This is the County Executive, let him make the decision.

**LEG. D'AMARO:**

But even Doc Spencer said that, you know, you can have, you know, reflection off the sand, it's very hot. I don't know if it's --

**D.P.O. SCHNEIDERMAN:**

So first you're saying the law is not broad enough and now you're saying there's a problem with it (*laughter*).

**LEG. D'AMARO:**

Well, no, what I'm saying is as I'm thinking it through, and I listened to Legislator Anker talk about are we sending folks to the right place or encouraging that, I think that's a very valid point.

**D.P.O. SCHNEIDERMAN:**

I appreciate you thinking out loud. I'm not sure how you're voting, but --

**P.O. GREGORY:**

Yeah, I have to say that I don't --

**LEG. CILMI:**

(*Inaudible*).

**P.O. GREGORY:**

I think given our budget situation, that it's not the right thing to do to waive any fees. I mean, we need as much -- whether it's a dollar or \$100,000, we need as much money as we can. I mean, you know, we're in a deficit. And I happen to agree as well that I don't think it's the best or the safest practice to send people in an extreme heat situation to the beach, I just don't. I think they're better off being in a cool place, you know, make sure that they hydrate and not going to the beach under the elements. You know, you get in the water, your body cools off and you get back in your beach chair and your body heats up; I mean, that just can't be healthy or a wise thing to do. So I can't support it.

**LEG. CILMI:**

If the County Executive needs -- can I?

**D.P.O. SCHNEIDERMAN:**

Yeah.

**LEG. CILMI:**

This would give the County Executive, though, the discretion to consult with the Health Commissioner, who would probably be the best person to consult with, and make a determination as to whether or not he should authorize it, and then whether or not folks actually go to the beach is up to them.

**D.P.O. SCHNEIDERMAN:**

If I may? Just try to imagine this summer, okay?

**LEG. CILMI:**

I'm turning 50 in a couple of days, so *(laughter)*.

**D.P.O. SCHNEIDERMAN:**

In your mind, try to imagine this summer, and let's say there is a 105 degree day. The State has waived the fees for Jones Beach and Robert Moses, and the County -- oh, we actually voted against giving the County Executive even the authority to make the decision to waive the fees to invite people down to the beach who might want to go to cool off. I mean, I think at the least we ought to give the County Executive the authority to do this on an emergency basis. It's fairly simple.

**P.O. GREGORY:**

And I say the State has a \$127 billion dollar budget, they can miss a few dollars. We need every penny we can get.

All right. We have a motion and a second, right?

**MR. LAUBE:**

I do not have second.

**P.O. GREGORY:**

We don't? Oh.

**D.P.O. SCHNEIDERMAN:**

Yeah, there was a second.

**P.O. GREGORY:**

Yeah, there was a second.

**D.P.O. SCHNEIDERMAN:**

Kara seconded it.

**P.O. GREGORY:**

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

***"Opposed" said in Unison***

**MR. NOLAN:**

Just take a roll call.

**P.O. GREGORY:**

You want to do a roll call? Let's do a roll call.

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

**D.P.O. SCHNEIDERMAN:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. SPENCER:**

It's the right thing to do; yes.

**LEG. D'AMARO:**

Wrong place to go; no.

**LEG. STERN:**

No.

**LEG. McCAFFREY:**

No.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No way.

**LEG. BARRAGA:**

On behalf of all the elderly senior citizens, no.

*(\*Laughter\*)*

**LEG. CILMI:**

Yes to County Executive discretion.

**P.O. GREGORY:**

Oh, boy.

*(\*Laughter\*)*

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

No.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

Yes to sunburn.

**LEG. KRUPSKI:**

No.

**P.O. GREGORY:**

No.

**MR. LAUBE:**

Seven.

**P.O. GREGORY:**

All right, ***IR 1455-14 - Authorizing Lt. Michael Murphy Sea Cadet Program at West Sayville (Lindsay)***.

**LEG. LINDSAY:**

I'll make a motion.

**LEG. BROWNING:**

Second.

**P.O. GREGORY:**

Motion by Legislator Lindsay. Second by Legislator Cilmi. On the motion, Legislator Browning? Did you have --

**LEG. BROWNING:**

Oh, no, I made a second. I am a cosponsor.

**P.O. GREGORY:**

Oh, okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.* Can I get a check on the motion and second? I couldn't hear it.

**P.O. GREGORY:**

Cilmi seconded it.

**MR. LAUBE:**

And who was the motion?

**P.O. GREGORY:**

Lindsay.

**MR. LAUBE:**

Thank you.

**P.O. GREGORY:**

***IR 1462-14 - Appropriating funds in connection with Beach Replenishment at Meschutt County Park (CP 7163) (County Executive)***. Motion by Legislator Hahn. Second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions.

**D.P.O. SCHNEIDERMAN:**

Cosponsor.

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Same motion -- excuse me. ***IR 1462A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$50,000 Bonds to finance the cost of beach replenishment at Meschutt County Park (CP 7163.313), same motion, same second. Roll call.***

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

**LEG. HAHN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Pass.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**LEG. D'AMARO:**

Yes.

**MR. LAUBE:**

*Sixteen (Opposed: Legislators Trotta & Cilmi).*

**D.P.O. SCHNEIDERMAN:**

Put me as cosponsor.

**P.O. GREGORY:**

***IR 1463-14 - Appropriating funds in connection with the Removal of Toxic and Hazardous Materials in County Parks (CP 7185).*** Don't jump all at once.

**LEG. MURATORE:**

*(Raised hand).*

**P.O. GREGORY:**

Legislator Muratore, second by Legislator Anker. All in favor? Opposed? Abstentions?

**LEG. D'AMARO:**

Wait, hold on.

**P.O. GREGORY:**

Oops, I'm sorry.

**LEG. D'AMARO:**

I'm sorry. Was that the vote that you're calling?

**P.O. GREGORY:**

Yeah.

**LEG. D'AMARO:**

I'm sorry, are we on 14 --

**P.O. GREGORY:**

1463.

**LEG. D'AMARO:**

Yeah, I had a question on that.

**P.O. GREGORY:**

All right.

**LEG. D'AMARO:**

I'm sorry, am I too late?

**P.O. GREGORY:**

No.

**LEG. D'AMARO:**

Okay. Is Commissioner Anderson here? Gil?

**MR. LIPP:**

Yes, this is a Parks bill.

**LEG. D'AMARO:**

Oh, I'm sorry. Did someone say it's a Parks bill?

**COMMISSIONER ANDERSON:**

It is, but I can try to answer whatever your question is.

**LEG. D'AMARO:**

Yeah, this is a Capital Project, but it is a Parks bill. But the Commissioner is here also. I'm not opposed to this, but I just want to know, have we identified specific locations that have -- that need remediation or removal of toxic materials? And if so, can you tell me where they are? Is this something that was just an ongoing project? I mean, I just want to know a little bit more about this.

**COMMISSIONER ANDERSON:**

This is similar to our general project of the same nature. Any time we go into an historic building or, in this case, for this specific thing an historic or a Parks building, we will uncover or we can uncover asbestos and that's what it's really intended to do. When we come up with those situations, we can fund to get the stuff --

**LEG. D'AMARO:**

So this is a separate fund for, you know, remediation or removal of toxic materials if, in the course of doing business on a day-to-day basis on other projects, you uncover that time of need.

**COMMISSIONER ANDERSON:**

Specific to Parks or historic projects.

**LEG. D'AMARO:**

It's not that we've identified a specific site, any one site.

**COMMISSIONER ANDERSON:**

Not necessarily, no.

**LEG. D'AMARO:**

Okay, that's my question. Thank you very much. Thank you, Mr. Presiding Officer.

**COMMISSIONER ANDERSON:**

You're welcome.

**LEG. HAHN:**

Hold on, hold on. Who do we use to remove the material and where does it go?

**COMMISSIONER ANDERSON:**

We use -- I believe the company who does the work for us that won the contract is Branch; I can verify that and get back to you. It's all handled by the books. You know, they come in, they do the enclosure, they remove the material, they take it to a certified landfill, or whatever they do with it,

I'm not a hundred percent sure.

**LEG. HAHN:**

Do we require that we get proof from them, from that certified landfill?

**COMMISSIONER ANDERSON:**

We do -- I believe we do follow it to its end.

**LEG. HAHN:**

So they return receipts to us that the material was brought to a certified landfill?

**COMMISSIONER ANDERSON:**

I can verify that, and I'd be glad to verify it. I would assume we do. My staff is trained, I have members of my staff that are trained specifically for that and oversee the whole program. So, I can find out and get back to you.

**LEG. HAHN:**

Okay. No, it just -- it would be important for us to know that we've closed the loop on that --

**COMMISSIONER ANDERSON:**

Yeah.

**LEG. HAHN:**

-- and are sure that our folks that we're paying to take care of that material are doing so properly.

**COMMISSIONER ANDERSON:**

Correct. And I would say with 99.9% certainty that we do.

**LEG. HAHN:**

Good. Thank you.

**P.O. GREGORY:**

All right, thank you. So we have a motion -- up, Legislator Trotta.

**LEG. TROTТА:**

Gil, there's nothing identified now, you just want the money to sit in the bank? I don't get it.

**COMMISSIONER ANDERSON:**

No, we -- again, we -- this is an annual program, and I can say with certainty that annually we run into situations, as we do any type of historic building. Anything that really results from prior to the 1970s, we run into these situations where we uncover asbestos. You know, it's -- especially when you come into historic buildings, older buildings.

**LEG. TROTТА:**

Is this something you get every year or --

**COMMISSIONER ANDERSON:**

Yes.

**LEG. TROTТА:**

Two hundred grand a year?

**COMMISSIONER ANDERSON:**

Yeah.

**LEG. TROTТА:**

And we use it up every year?

**COMMISSIONER ANDERSON:**

Pretty much.

**LEG. TROTТА:**

My God.

**COMMISSIONER ANDERSON:**

Yeah.

**LEG. TROTТА:**

At some point we should be running out of this, right?

**COMMISSIONER ANDERSON:**

You would hope.

**P.O. GREGORY:**

Okay.

**COMMISSIONER ANDERSON:**

At this point, we haven't run out yet.

**LEG. TROTТА:**

Just for the Parks Department, not --

**COMMISSIONER ANDERSON:**

Parks and historic buildings. Historic buildings are -- you know, a lot of those issues are when you start opening up old walls, things like that.

**P.O. GREGORY:**

Okay? All right. We have a motion and a second, Mr. Clerk?

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1463A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$200,000 bonds to finance the cost of removal of toxic and hazardous materials in County Parks (CP 7185.316), same motion, same second. Roll call.***

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

**LEG. MURATORE:**

Yes.

General Meeting - June 3, 2014

**LEG. ANKER:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Pass.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**LEG. D'AMARO:**

Yes.

**MR. LAUBE:**

*Eighteen (Opposed: Legislator Trotta).*

**P.O. GREGORY:**

***IR 1464-14 - Appropriating funds in connection with Improvements to North Fork Preserve (CP 7189) (County Executive).*** Motion by Legislator Krupski. Second by Legislator -- I'll second. Any questions?

**LEG. D'AMARO:**

On the motion?

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, just, again, a brief explanation of the amount of bonding and what the proposed use project is.

**MR. LIPP:**

That would be \$100,000 for planning for the North Fork Preserve.

**COMMISSIONER DAWSON:**

That's correct, Legislator. It's \$100,000 for planning for the North Fork Preserve. It's an acquisition we picked up about two years ago, it's a 300-acre property up on the North Fork.

**LEG. TROTТА:**

Is there anything on it?

**COMMISSIONER DAWSON:**

Yes. Actually, there is one building on the property.

**LEG. D'AMARO:**

Yeah, this is the 300 acres --

**COMMISSIONER DAWSON:**

That's correct.

**LEG. D'AMARO:**

-- in Riverhead. And so now we're entering into the planning stage --

**COMMISSIONER DAWSON:**

That's correct.

**LEG. D'AMARO:**

-- to develop it.

**COMMISSIONER DAWSON:**

That's correct.

**LEG. D'AMARO:**

To develop the park.

**COMMISSIONER DAWSON:**

To get a master plan together.

**LEG. D'AMARO:**

What's the total Capital Project on this?

**COMMISSIONER DAWSON:**

Well, we had asked for -- we had asked for in subsequent years 3.4 million. BRO pulled it out until we could actually have some planning money to come up with that --

**LEG. D'AMARO:**

So as -- if you know the budget as we approved today, it only includes -- well, this funding's in 2014.

**COMMISSIONER DAWSON:**

This is 2014, we're looking to appropriate the --

**LEG. D'AMARO:**

The 100,000 in planning. But is there any further funding appropriated going forward at this point? Well, not appropriated, programmed, you know, in the Omnibus, in the budget.

**COMMISSIONER DAWSON:**

We requested 200 -- we requested \$200,000 and BRO actually put that back in for 2015, an additional 200 for planning.

**LEG. D'AMARO:**

An additional 200 for planning.

**COMMISSIONER DAWSON:**

Correct, which will get us to 300,000, roughly \$300,000 --

**LEG. D'AMARO:**

So it's a long-term -- I mean, the planning is going to take you the next two years, given how the funding -- just based on the funding itself.

**COMMISSIONER DAWSON:**

That's correct. Then we'll have to come back to this body looking for the actual construction money.

**LEG. D'AMARO:**

Well, then we'd have to get some more bonding authorization in the next Capital Budget.

**COMMISSIONER DAWSON:**

That's correct.

**LEG. D'AMARO:**

What's the status of this 300 acres now? It's just --

**COMMISSIONER DAWSON:**

Right now it's just open space? It was an old hunting, old pheasant --

**LEG. D'AMARO:**

Right. Are we partnering with the town?

**COMMISSIONER DAWSON:**

We partnered with the town, I think it was either five or 10%.

**LEG. D'AMARO:**

On the acquisition, you mean, of the land?

**COMMISSIONER DAWSON:**

Acquisition.

**LEG. D'AMARO:**

But what about in the development and the planning?

**COMMISSIONER DAWSON:**

We don't have anything. We don't have any plans.

**LEG. D'AMARO:**

I remember this; the town took a small percentage of it?

**COMMISSIONER DAWSON:**

That's correct.

**LEG. D'AMARO:**

There was a reason for that, if I remember. Well, I don't know, do we have to -- do we want to -- see, this is the point where we're looking at a Capital Project and have to analyze whether we want to go forward with this type of project. You know, we put it in a planning document, it's a very, you know, nice thing to do to develop the 300 acres as a park. But, you know, looking at our pipeline debt, is this something we want to -- you know, this is an opportunity before the planning begins and we appropriate dollar one to evaluate whether or not it's a priority, so.

**MR. LIPP:**

So, point of information.

**LEG. D'AMARO:**

Yes, sure.

**MR. LIPP:**

The funding level is listed on the TV screen there, and the Omnibus did not include any of the BRO recommendations. So the proposed will be the adopted number that is the recommended column, second to last column.

**LEG. D'AMARO:**

Which is how much, Rob? I can't see that from here..

**MR. LIPP:**

Okay. So there's 100,000 this year, which is the money that we're talking about now; 200,000 in 2016; and 3.3 million in subsequent years.

**LEG. D'AMARO:**

Right. So if we don't appropriate the first hundred thousand and the project, we haven't spent any funds or incurred any debt for the project yet.

**MR. LIPP:**

Not for improvements to the --

**LEG. D'AMARO:**

Other than the acquisition of the land.

**MR. LIPP:**

Right, yeah. So basically, the way I understand it is this will be the plan to say what they plan on doing.

**LEG. D'AMARO:**

So Commissioner, let me ask you, why should this then move -- why should we begin to move the development forward? Why is this a priority for us and for the County?

**COMMISSIONER DAWSON:**

We purchased the property for \$18 million two years ago for the exact purpose of increasing recreational opportunities up on the North Fork. We don't have any camp sites up there currently. We don't really have any equine, equestrian facilities up there. It's just a nice amenity to the North Fork.

**LEG. D'AMARO:**

So for campsites and horseback riding.

**COMMISSIONER DAWSON:**

And trails and active recreation, yes.

**LEG. D'AMARO:**

Yeah, which are good things. You know, we want to provide the services and recreational facilities to County residents. But, you know, it's at a time when we're looking at the debt service in our budget and we're talking about a \$4 million development over three or four years. Okay, thank you. That answers my questions.

**P.O. GREGORY:**

Okay. Legislator Hahn? Didn't you want to be on this?

**LEG. HAHN:**

*(Shook head no).*

**P.O. GREGORY:**

Oh, okay. Legislator Krupski.

**LEG. KRUPSKI:**

So how much did the -- and I wasn't here then when the County acquired this. How much did the County spend to acquire this?

**COMMISSIONER DAWSON:**

I believe it was \$18 million for the 300 acres.

**LEG. KRUPSKI:**

All right. And then an additional million for the additional 50 acres?

**COMMISSIONER DAWSON:**

Farmland rights? For the 50 acres it's just under a million, I think it's nine and change.

**LEG. KRUPSKI:**

Okay. So it's almost \$20 million that the County spent there.

**COMMISSIONER DAWSON:**

That's correct.

**LEG. KRUPSKI:**

I wasn't here then. I mean, many of you authorized this and it was done, I would think, for active recreation purposes, passive recreation purposes and the equine use, which seems to be lacking in most parts of the County. So if everyone who voted for that still believes that, then this is pretty easy to support. This isn't saying we're going to develop this tomorrow. This says that we'd like to move forward with the development of it.

**P.O. GREGORY:**

Okay. Legislator Spencer.

**LEG. SPENCER:**

We're looking at taking on new projects, but we don't want to take care of what we already have. Recreational opportunities where there's very limited in the western townships where there's a lot more density there. We've got something that was given to us; there's that endowment that's maintaining it. I mean, I just want to be consistent. I understand that we're frustrated with that, but we're about to take on when we're saying, all right, we're going to really watch ourselves fiscally, but then we take on a whole new project and we put planning into it and we neglect what we've already have been entrusted to. So, I will not be supporting this.

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

**P.O. GREGORY:**

Legislator Anker.

**LEG. ANKER:**

The question, the parks that we have, are we able -- are they able to maintain themselves, or do we, you know, maintain them through our tax base? So how are they maintained, just briefly.

**COMMISSIONER DAWSON:**

Well, it's a combination of both. A lot of these facilities are revenue producing. Do they meet their entire cost? I would imagine some do, some don't. Our mission is to provide recreational opportunities for the public and I think part of their taxes and money they pay funds that.

**LEG. ANKER:**

Do you know how much we spend in maintenance for our parks?

**COMMISSIONER DAWSON:**

Well, my current budget is just under -- let's see. It's 60 million. Just under 59. Sixty million I think is the current Operating Budget.

**LEG. ANKER:**

Does that -- that doesn't include the revenue generating that comes in?

**COMMISSIONER DAWSON:**

No. We generate about -- between ten and 11 million dollars in revenue.

**LEG. ANKER:**

Okay. Thank you.

**COMMISSIONER DAWSON:**

You're welcome.

**P.O. GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Yes, Mr. Chair. Just to comment to Legislator Krupski. In some respects you're correct as far as many of us having supported the acquisition of this that your predecessor advocated for ad nauseam. But the driver there, my recollection was, was what we confront with many parcels, is the underlying drive to develop. And that absent us acting, it will turn into tract housing, or condos or some other type of amenity that people might purchase, but all of our constituents will never get to enjoy.

Now that we own the raw material, I don't want to say we have the luxury of time, but we can take a second look, as we're just acknowledging today. We have to go back in and start to, you know, pare back the bear, because it's getting ever larger. So a no vote on this I don't think is stepping away from a commitment for recreational purposes, but it is saying we have to take a pause. We have to take a pause. I think we made the large step in acquiring it in the first instance. So that's the perspective I bring.

**P.O. GREGORY:**

Thank you. Legislator Lindsay.

**LEG. LINDSAY:**

I agree with Legislator Kennedy in regards to paring back some of our expenses, but my question would be to the Commissioner. As part of this study would there be an anticipated revenue? Would it be studying what the return on the investment would be, should we invest further money and when we would recapture that money?

**COMMISSIONER DAWSON:**

Absolutely. It's all going to be part of master plan, how many campsites we can get in there, how many RV's, how many cabins and whatnot. There'll be a cost analysis on the cost benefit of it.

**LEG. LINDSAY:**

In my opinion, we have a lot of assets within the County that are underutilized, where we could be getting a return on investment if we invested some money on them. We look at the Maritime Museum. The marina there is a perfect example. We have a marina that is just sitting idle because it needs some repairs that should be generating revenue year after year for the County and it hasn't. I'm leaning towards voting for this just so that we can see what the end results would be if we were to invest any future money into this property as to what we would get as a return on it. So I'm leaning towards supporting it.

**P.O. GREGORY:**

Okay. Anyone else?

**LEG. D'AMARO:**

Me.

**P.O. GREGORY:**

Oh, I'm sorry. Legislator D'Amaro, then Legislator Anker.

**LEG. D'AMARO:**

Yes. Just to Legislator Lindsay. I would support this for reasons of providing recreational facilities to constituents, but I wouldn't support it as a return on investment. It's an \$18 million purchase price, it's a four to five million dollar price to develop a park. Then you have maintenance, you have employees, that are going to be recurring expenses. And your admission charge, or whatever you're

General Meeting - June 3, 2014

renting out here, is never going to recoup that cost. This is not -- this is not a -- to me it's not an economic decision. I know that on this type of project, we're not going to get a return. In fact, we're going to lose money over the long haul. But, you know, in a good economy that's okay because we're providing a service.

My point is that we just added \$32 million to the Capital Budget today and we had a debate about \$400 million in pipeline debt, and we created a committee to take a look at that debt, and now we're going to take the jump off the cliff here and start yet another project for another four or five million, and I'm just asking everyone to think about that for a moment. As Legislator Kennedy mentioned as well, I'm inclined not to support this. As good a project as it may be, we did buy the property, we went through a tremendous expense in doing that. There's no rush to develop this, and I think frankly there's a lot of other things we should be looking at before we appropriate funding for this particular project and, you know, that's my priority.

**P.O. GREGORY:**

Okay. Legislator Anker.

**LEG. ANKER:**

With this project in particular, would there be some type of public/private partnership? I think we -- I think that had been brought up with an equestrian company or organization?

**COMMISSIONER DAWSON:**

Actually, we're looking at that. When we buy the land for the -- we already have the development rights on that extra 50 acres. We're going to use that as amenity towards the current 300 acres, putting the equestrian center in there which will use a public/private partnership to build an equine center.

**LEG. ANKER:**

So do you feel that this could actually support itself as far as, you know, the maintenance cost of this parcel?

**COMMISSIONER DAWSON:**

You're talking about this parcel in particular? No, I think as the Legislator indicated, I don't think you ever -- you ever bring in what you spend, but that's -- people have an expectation when they pay taxes to have recreational opportunities and that's what I'm going to advocate for.

**LEG. ANKER:**

If we waited on approving this resolution, is that -- is there anything that's pressing this to go through? In other words, is there any reason why we need to move on this right now?

**COMMISSIONER DAWSON:**

Well, we -- we voted on -- it's part of the 2014 budget. It was approved last year. We're looking to move along with the planning.

**P.O. GREGORY:**

Okay. Legislator Trotta.

**LEG. TROTТА:**

We have no one in the Parks Department that can do this plan?

**COMMISSIONER DAWSON:**

No. No, we're not engineers, we're not -- we have a conceptual plan that we took to CEQ, which was approved. We took it to the Park Trustees and it was approved and now we need to get actual documents.

**LEG. TROTТА:**

And what is -- a more detailed plan than the conceptual plan, like measuring out campsites and things like that?

**COMMISSIONER DAWSON:**

That's correct. I mean, you know, we can say we want to put in 60 campsites, but the amperage that you need for the electric, that's going to come into that, the water that you're going to need to bring in to that, the check in stations. I mean, the whole support service that goes with that. The trail system, the hunting, all that kind of stuff we'll put together in a complete master plan. We have a conceptual idea, we have a good plan of what we want to do, but we need professionals to give us a better document.

**LEG. TROTТА:**

I think we spend a lot of money on plans. I mean, everything is a plan. And then when you go to do it, it's changed a lot of times.

**COMMISSIONER DAWSON:**

Well, I don't know about that.

**LEG. TROTТА:**

In a perfect world I'd love to do it.

**P.O. GREGORY:**

I have a question, and then I'll -- so we have several resolutions, excuse me, that are appropriating funds for various capital projects. Is there any urgency to do that now, considering that, you know, we're going to be putting together a committee to look at our pipeline debt? That doesn't mean that I disagree with this. I mean, and this project in particular, we've purchased the land, we have to make it a park, so we have to do some improvements to it. But I'm just saying, in general, for any Capital Program, project, you know, should we look at holding off for 90 days until we can figure out which projects we want to go forward with or not? Is there any particular urgency with this project than any others that are coming up?

**COMMISSIONER DAWSON:**

Are you talking about any safety issues is it urgent that we get a plan put together in the next 90 days?

**P.O. GREGORY:**

Whatever -- yeah.

**COMMISSIONER DAWSON:**

Not really. If you want to table it, I mean, that's your -- that's your prerogative. Again, I'm here to advocate to, you know, to move forward with the project.

**P.O. GREGORY:**

Right, right. Okay. Legislator Krupski.

**LEG. KRUPSKI:**

I mean, this is -- this was bought for active and passive recreation for, in the words of my colleague, Doc Spencer, it's not my park, it's everybody's park. So when the day comes when the residents of Suffolk County need more opportunities for camping, and the active part is important, camping or horseback riding, and the passive part, just for hiking and bird watching and whatnot, then everyone's going to want to develop this. So the money today is to develop, you know, to more specifically develop a plan to quantify how many spaces and how much water you need and how much electric. The plan to develop the park is in subsequent years when the residents of the County

really need that space to use.

**COMMISSIONER DAWSON:**

And I will say that, you know, that there is definitely a need for camping up on the North Fork. We don't have any current campsites up there, I mean, with the exception of Peconic Dunes. That's a children's camp run by 4-H and Cornell. We have plenty of camping on the South Fork, we have plenty of camping in Western Suffolk. We really don't have anything up on that North Fork, so.

**LEG. KRUPSKI:**

And actually the investment's greater than that. I forgot the whole drainage liability on the north end that we inherited when we bought that. We spent, I would say, we are going to spend well over a million dollars to correct the drainage problems that existed when we bought it. So it's -- the whole park itself has been -- is quite an investment.

**P.O. GREGORY:**

Yes. Legislator Spencer.

**LEG. SPENCER:**

I did make that point. And, you know, I guess that I wound up withdrawing my stand alone. I'm confident had it moved forward you would have supported it as well as my colleagues.

*(\*Laughter\*)*

So I'm going to release my or relinquish my cynicism and I'm going to step out on faith here and I'm going to support our Parks Commissioner and my East End Legislators, and I am looking forward to working with them in the future to make sure that we provide for the East End and the West End.

**LEG. KRUPSKI:**

Thank you.

**P.O. GREGORY:**

Okay. I'm just going to pose a question. Given that we -- there was concerns expressed about pipeline debt. We're going to be putting a committee together, is it appropriate to pass capital projects until that process is done? We have two pages of projects that are coming before us. Should we table these, you know? And I would just ask that is there any particular project within, you know, the next 90 days that's of particular urgency that couldn't suffer a tabling until August or whatever. Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

I'll answer. I'll give you my opinion on that. I don't think there's a need to do a moratorium or, you know, just an informal stop with respect to these bills that are coming up. I think we are all aware of the fact that we have this pipeline debt and that we formed a committee now to take a look at that. And I think that should be part of the calculation in going case by case.

You know, I asked the simple question at the beginning of this because, you know, today was our Capital Budget day. We had this long debate, and a good debate I might add, about our debt and being fiscally responsible and accountable to taxpayers. So as these projects come up it's good to ask these questions. And as much as we all want parks and need parks, you know, there are so many other capital projects that we spoke about today, like the outfall pipe -- is that what you call it, the outfall pipe? The economic development, you know, driving the economy, the local economy, and we put those priorities in even though it was raising beyond what was even recommended in the Capital Budget.

General Meeting - June 3, 2014

And so we bought this property, it's in the bank, we own it, no one's going to develop it. You know, I think this particular project it's appropriate to take that step back that you're speaking about and say let's hold off on that, this project, because it's a substantial commitment, and we have an opportunity to do that before we've even spent the first dollar on this. So, you know, there's another session, there's another day where this bill can come before us and we can consider it, maybe after that committee has made a recommendation. But I don't think we need a blanket halt. I think we should go case by case. That would be my answer.

**P.O. GREGORY:**

Legislator McCaffrey, do you have a comment?

**LEG. McCAFFREY:**

*(Shook head no.)*

**P.O. GREGORY:**

No? Anybody else?

**LEG. CILMI:**

Motion to table.

**P.O. GREGORY:**

Motion to table by Legislator Cilmi.

**LEG. D'AMARO:**

Second.

**P.O. GREGORY:**

Second by Legislator D'Amaro. The tabling motion goes first. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Raise your hand for opposed. Thirteen. *(Opposed: Legs. Krupski, Hahn, Anker, Calarco and Spencer)*

**P.O. GREGORY:**

Okay. Motion's tabled. Resolution's tabled.

***1.R. 1465 - Appropriating funds in connection with the Historic Restoration and Preservation Fund (CP 7510)(Co. Exec.).*** Motion to approve by Legislator Schneiderman.

Second by Legislator Hahn. What is this, Robert?

**MR. LIPP:**

So this is similar to what Legislator Spencer was talking about before, that we don't seem to take care of our historic restoration and preservation. So this is project 7510, Historic Restoration and Preservation Fund. It would appropriate \$300,000.

**P.O. GREGORY:**

I'm going to make a motion to table.

**LEG. MURATORE:**

Second.

**P.O. GREGORY:**

Second -- did I hear Legislator Muratore?

**LEG. D'AMARO:**

I'll second it.

**P.O. GREGORY:**

On the motion, Legislator Stern.

**D.P.O. SCHNEIDERMAN:**

On the motion.

**LEG. STERN:**

Yeah, thank you, Mr. Presiding Officer. Robert, maybe it's you, maybe it's the Commissioner. I just want to be clear. Three-hundred thousand dollars here to be appropriated, that's -- that is for one specific project; correct?

**D.P.O. SCHNEIDERMAN:**

No.

**MR. LIPP:**

No, it's not project specific.

**LEG. STERN:**

The notes I have here mention work on Homan House in Yaphank.

**LEG. BROWNING:**

Yes, it is.

**COMMISSIONER DAWSON:**

Well, that's based on our priority list, but the money goes into a general 7510, a general account. So, I mean, theoretically if a roof blew off a building we could use the money for those purposes.

**LEG. STERN:**

Three-hundred thousand dollars would be used in that general fund.

**COMMISSIONER DAWSON:**

Could be used in that general fund.

**LEG. STERN:**

Could be used for these types of needs.

**COMMISSIONER DAWSON:**

Our plan right now is to advance the restoration of the Homan-Gerard House.

**LEG. STERN:**

And how much do you anticipate utilizing for that?

**COMMISSIONER DAWSON:**

The full 300,000.

**LEG. STERN:**

So it is \$300,000 for Homan House?

**COMMISSIONER DAWSON:**

Correct.

**P.O. GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Commissioner, just correct me if I'm wrong. There's a history to trying to rehabilitate or preserve or stabilize this Homan House. Weren't there other bills that came before us in the past concerning this particular piece of property?

**COMMISSIONER DAWSON:**

Correct. You had asked for a full analysis of the site. The RFP's went out. I'll defer to Commissioner Anderson, but I think a vendor was selected to do a complete analysis of the Homan-Gerard House.

**LEG. D'AMARO:**

I seem to remember that it was a very high figure for this property, like a million dollars.

**COMMISSIONER DAWSON:**

It was. It was --

**LEG. D'AMARO:**

All right. So here we are again where we've said no in the past, now it's become part of a larger capital project. We're going to put 300,000 into Homan House and be told, well, we already spent 300, what's another seven. You know, didn't we say no to this once already?

**COMMISSIONER ANDERSON:**

No.

**COMMISSIONER DAWSON:**

No.

**LEG. D'AMARO:**

I thought we did.

**COMMISSIONER DAWSON:**

No, we prorated the money --

**LEG. D'AMARO:**

Okay. Fair enough if I don't recall correctly.

**COMMISSIONER DAWSON:**

But you did ask for an in-depth analysis. This money is going to be utilized for -- we stabilized the foundation, we stabilized the interior, and now we need to do work on the exterior, the windows and the doors to continue to stabilize the structure.

**LEG. D'AMARO:**

So the -- but it's going to -- how much did we spend to do the other parts of the stabilization?

**COMMISSIONER DAWSON:**

I think it was 300,000, 400,000 --

**LEG. D'AMARO:**

This will bring us to 600?

**COMMISSIONER DAWSON:**

Correct.

**LEG. D'AMARO:**

I don't know, I don't remember supporting that, I just don't. I don't know that I did. Did we vote specifically to spend the first 300?

**COMMISSIONER ANDERSON:**

I don't know that we did.

**COMMISSIONER DAWSON:**

I don't recall when that first 300 was appropriated. We had a million dollars in our capital fund last year that we appropriated, I think it was 250,000. We used that money for roof --

**LEG. D'AMARO:**

Right. Well, I just want to say to my colleagues that this is an example of you have an unspecific fund that's being used for a specific purpose. So we should -- at least I feel that I want to know. What you're saying is we've spent 300,000 to stabilize the structure, now we need another 300 for what did you say, windows and doors?

**COMMISSIONER DAWSON:**

Soffit work, window work, exterior shingles and whatnot.

**LEG. D'AMARO:**

You know, it's a million dollar -- it's a million dollars --

**LEG. STERN:**

It's a million dollars regardless.

**LEG. D'AMARO:**

-- for this house, that I understand it's a historic preservation, but, you know, what about the outfall pipe? I mean, I don't understand how do we possibly spend \$300,000 without us appropriating -- well, we did appropriate it but in a general fund is what we did, in a general capital project.

**COMMISSIONER DAWSON:**

I don't know where the original 300,000 came from.

**LEG. D'AMARO:**

Well, I have to tell you, from now on on these general funds I'm going to want a listing of specifically what we're doing with the money, because had I had an opportunity to have an individual vote on this particular project, I don't think I would have supported it.

**COMMISSIONER ANDERSON:**

The -- this project has been developed under three phases. The initial one was to stabilize the building. It was paid for through this fund.

**LEG. D'AMARO:**

Right.

**COMMISSIONER ANDERSON:**

This is similar to the asbestos funding. We tailor it based on need. Generally, when we come up we say okay, we're planning on doing A, B, C or D, but there is an occasion where, and in this instance if my recollection serves me, this was when the building was about -- was very unstable and it was ready to fall down.

**LEG. D'AMARO:**

Right. I do remember that.

**COMMISSIONER ANDERSON:**

Yeah. We did come in and we stabilized the entire structure, underpinned it, did the foundation, did all that stuff.

**LEG. D'AMARO:**

Okay.

**COMMISSIONER ANDERSON:**

This is the next phase. This funding is proposed for the next phase, which would be the windows, the exterior, trying to keep it, you know, keep the project moving. And then there would be a final phase which would, you know, work completing the interior of the building.

**LEG. D'AMARO:**

Right. Which park is this in, by the way.

**COMMISSIONER ANDERSON:**

This is actually right down the block from DPW. It's on the north side of the Expressway on 21. It's right across from -- and I should know the name of the house.

**LEG. BROWNING:**

It's north of Southaven Park and it's in Yaphank in the Historic District. There are --

**COMMISSIONER ANDERSON:**

Right across the street from Hawkins House, right?

**LEG. BROWNING:**

Yes. It's right across from the Hawkins House next to the Yaphank Lakes, and there's the garage -- I don't know if you're familiar with that area. But the Historic Society from that community, Mr. Kessler, he's been here a number of times, and there's the Hawkins House, the Homan House, there's the Mary Booth House. And thanks to Mr. Kessler and his skills as a mason, he's actually put in a lot of his own personal work, donated materials and we frequently have the prisoners working there. That's actually the location where the prisoners -- one of the first locations they started to work. So we do use the prisoners for a lot of the restoration work. And, you know, this is another part of that historic district in that corner.

I believe it was about three -- yeah, it was about three years ago, some of the family are still in that area, and the County Executive went there. I think it was -- it was in July of about three years ago, where the, you know, we went there and his support for the continuation of the restoration. The house was in poor condition, but again, thanks to Mr. Kessler, you know, we have had a lot of donated work.

**P.O. GREGORY:**

Okay. Are you done, Legislator Browning?

**LEG. BROWNING:**

Yup.

**P.O. GREGORY:**

Okay. Legislator Schneiderman.

**D.P.O. SCHNEIDERMAN:**

Maybe we shouldn't have purchased some of these buildings, but the fact is we did and they're historic buildings, and now we own them and we have to maintain them.

**LEG. BROWNING:**

Jay, this is County property that the homes are on.

**D.P.O. SCHNEIDERMAN:**

This is a County building.

**LEG. BROWNING:**

It's a County building. It belongs to the County because the property belongs to the County. It's part of Suffolk County parkland.

**D.P.O. SCHNEIDERMAN:**

Right, exactly, that's what I'm saying. We own it and we need to take care of it. It's a County -- it's a historic building owned by the County, no?

**LEG. BROWNING:**

Yes.

**D.P.O. SCHNEIDERMAN:**

It is.

*(\*Laughter\*)*

**LEG. BROWNING:**

Okay. I didn't know -- I was thinking you were thinking we didn't own the property.

**D.P.O. SCHNEIDERMAN:**

No, I'm saying we do. We have an obligation to maintain these structures. And, you know, this idea of whether, you know, whether it's in the Parks Department or DPW, we often have in our Capital Budget these generic categories that gives the departments some discretion to do things on an as needed basis. This is one of those capital projects. They don't have to use it for this project, they are. It's not a lot of money, but this is money that is approved already in our budget. We've contemplated in our Operating Budget, it's approved in our Capital Budget for this year.

You know, as we talk about pipeline debt, I certainly hope we're not going to start walking away from our historic buildings and our infrastructure. That's ridiculous. Maybe we'll look at some projects that haven't been started, new projects, things like that, but this is something we have an obligation to maintain. You know, it's fairly simple to me. We need to move forward with this one, so I'm certainly going to support it.

**P.O. GREGORY:**

Legislator Stern.

**LEG STERN:**

Thank you. Yeah, I agree with everything that Legislator Schneiderman said about our obligations, but this is different. This is different because even though we acknowledge the obligation, this is a -- this is a property, this is a site that had come before us not too long ago with a million dollar price tag, and the majority of this Legislature said specifically let's do the analysis, let's determine what needs to be done going forward, let's not step on the gas, and then take a wait and see on what's going to need to be done. Meanwhile, there is this more general fund that's sitting there where work continues to be done, work continues to be done, and you know what? Before you know it,

you've approached that million dollar price tag that we specifically said wait a minute, let's do the analysis and then wait and see what, if anything, we might want to do going forward.

So, you know, this, I think everybody understands that it's our obligation, but the pace at which we go at it, the amounts that we're spending towards it, I think is something that I certainly support once again, saying that we want to step on the brakes and take a look at least until the analysis is done to determine whether or not we want to make the big investment, the big appropriation going forward. I think that was our policy before, I think that should continue to be our policy now.

**P.O. GREGORY:**

Thank you. Legislator D'Amaro.

**LEG. D'AMARO:**

Through the Chair to Legislator Schneiderman. What about our obligation to control debt? What about the obligation, you know, turning down Legislator Browning's standalone's because we can't incur all this debt? We already added \$32 million to the capital project -- to the Capital Budget today. So, yes, we have an obligation to maintain structures, I'm with you, but I think it's a higher obligation, especially at this point, to not keep increasing this debt. I mean, we haven't met a project that we don't like at this point. This is exactly the debate that we had this morning about the capital project. We had a Working Group that set priorities, but a Working Group that decided to add substantial amount to our Capital Program. I voted for it. I agree. Those were some priorities that were set. But I also made the statement that we have to look at these individually.

So you can talk about obligation to maintain some building somewhere, but my higher obligation is what about the debt service that we're imposing on an Operating Budget that can't sustain all of this? You know, this is what we have to be looking at. You know, to make an argument and to lecture me about my obligation to an historic structure that I never voted to acquire, I mean, you know, before I'll raise taxes I'll burn that place down. I don't know, can I be any more clear than that?

**D.P.O. SCHNEIDERMAN:**

I don't know if I should respond.

**LEG. D'AMARO:**

That's figuratively.

**P.O. GREGORY:**

Okay. Legislator Calarco.

**D.P.O. SCHNEIDERMAN:**

It sounds like an excessive heat warning there.

*(\*Laughter\*)*

**P.O. GREGORY:**

All right.

**LEG. D'AMARO:**

I'm only trying to say control our debt, control our debt. That's my point. I'm not being -- I'm figuratively speaking.

**P.O. GREGORY:**

Legislator Calarco. Come on.

**LEG. CALARCO:**

That's a tough one to follow. But listen, folks. I mean, let's be honest with ourselves about what we're talking about here. I mean, this is a resolution to appropriate funds that is already accounted for in the 2014 Capital Program to do renovations to our historic structures. We just this afternoon voted to put \$500,000 to this specific capital project for 2015. And another 500 in 2016, and another 500 in 2017. So we've shown through our Capital Budget that we just approved that this is a priority for us in terms of taking care of our historic structures.

Now I respect Legislator D'Amaro's position and his intent to look at each project individually, and that's fine and I appreciate that and understand that, but to tie this to our decision to look at our pipeline debt and see where there are projects to -- that are appropriate to defund, I don't think that we're going to look at projects that we've already -- we were making a commitment to in this capital project and to this budget that we just did, now say that we're not going to do it.

If you want to, as I said, Legislator D'Amaro, if you want to look at each individual project individually, that's fine. I think we all have to do that. But to tie this to the debt restructuring -- to our Debt Committee that we're going to take a look at our pipeline debt, I don't think the intention of looking at the pipeline debt is to rehash projects that we just approved, but rather look at projects in the pipeline that we're clearly not doing, are not needed or need to reevaluate.

So, I mean, I think that we have to make our commitment to maintaining our infrastructure. We own this house, and whether you want to knock it down, burn it down, or fix it, we have to do something with it, because if we just let it sit there it's just a liability to the County.

**LEG. D'AMARO:**

Could I respond to that, please?

**P.O. GREGORY:**

Yes, quickly, and then Legislator Browning.

**LEG. D'AMARO:**

My particular argument, and I just want to say that, you know, the whole basis of the Capital Program when we voted on it today was that it is a planning document, a plan that we do have a second bite at the apple too. And Legislator Calarco, for you to sit there and tell me we committed to this project by putting it into the Capital Program is completely contrary to every single argument that was made at this horseshoe today. So don't sit there and tell me if I want I can look at projects a second time. I think that's your obligation to do that throughout the year, especially given this economy.

**P.O. GREGORY:**

Legislator Browning.

**LEG. BROWNING:**

I don't know if I want to say anything anymore. However, you know, there was a resolution that came with regards to that, appropriating some funds for the Homan House, which was not approved, some time ago, and it was said go back, come back with a plan. This is -- this is they're back with the plan. They know what they need to do. And, you know, you can support or not support historic homes. I didn't grow up on Long Island, but there's nothing I think that's more important for anyone who grew up here or who lives here is to learn about the history of Long Island and to preserve the history of Long Island, because if you don't preserve your history, you're nothing, you're nobody. I mean, I come from -- I happen to have grown up in Ireland. I know my history. I was able to go back to a castle from the 1300's that my family owned. I think it's fantastic. I love the history, I love what we have. We have great cemeteries. I mean, it's just -- it's such an important part of who you are and we need to preserve our history.

**P.O. GREGORY:**

I agree with you, Legislator Browning. I just think that given in the context that we're going to be looking at all these various projects, I was prepared to submit an omnibus amendment to put -- budget 1.5 million to look at restoring some of our historic sites, but I knew the budget being what it was, that it wasn't the appropriate time to do that. I just think that we -- and specifically regarding our historic structures, that we need to come up with a plan. We did the study in 2006 that's about eight inches thick, and we have done nothing with it. I think we need to prioritize it, budget it, but I think we need to do that in context of everything else. That's all I'm saying.

**LEG. BROWNING:**

Right. And I think -- but this was one that the County has said is a priority. The house was getting ready to fall down and they worked to improve the home and the structure of that home so it wasn't going to fall down. I think we have to look back a couple of years ago about a house up in Coram that because they didn't do the right thing it fell down. It's not there anymore, and that's a shame. So I don't want to see the same thing happen in Suffolk County parks what happened up there. And I think -- say again?

**LEG. CALARCO:**

They rebuilt it.

**LEG. BROWNING:**

They rebuilt it, but you lose your historic value. You know, again, when I talk about, you know, this home and all of the other structures in that community, I mean, the Commissioner can tell you that the Historical Society there puts so much work and so much effort of their own, we save a lot of money based on the work that they do. And also with using the prisoners. They have the prisoners there all the time. And I'm telling you, if you were to put a dollar amount to the amount of work that the Historic Society does and what the prisoners do, I'm telling you, you'd be shocked at how much money it would cost if you paid for it.

**P.O. GREGORY:**

Okay. All right. Mr. Clerk, we have two motions or one motion?

**MR. LAUBE:**

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

**P.O. GREGORY:**

Okay. Motion to table goes first. Roll call.

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

**P.O. GREGORY:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. SPENCER:**

No.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

No.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

To table.

**LEG. HAHN:**

No.

**MR. NOLAN:**

To table.

**LEG. BROWNING:**

This is to table.

**LEG. HAHN:**

No, change it. Sorry. No. Can I change mine?

**MR. LAUBE:**

Legislator Hahn is a no.

**LEG. BROWNING:**

No.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

No to table.

**MR. LAUBE:**

Eleven.

**P.O. GREGORY:**

Okay. *I.R. 1470 - Authorizing the determination of just compensation and securing payment thereof in connection with the acquisition of properties by the State of New York to be acquired for New York State Highway purposes, Town of Smithtown, Suffolk County, New York (SCTM No. 0800-133.00-02.00-008.000) (Co. Exec.).*

**LEG. KENNEDY:**

Mr. Chair, for the purposes of discussion, I'm going to make a motion to table.

**P.O. GREGORY:**

Motion to table.

**LEG. KENNEDY:**

This is smack in the heart of my district, right in the middle of a high groundwater area, and it is park property, and I see it came out of committee as a discharge without recommendation.

**P.O. GREGORY:**

I'll second.

**D.P.O. SCHNEIDERMAN:**

Motion to approve.

**P.O. GREGORY:**

Motion to approve.

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

All right.

**LEG. KENNEDY:**

I would like at least one go round to find out if this, in fact, is --

**D.P.O. SCHNEIDERMAN:**

The Commissioner is here so we can maybe answer your questions. I'll make a motion to approve and there is a second by Legislator -- no? Any second?

**LEG. KRUPSKI:**

No, I'm not going to second. I want an explanation.

**P.O. GREGORY:**

Let's get the explanation.

**LEG. KRUPSKI:**

On the motion. There's a motion to table and a second?

**D.P.O. SCHNEIDERMAN:**

Yeah.

**P.O. GREGORY:**

We can always change it.

**LEG. KRUPSKI:**

I just want an explanation on that motion.

**LEG. KENNEDY:**

Okay. Who is going to talk about this? Gil, are you going to do it first?

**COMMISSIONER ANDERSON:**

I'll start off. Yeah, I'll start off.

**LEG. KENNEDY:**

Okay.

**COMMISSIONER ANDERSON:**

I mean, just so everybody knows, this land's already been taking through Domain Law. It's New York State, it's for the 347 project that they're doing now. It's for a small section of land, approximately 30 feet by about 120 feet. It's really for drainage easement. It's really so that they can -- so that they can --

**LEG. KENNEDY:**

All right, so help me orient, then, because I was trying to rack it up. Is it -- if it's just a -- is it something contiguous with 347 that's running parallel? This is not that one or two acre leaching pond that they proposed, is it?

**COMMISSIONER ANDERSON:**

No, I don't believe so. No, it's only -- it's like three-tenths of an acre. It's very small. Whatever 30 by 130 works out to be, it's a small sliver of land.

**LEG. KENNEDY:**

It's in the section from --

**COMMISSIONER ANDERSON:**

.035 acres.

**LEG. KENNEDY:**

From Mount Pleasant over to Terry.

**D.P.O. SCHNEIDERMAN:**

I thought it's just a temporary staging area for the project. It's not in drainage easement. It's just they're using it for equipment for a short period of time, and then it goes right back to --

**COMMISSIONER ANDERSON:**

This isn't --

**MR. BRAUN:**

No.

**LEG. KENNEDY:**

Legislator Schneiderman, this talks about acquisition.

**MR. BRAUN:**

Yeah, this is an acquisition, Legislator Kennedy.

**LEG. KENNEDY:**

This is full fee that's being acquired, right?

**MR. BRAUN:**

Acquisition of an easement.

**LEG. KENNEDY:**

Acquisition of an easement?

**MR. BRAUN:**

Of an easement, a temporary easement that the State already vested. They took it. And we said to them what about alienation and they said it's temporary, it's de minimus. If we, meaning the State DOT, thought that it was an alienation of County parkland, they would have made the application to the State Legislature themselves for permission. But it's temporary, it's just to put equipment for a few months while they're working on 347.

**LEG. KENNEDY:**

Okay. So here's what I'll do then. Then I'll withdraw the motion to table, and if someone else wants to offer a motion to approve that's fine. But I'm going to specifically request if there is any other acquisition that the State is seeking to do, I'd like to hear about it.

**MR. BRAUN:**

As soon as we do, Legislator Kennedy.

**LEG. KENNEDY:**

Well, that would be good, but I'm looking at it now. I'm eyeball to eyeball with it now, all right. I go through the packet, but I didn't see this one beforehand. When they contact you that they want to take those two acres, I want to know.

**MR. BRAUN:**

They contact us unfortunately after they've taken them, just as any other landowner. They file their maps, they vest their rights in the property and then they let you know and they tell you how much money they're offering you. In this case, they're offering the County \$500 on the basis of the fact that what they're taking is worth less than that, but that's their minimum.

**LEG. KENNEDY:**

But when it comes to park property --

**MR. BRAUN:**

I agree.

**LEG. KENNEDY:**

They don't have the same right to outright acquire as they do with simple residential property or commercial property. There has to be a higher degree of notification and the alienation process.

**MR. BRAUN:**

The DOT claims they evaluate the acquisition on the basis of whether it's an alienation or not, and if they think it is, they ask the State Legislature for permission. That doesn't mean we agree with

them. But by the time we heard about this, it was a done deal.

**LEG. KENNEDY:**

Okay. Fine. All right. I'll withdraw.

**P.O. GREGORY:**

Legislator Hahn.

**LEG. HAHN:**

So this is why we discharged without recommendation, because I was very disturbed by the thought of the alienating parkland in this manner without the two votes of the Legislature, but then it was questionable whether it was alienation. Do you agree that it is not -- does the County agree regardless of whether or not it matters if we agree?

**MR. BRAUN:**

On the basis of the fact that it's temporary, that it's .035 acres for a short time, it is de minimis and I think we -- I don't think that if we wanted to consent to it we would need to ask the State Legislature's permission.

**LEG. HAHN:**

Is it wooded property that -- are they cutting down trees?

**MR. BRAUN:**

I don't think so. I think this is just vacant land on the side of the road.

**COMMISSIONER DAWSON:**

It's easement, 15 feet by 100 feet.

**MR. BRAUN:**

It's 15 feet by 100 or something like that, just an easement on the side of the road which happens to be next to our parkland.

**LEG. HAHN:**

As we learned through the Gyrodyne property, the State can offer \$500 but we can come back and say we think it's worth more than that. Do we think it's worth more than for this temporary use?

**MR. BRAUN:**

We haven't had it appraised.

**LEG. HAHN:**

It costs more money to appraise it than --

**MR. BRAUN:**

Yeah, exactly.

**COMMISSIONER DAWSON:**

The State formally appraised and it went through the Department of Public Works for the process.

**LEG. HAHN:**

I'm not saying I think we should appraise it, I'm just saying do we, you know --

**LEG. KENNEDY:**

Does Greg have a map? Do you have a map?

**COMMISSIONER DAWSON:**

Actually I do.

**LEG. HAHN:**

Five-hundred dollars seems -- so really they're basically renting it from us for \$500, this tiny little sliver, for how long?

**COMMISSIONER DAWSON:**

I don't know the life -- the duration of the project.

**LEG. HAHN:**

So couple of years, decades.

**COMMISSIONER DAWSON:**

The State had the property appraised, sent the appraisal over to the Department of Public Works, who has a licensed appraiser on staff. He agreed with the appraisal of \$500. So in effect, the County did approve the appraisal. While we didn't get it, we agree with it.

**LEG. HAHN:**

Okay.

**LEG. KENNEDY:**

Can I get a look at it? Go ahead.

**MR. BRAUN:**

You want to see the survey?

**LEG. HAHN:**

Yeah, it really raised some red flags in my head, that's why I asked for it to be discharged without recommendation, but you're all convincing me otherwise, so.

**P.O. GREGORY:**

Okay. Anyone else? We have a --

**D.P.O. SCHNEIDERMAN:**

Motion to approve.

**P.O. GREGORY:**

We have a motion to approve. Do we have a second?

**LEG. KRUPSKI:**

*(Raised hand.)*

**P.O. GREGORY:**

Second by Legislator Krupski.

**LEG. KENNEDY:**

I'm opposed.

**P.O. GREGORY:**

All right.

**LEG. KENNEDY:**

I'm opposed.

**P.O. GREGORY:**

All in favor? Opposed? Abstentions?

**LEG. HAHN:**

I'm abstaining.

**LEG. KENNEDY:**

I'm opposed.

**P.O. GREGORY:**

One opposed, one abstain.

**MR. LAUBE:**

Sixteen. (*Opposed: Legislator Kennedy; Abstention - Legislator Hahn*)

**P.O. GREGORY:**

Okay. ***I.R. 1479 - Authorizing use of Cedar Beach County Park by Event Power for its Mighty North Fork Triathlon Fundraiser (Co. Exec).***

**D.P.O. SCHNEIDERMAN:**

Motion.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. Page seven. ***Public Safety.*** I.R. 1446 we did. ***I.R. 1477 - Approving an increase in fleet for the Suffolk County Police Department in order to incorporate two 2007 Ford E-450 Mini Buses transferred from Suffolk County Department of Public Works (Co. Exec).***

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Browning, second by Legislator Muratore. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1481 - Accepting and appropriating Federal funding in the amount of \$15,000 from the Department of Homeland Security, United States Immigration and Customs Enforcement (ICE), for the Suffolk County Police Department's participation in the ICE Sponsored El Dorado Task Force with 77.55% support (Co. Exec.).***

**D.P.O. SCHNEIDERMAN:**

Motion.

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***IR 1483 - Accepting and appropriating a grant providing 75% support, in the amount of \$512,364, from the United States Department of Homeland Security, and amending the 2014 Capital Budget and Program in connection with the purchase of marine and helicopter equipment (CP3513)(Co. Exec.).***

**LEG. BROWNING:**

Motion.

**P.O. BLYDENBURGH:**

Motion by Legislator Schneiderman. Second by Legislator Browning.

**LEG. D'AMARO:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. I realize this is a 75 -- I guess 75% support means that the grant is providing 75% of the 512,000. Is that correct, Rob?

**MR. LIPP:**

Yes.

**LEG. D'AMARO:**

All right. And this is for the purchase of marine and helicopter equipment. What committee are we in here?

**D.P.O. SCHNEIDERMAN:**

Public Safety.

**LEG. D'AMARO:**

Public Safety.

**LEG. BROWNING:**

Oh God, it's like radar type equipment. I hate to say I don't remember.

**LEG. D'AMARO:**

I mean, it's -- is this --

**LEG. BROWNING:**

Tom, do you remember what it was? I know it's like radar type equipment for the boats, I believe, and then something for the helicopter.

**MR. VAUGHN:**

Yes, ma'am. There are two pieces of live feed video equipment that will be mounted to our

General Meeting - June 3, 2014

helicopters. There are 11 pieces of radar equipment that will go on Marine Bureau vehicles, and there are five fixed license plate readers that will be purchased.

**LEG. D'AMARO:**

Marine as in like on the bays?

**MR. VAUGHN:**

On the bays and the boats.

**LEG. D'AMARO:**

Okay. All right. Thank you.

**LEG. TROTТА:**

Fixed plate.

**MR. VAUGHN:**

Five fixed license plate readers.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

There is a bond **1483A, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance \$683,152 Bonds to finance a portion of the cost of acquisition of marine and helicopter equipment (CP 3513.512).** Same motion, same second. Roll call.

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

**D.P.O. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTТА:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. ***Public Works. I.R. 1456 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with construction of sidewalks on various County roads (CP 5497).***

**LEG. KENNEDY:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Kennedy. Do I have a second?

**LEG. MURATORE:**

*(Raised hand.)*

**P.O. GREGORY:**

Second by Legislator Muratore.

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

Can we get the Commissioner to answer the question about where the sidewalks will be, the various sidewalks?

**COMMISSIONER ANDERSON:**

The location of the sidewalks is on County Road 16. They were requested by the Town of Smithtown and there are various locations, not, you know, I can get it for you.

**LEG. KRUPSKI:**

Are they replacement or new?

**COMMISSIONER ANDERSON:**

Yeah, they're new. These are gaps in for whatever reason areas where sidewalks ended, sidewalks began. Probably some were installed during the development of the homes, others weren't.

**LEG. KRUPSKI:**

What's the urgency on this project?

**COMMISSIONER ANDERSON:**

Pedestrian safety. We've had a request from the Town of Smithtown because of pedestrian safety to install these. You know, we worked with the Legislator to find the funds based -- from another project they weren't expended on within the district.

**LEG. KRUPSKI:**

But, I mean, what's happening today?

**COMMISSIONER ANDERSON:**

Well, right now, either the folks who are walk -- I don't know the exact locations, but assuming they're either walking on rough ground or possibly out into the road if there's vegetation. So again, I don't know the exact locations, but --

**LEG. KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

You're welcome.

**D.P.O. SCHNEIDERMAN:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I just -- so this is keeping the pedestrians on -- putting them onto a proper sidewalk as opposed to roadside.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. D'AMARO:**

And the Town has identified various areas where it's County owned property or roadways that need the sidewalks.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. D'AMARO:**

Okay. All right. Thank you.

**D.P.O. SCHNEIDERMAN:**

Legislator Stern.

**LEG. STERN:**

Yeah, for Robert. This is one of those general funds, right, for sidewalks. After this appropriation, what would be the number that remains in that fund?

**MR. LIPP:**

We're looking it up now, so we'll get back to you as soon as we have that information.

**D.P.O. SCHNEIDERMAN:**

Commissioner, how do you determine which ones to move forward with on a situation like that?

**COMMISSIONER ANDERSON:**

Normally we would do it either in conjunction with a specific road project, or in this -- under this particular Capital Program, we have locations where public safety has been identified -- public safety concerns have been identified, and that's when we would issue. And this one, in particular, again as I mentioned, the Town of Smithtown was the one who brought it forward. They had some specific concerns in specific locations and we were able to locate the funding and move the project forward.

**D.P.O. SCHNEIDERMAN:**

I know when we did something like this out in Bridgehampton, the Town of the Southampton wanted it as well, but they were also asked to contribute \$100,000 towards the project. Is Smithtown contributing anything on this?

**COMMISSIONER ANDERSON:**

In this particular case there were capital funds that were available from a project that was already completed. We were able to do it a different way. We didn't do, you know, we didn't need the funds, and so that's where we were able to go. In that case that you're speaking of, we didn't have any funds available that we could use as an offset, for lack of a better term.

**MR. LIPP:**

So this particular resolution is site specific, so it's not -- you're not using it for general -- you're not using it for general purposes. This is site specific with a specific project. Even though --

**LEG. STERN:**

The way I read it here, it is the Capital Budget and Program appropriating funds in connections with constructions of sidewalks on various County roads.

**MR. LIPP:**

Correct. But if you look at the detail within the resolution it says specifically for this particular --

**LEG. STERN:**

This is a project specific resolution not taking out of the more general fund.

**MR. LIPP:**

Correct.

**COMMISSIONER ANDERSON:**

But the capital project is a more general project where we look to install sidewalks. In this particular resolution we're looking at specific locations based on specific funds.

**D.P.O. SCHNEIDERMAN:**

What's the total cost on this?

**LEG. STERN:**

So it's coming from the same general fund, you're just appropriating it differently.

**COMMISSIONER ANDERSON:**

Well, we will -- yes, the funds will be offset into that capital project. We will use our contractor that we bid out annually to do the work. It is \$100,000. I don't know who asked for the funds, but that's what --

**LEG. KENNEDY:**

And if I can, through the Chair.

**D.P.O. SCHNEIDERMAN:**

Legislator Stern, are you done?

**LEG. STERN:**

Sure.

**D.P.O. SCHNEIDERMAN:**

Okay. Legislator Kennedy.

**LEG. KENNEDY:**

Yes. The offset, if you will, or the transfer originates out of a prior intersection project that we had identified on that same roadway, CR 16, that had been the site of a number of injuries and actually fatalities. The roadwork that DPW was able to do helped to elevate and define some of the side intersections and what had originally been recommended as much longer, raised medians, in fact, were reduced considerably. But, nevertheless, still have been able to achieve the same traffic calming effect that was recommended by our traffic engineers.

That, in turn, then allowed some of what had originally been envisioned as about a 250, \$275,000 intersection improvement project to, in fact, come in probably somewhere in the neighborhood of about 160 or 170,000, thereby leaving in essence about 100,000 left to go ahead and fill in sidewalk area approximate to the library, approximate to the school, Cleary School, which is a school for the deaf.

**D.P.O. SCHNEIDERMAN:**

All right. Legislator Krupski.

**LEG. KRUPSKI:**

This is a question for the Commissioner. This winter we got into, because of the numerous snowfall events and the fact that it didn't melt in a timely fashion the snow built up and froze and refroze into ice. There was an issue with who would do the maintenance of the sidewalks. And you also mentioned vegetation. So when the County builds these sidewalks, these are brand new, is there a maintenance agreement with the Town going forward as far as keeping them clear of snow, debris and vegetation?

**COMMISSIONER ANDERSON:**

Generally those fall under the jurisdiction of the towns if you look at State law.

**LEG. KRUPSKI:**

But is it -- I mean, wouldn't it be better to have that specifically in the resolution to say that, because I know what happened in Riverhead this winter, you know, it was like a big problem, and I know your guys, you sent your guys out there and they did a great job, but it seems like it should be a routine thing. Somebody knows who plows the snow on the sidewalks and somebody knows who's responsibility it is to keep the vegetation off the sidewalks.

**COMMISSIONER ANDERSON:**

In many cases the towns will designate the homeowners for that responsibility. It depends on -- I guess it varies from municipality to municipality. We certainly try to get there when we can, but everybody's up against the same thing.

**LEG. KRUPSKI:**

I'm not saying it should be your responsibility. I'm saying the responsibility should be -- it's a new project. The responsibility should be laid out. If this is approved, the responsibility should be laid out, you know, today.

**LEG. KENNEDY:**

Again, through the Chair to Legislator Krupski, if I may. You're right in that it should be very clear. But, in fact, the State Legislature has actually codified that, and I believe it's Section 21 of Highway Law, that specifically has maintenance and clearance as a function of the town or village. And as a matter of fact, I've worked with Public Works in the past when we had that very same issue with the Town of Huntington and the prior Highway Superintendent, who absolutely refused to go ahead and do simple maintenance, and as a matter of fact encroachment, if you will, to pretty much obviate the sidewalk. He's no longer there now. But there is a section right in State Highway Law that makes that the local entity's responsibility for upkeep and maintenance.

**LEG. KRUPSKI:**

Thank you. But if we pass that, is there any way at least to reference that law in the resolution so that it's really clear?

**D.P.O. SCHNEIDERMAN:**

I don't know that you'd have to do that, law is the law.

**COMMISSIONER ANDERSON:**

It's already State Law.

**D.P.O. SCHNEIDERMAN:**

But I will make a motion to table, because I feel like we're going to be looking at all this debt. This is one place, it doesn't have to be spent on this project, it could go elsewhere. So in the spirit of some of the other ones that have gotten tabled, I'll make a motion to table.

**LEG. KRUPSKI:**

I'll second.

**D.P.O. SCHNEIDERMAN:**

All right. So we have two motions, a motion to table comes first. Do you want to do roll call? I'll call the vote. All in favor? Opposed? Abstentions? All right. Roll call, Tim.

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

**D.P.O. SCHNEIDERMAN:**

Yes to table.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No to table.

**LEG. STERN:**

No to table.

**LEG. McCAFFREY:**

No to table.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

No to table.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

No.

**LEG. MURATORE:**

No.

**LEG. BROWNING:**

No.

**P.O. GREGORY:**

No to table.

**MR. LAUBE:**

Four.

**D.P.O. SCHNEIDERMAN:**

Okay. So we have a motion and a second to approve. I'll call the vote. All in favor? Opposed? Abstentions? Approved.

**MR. LAUBE:**

Eighteen.

**LEG. KENNEDY:**

Thank you.

**P.O. GREGORY:**

All right. *I.R. 1461 - Appropriating funds in connection with Renovations --*

**MR. LAUBE:**

The bond isn't there. I have a bond.

**P.O. GREGORY:**

We did do the bond I thought. No?

**MR. LAUBE:**

No, that wasn't the bond.

**P.O. GREGORY:**

No? I'm sorry. *I.R. 1456A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$100,000 Bonds to finance the cost of construction of sidewalks on various roads (CP 5497.334)).* Same motion, same second. Roll call.

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

**LEG. KENNEDY:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

No.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

Okay. *IR 1461 - Appropriating funds in connection with Renovations and Alterations to Probation Administrative Buildings (CP 3063)(Co. Exec.).*

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Browning.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. On the motion? Anyone? No? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1461A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$200,000 in Bonds to finance the cost of renovations and alterations to probation administrative buildings (CP 3063.311). Same motion, same second. Roll call.***

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

**LEG. BROWNING:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

(Not Present.)

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. 1469 - Authorizing the acquisition and approving and accepting the conveyance of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0500 Section 071.00 Block 01.00 Lot 012.004 for the reconstruction of CR 13, Crooked Hill Road, from Garret Place to CR 106, Community College Drive, Town of Islip, Suffolk County, New York pursuant to New York State Education Law Sections 6304(4) and (5) and New York State County Law Section 215 (3) (CP 5538)(Co. Exec.).***

Motion by Legislator Browning.

**LEG. BROWNING:**

No.

**P.O. GREGORY:**

No? I'm sorry. Public Works. I'm sorry.

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco. I'll second. Any questions?

**LEG. BROWNING:**

Yeah. This is part of Capital 5538, right?

**P.O. GREGORY:**

Oh, yes, yes, yes, yes.

**LEG. BROWNING:**

Okay. So there you go. Need I say more.

**P.O. GREGORY:**

Okay. All right. All in favor? Opposed?

**LEG. BROWNING:**

Opposed.

**P.O. GREGORY:**

Abstentions?

**MR. LAUBE:**

Sixteen. *(Opposed: Legislator Browning; Not Present: Legislator McCaffrey)*

**P.O. GREGORY:**

***Okay. I.R. 1471 - Appropriating funds in connection with roof replacement on various County Buildings (CP 1623)(Co. Exec.).***

**LEG. KRUPSKI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski.

**D.P.O. SCHNEIDERMAN:**

Second.

**P.O. GREGORY:**

Second by Legislator Schneiderman.

**LEG. D'AMARO:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. I would just like to know if the department can identify particular structures that need attention at this point.

**COMMISSIONER ANDERSON:**

Yes. In this particular case, we're looking -- we're requesting to appropriate \$550,000 for roof replacement. Specifically we're looking at this point at the old infirmary building as well as the Farmingville Health building.

**LEG. D'AMARO:**

Okay. And I guess your department analysis says it's time to replace the roof.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. D'AMARO:**

Right. Okay. Thank you.

**P.O. GREGORY:**

All right. Anyone else? Okay. This was one of the priorities of the Work Group. All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *(Not Present: Leg. McCaffrey)*

**P.O. GREGORY:**

***I.R. 1471A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$550,000 Bonds to finance the cost of roof replacement at various County buildings (CP 1623.330).*** Same motion, same second. Roll call.

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

**LEG. KRUPSKI:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

(Not Present).

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

***J.R. 1473 - Appropriating funds in connection with Replacement of Major Building Operations Equipment at various County facilities (CP 1737).*** Motion by --

**LEG. BROWNING:**

*(Raised hand.)*

**LEG. KRUPSKI:**

*(Raised hand.)*

**P.O. GREGORY:**

-- Legislator Browning, second by Legislator Krupski.

**LEG. KENNEDY:**

On the motion. Can you just give us a quick one on this, Gil? What is this?

**COMMISSIONER ANDERSON:**

This is requesting to appropriate 200,000 for equipment replacement, specifically the emergency generator at the Fire, Rescue and Emergency Services building. The one that's there now is --

**LEG. KENNEDY:**

Pretty well cooked.

**COMMISSIONER ANDERSON:**

Yeah.

**LEG. KENNEDY:**

Okay.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Is that the total cost for the generator replacement or is this just a --

**COMMISSIONER ANDERSON:**

No, that's the total cost.

**LEG. D'AMARO:**

That's the total.

**COMMISSIONER ANDERSON:**

Yes.

**LEG. D'AMARO:**

Okay. Thank you. Sounds like a lot of money for a generator, though, I will tell you.

**P.O. GREGORY:**

Legislator Krupski.

**COMMISSIONER ANDERSON:**

Not at all.

**LEG. KENNEDY:**

Is it a natural gas hook up for it or do you have it diesel or gas run?

**COMMISSIONER ANDERSON:**

I don't know.

**LEG. KENNEDY:**

You don't know?

**COMMISSIONER ANDERSON:**

No. I would say in either event, I mean, if it was CNG it would be more expensive, but in either case it's a large generator. It runs the Emergency Center during those operations. You know, as you said, it's pretty well cooked.

**LEG. KENNEDY:**

Okay.

**LEG. TROTTA:**

What do you do with the old one?

**LEG. KENNEDY:**

Scrap.

**P.O. GREGORY:**

Legislator Krupski.

**COMMISSIONER ANDERSON:**

Pretty much just get rid of it.

**P.O. GREGORY:**

Legislator Krupski.

**LEG. KRUPSKI:**

Don't forget last year we borrowed over a million dollars to replace a generator for the Dennison Building. But this is a good example of DPW knowing we need that much money for a generator and we don't need that much money for planning or any other thing like that. It's money for the project. So thank you for that.

**COMMISSIONER ANDERSON:**

You're welcome.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *(Not Present: Leg. McCaffrey)*

**P.O. GREGORY:**

***I.R. 1473A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$200,000 bonds to finance the cost of replacement of major building operations equipment at various County facilities (CP 1737.329).*** Same motion, same second. Roll call.

General Meeting - June 3, 2014

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

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

(Not Present.)

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen. *(Not Present: Leg. McCaffrey).*

**P.O. GREGORY:**

***I.R. 1474 - Appropriating funds in connection with Elevator Controls and Safety Upgrading at Various County Facilities (CP 1760)(Co. Exec.).*** Motion by Legislator Schneiderman. I'll second. Anybody on the question?

**LEG. TROTТА:**

What is it?

**P.O. GREGORY:**

This is elevator controls and safety upgrades.

**COMMISSIONER ANDERSON:**

Two-hundred and fifty thousand. Specifically, we're looking at upgrading elevator controls at the Cohalan Complex, the Court Complex, as well as Criminal Courts in Riverhead. In many cases they're old. These are all based on, you know, this again is an annual contract based on experience from previous bids and things like that. So we anticipate these to be the cost.

**P.O. GREGORY:**

Okay. All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *(Not Present: Leg. McCaffrey)*

**P.O. GREGORY:**

***I.R. 1474A, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$250,000 Bonds to finance the cost of elevator controls and safety upgrading at various county facilities (CP 1760.319).*** Same motion, same second. Roll call.

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

**D.P.O. SCHNEIDERMAN:**

Yes.

**P.O. GREGORY:**

Oh, I'm sorry. Yes.

**LEG. KRUPSKI:**

Yes.

**MR. LAUBE:**

Pardon me.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

(Not Present.)

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

All right. ***IR 1502 (Accepting State funds and amending the 2014 Capital Budget and Program and appropriating funds in connection with the reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet (FIMI) (CP 5382)(Co. Exec.)***, has to be tabled. We need a bond. So I'll make a motion, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Leg. McCaffrey)

**P.O. GREGORY:**

Page 8. Ways and Means. *I.R. 1323 - Adopting Local Law No. -2014, A Local Law to streamline procedures for filling Presiding Officer and Deputy Presiding Officer vacancies (Pres. Off.)*. I make a motion to approve.

**LEG. STERN:**

Second.

**P.O. GREGORY:**

Second by Legislator Stern. Counsel, explanation.

**MR. NOLAN:**

This particular local law will change the way that the Legislature fills vacancies of the Presiding Officer and Deputy Presiding Officer spot. So right now under our rules if there's a vacancy in either spot, the Legislature is supposed to fill the vacancy within 60 days. Under this law, if there's a vacancy in the position of Presiding Officer during the year, then the D.P.O. would immediately become the Presiding Officer. If the Presiding Officer position becomes vacant during a year, the Legislature would have 60 days to fill the vacancy, but if they fail to do so, then the Presiding Officer would be authorized to appoint the Deputy Presiding Officer.

**P.O. GREGORY:**

Okay. Any questions? Legislator D'Amaro.

**LEG. D'AMARO:**

So what happens now? If there's a vacancy in the Presiding Officer position, what happens now?

**MR. NOLAN:**

The rules state that the Legislature is supposed to fill that vacancy within 60 days and it's the same for the Deputy Presiding Officer. And I think that's one of the impetuses for the bill was we had a situation last year where there was a vacancy in the D.P.O. position. We never filled it and it remained vacant for four or five months. So I think it made the Presiding Officer start to think about this and the best way to fill vacancies, the thinking being if there's particularly a vacancy in the Presiding Officer spot this should not be a prolonged vacancy in that position.

**LEG. D'AMARO:**

But if there's a vacancy now in the Presiding Officer's spot then the Legislature has 60 days to fill it.

**MR. NOLAN:**

That's correct.

**LEG. D'AMARO:**

So what's the issue with that? What are we changing to that?

**MR. NOLAN:**

The Legislature would not fill the vacancy. The Deputy Presiding Officer would immediately become the Presiding Officer if there was a vacancy in the middle of the year, and the Deputy Presiding Officer would complete the Presiding Officer's term.

**LEG. D'AMARO:**

So if there's a vacancy in the Presiding Officer's position other than an Organizational Meeting, the vacancy is filled by the D.P.O. becoming the Presiding Officer.

**MR. NOLAN:**

Correct.

**LEG. D'AMARO:**

As opposed to the Legislature going through the process and someone getting ten votes.

**MR. NOLAN:**

Correct.

**P.O. GREGORY:**

If I may. There isn't a -- unlike during the Organizational Meeting at the beginning of the year, if there isn't a decision made the County Clerk makes the decision after 45 days or is it 60 days?

**MR. NOLAN:**

I think it's 15 days. At the beginning of the year, if we don't act within 15 days, then the Clerk selects the Presiding Officer. This is for mid-year vacancies.

**P.O. GREGORY:**

Right. Even though in our rules we have 60 days, there's nothing to say that we can go beyond that, and this puts in a trigger that will allow the D.P.O. to ascent to the Presiding Officer. And should there be a D.P.O. vacancy?

**MR. NOLAN:**

The Legislature, because that position is not considered as vital to administering the office or the Legislature, the Legislature would still have 60 days to fill the D.P.O. vacancy, and only if there was a failure to do so then would the Presiding Officer have the authority to appoint a Deputy.

**P.O. GREGORY:**

Right.

**LEG. BARRAGA:**

If there's a vacancy in the P.O.'s position in say March or April, the Deputy P.O. takes the position. He or she holds that until?

**P.O. GREGORY:**

The end of the year.

**LEG. BARRAGA:**

And does the P.O. then have the right to appoint a new Deputy P.O. or is that left to somebody else?

**MR. NOLAN:**

The new Presiding Officer would only have the authority to pick a new Deputy if the Legislature didn't perform that task within 60 days.

**LEG. BARRAGA:**

So the legislative prerogative still holds true for the Deputy P.O.

**MR. NOLAN:**

Yes.

**LEG. BARRAGA:**

But not the P.O.

**MR. NOLAN:**

Correct.

**LEG. D'AMARO:**

Well, why -- what's the reason that we're saying this body shouldn't choose the Presiding Officer mid-year as opposed to at an Organizational Meeting?

**P.O. GREGORY:**

There are certain administrative duties that have to be done that weren't able to be done, you know, when the situation arose last year. So that's why the Presiding Officer position is treated differently than the Deputy Presiding Officer position.

**LEG. D'AMARO:**

Continuity.

**P.O. GREGORY:**

Right, to restrict or prohibit or to allow continuity, you know, signing of tax warrants and other things like that that happen during the year that will be held up from being done should there be a prolonged vacancy.

**LEG. KENNEDY:**

Can I weigh in here for a second? Are you done, Lou?

**LEG. D'AMARO:**

Yeah.

**P.O. GREGORY:**

Yes, Legislator Kennedy.

**LEG. KENNEDY:**

My question is to Counsel. Not that I agree with this, and I will vote in opposition, but why are we doing this as Local Law? We are talking about modifying our procedures about how we select whom our P.O. is and our D.P.O., and for that matter, we could throw a third one in if we wanted. Why is this going as a resolution or Local Law?

**MR. NOLAN:**

Well, it could have been done, I guess, through a change in the rules.

**LEG. KENNEDY:**

Sure.

**MR. NOLAN:**

But, you know, my personal opinion, it's better to be in our Administrative Code. It lays out permanently the process for filling these vacancies instead of doing this -- we do our rules every year.

**LEG. KENNEDY:**

We do.

**MR. NOLAN:**

So it was thought that this should be a permanent change. It should be done by a Local Law and put in the Administrative Code under filling vacancies for these offices.

**LEG. KENNEDY:**

Well, okay. I disagree.

**P.O. GREGORY:**

Okay. Anyone else?

**LEG. D'AMARO:**

Well, I just, John, just through the Chair. Normally this whole concept of replacement and vacancies is dealt only in the Rules of the Legislature.

**LEG. KENNEDY:**

Yes.

**LEG. D'AMARO:**

So, George, is there a provision -- are we creating a new section in the Administrative Code or is this something that's dealt with there as well?

**MR. NOLAN:**

It's really a new section of the Administrative Code. I mean, in terms of -- for example, Legislative vacancies. When there's a vacancy in the office of County Legislator, the process for filling that is set forth in the Administrative Code. So to me, it's a natural place to deal with this.

**LEG. D'AMARO:**

Okay. And, you know, I'm just concerned that a vote to support this somehow is saying that we don't have the ability, should there be a vacancy, to choose the next Presiding Officer. I mean, if we can do it -- I understand what you're saying, Legislator Gregory, about I guess there's a backstop at the Organizational Meeting where the County Clerk, we're the under the gun, basically either agree or we're going to choose for you, and it's someone even outside of this body. But I guess we could also put that same backstop into a vacancy mid-year would be another way to go. I don't know. I have to think about this. It seems simple enough, but, you know, when we're appointing a D.P.O., and if there's a vacancy for any reason, you know, is that -- I mean, this body has the ability to govern itself. Why shouldn't we take a vote at that point? I would have to think about that.

**MR. NOLAN:**

I would only say to that, Legislator D'Amaro, that we had a vacancy last year in the Deputy Presiding Officer and we did not fill it. We just didn't fill it.

**D.P.O. SCHNEIDERMAN:**

Legislator Barraga.

**LEG. D'AMARO:**

Well, that's because we didn't have the rule that said the County Clerk will fill it for us if we don't make a decision.

**MR. NOLAN:**

I think -- I don't think this body philosophically should look to having an outside entity fill leadership positions at the Legislature. At least with the Deputy Presiding Officer the Legislature elected the Deputy Presiding Officer at the beginning of the year, and to me that's far preferable to have that person become P.O. than have the Clerk or anybody else select the Presiding Officer.

**LEG. D'AMARO:**

Okay, that's fair enough, but there's a lot that goes into the mix in choosing a Presiding Officer and a Deputy Presiding Officer, but I understand your point.

**P.O. GREGORY:**

Okay. Legislator Barraga.

**LEG. BARRAGA:**

I guess the reservation I have is that when someone is elected a Presiding Officer, it's by an overwhelming majority of the body, if not just about everyone who is a member of the body. And if a vacancy occurs, I'm not so sure I'm very comfortable with having the Deputy P.O. assume the P.O.'s position, because frankly, I might not be too crazy about the Deputy P.O. I really can give him a lot of consideration or her a lot of consideration, it may have been done for several different reasons, and they're fine it's a Deputy P.O., but I sure as hell wouldn't want them sitting there for seven or eight or nine months as the P.O. I'd want to be able to within a reasonable period of time, say up to 60 days, elect a new Presiding Officer voted in by an overwhelming majority of the members.

**P.O. GREGORY:**

Okay. Legislator Hahn.

**LEG. HAHN:**

Yeah, I agree. I think that we can -- I think we can write into the rules or to this law or whatever it is, that we hold a special meeting within ten days or something. You know, like I think that there was well, I don't want to comment on that, but I just -- I think that this can be done another way. I think we should all decide about it -- on it, and it would be just as easy to say we hold a special meeting to do it. It doesn't happen often enough, special meetings are not that big of a deal, but it is important enough to have that separate vote.

**P.O. GREGORY:**

Legislator Spencer.

**LEG. SPENCER:**

I also look at the fact that we're an even body, where there could be potentially a chance where there is a nine-nine political split within the body. And there could be -- I don't want to give up our authority to make our own rules and to choose our own leadership. I do have some concerns by making it a Local Law. I think that part of our finest political process is where we have to make that very difficult decision. And so I do have some concerns where we'd make it a Local Law and we prescribe a process that potentially takes some of our choice away from us. I think that's a task that we have to do. And not necessarily with the Presiding Officer have a super-majority. There have been cases where it's been, you know, just a simple majority. But in any case, I think this could diminish some of our power in choosing the leadership. I think it's something that's very important that we maintain control, as much control over that as possible.

**P.O. GREGORY:**

Okay. Anybody else?

**LEG. D'AMARO:**

DuWayne, just a final thought on that. Legislator Barraga -- Barraga, right?

**LEG. BARRAGA:**

Tonight it is.

**LEG. D'AMARO:**

Right. Okay.

*(\*Laughter\*)*

You know, I think the person that becomes Presiding Officer and all the powers and responsibilities of that office, especially if it's going to be long-term, you know, for almost a year, let's say, would want that vote, would want the validation, if you will, of assuming that position. And when you

General Meeting - June 3, 2014

support someone for D.P.O., it doesn't necessarily mean you would support them for Presiding Officer, and I have confidence that we would be able to pick a Presiding Officer. And if we need to put some kind of mechanism in to compel us to do so, so be it, but I really think the leadership of this body would require that vote, and I'm not sure that we should -- this changes the considerations even at an Organizational Meeting. I'm not sure that I can support this today.

**P.O. GREGORY:**

Okay. Anybody else? All right. So obviously this wouldn't affect me, because I wouldn't be here.

*(\*Laughter\*)*

But having been here five months now, I think it's important that we have someone fill the position. I don't plan on going anywhere. So I will -- I guess we'll do a put down vote. Unless there's another motion.

**D.P.O. SCHNEIDERMAN:**

I'll make a motion to table.

**P.O. GREGORY:**

Okay.

**LEG. KRUPSKI:**

I'll second.

**P.O. GREGORY:**

Second. Okay. All right. Tabling motion goes first. Ready, Mr. Clerk? All in favor? Opposed? Abstentions? To the table?

**MR. LAUBE:**

Seventeen. *(Not Present: Leg. McCaffrey)*

**P.O. GREGORY:**

All right. ***I.R. 1450 - Legalizing and validating certain acts of the Smithtown Fire District in connection with the construction of a substation on Plymouth Boulevard, Smithtown, and the expenditure of funds for said purpose from a Capital Reserve Fund (Kennedy).***

**LEG. KENNEDY:**

I will make a motion to approve, Mr. Chair.

**P.O. GREGORY:**

Okay. Don't jump all at once.

**LEG. STERN:**

Second.

**LEG. TROTTA:**

Second.

**P.O. GREGORY:**

All right. Second by Legislator Trotta. Anybody on the question? Okay.

**LEG. STERN:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Stern.

**LEG. STERN:**

On the motion and just for the record. This was before the Ways and Means Committee. The Ways and Means Committee had, when the representatives from the fire district came to speak about the bill, we had voiced several concerns and had sent them back with a few considerations and requirements that in order to ultimately have the approval of the committee, that they were going to have to show that, among other things, that more than adequate notice was ultimately provided to the community and given every opportunity to be heard. They had come back before the Ways and Means Committee with those requests in mind. The discussion showed that not only did they provide various ways to provide notice, many opportunities to be heard, but then also filed affidavits to that effect that were made part of the record. So I'll be supporting it.

**P.O. GREGORY:**

Okay. I'm sorry. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen.

**LEG. HAHN:**

Abstain.

**P.O. GREGORY:**

One abstention.

**MR. LAUBE:**

Who was the abstention?

**P.O. GREGORY:**

Hahn.

**MR. LAUBE:**

Fifteen. (*Abstention - Leg. Hahn; Not Present: Legislators Cilmi and McCaffrey*).

**P.O. GREGORY:**

***IR 1475 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jla Unlimited, Inc. (SCTM No. 0200-882.00-02.00-070.000)(Co. Exec.).***

**LEG. KENNEDY:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Kennedy. I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (*Not Present: Legs. Cilmi & McCaffrey*)

**P.O. GREGORY:**

***I.R. 1476 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-781.00-01.00-003.001)(Co. Exec.).***

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco, second by Legislator Anker. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. *(Not Present: Legs. Cilmi & McCaffrey)*

**P.O. GREGORY:**

***I.R. 1478 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Thomas Murray (SCTM No. 0200-685.00-03.00-007.000)(Co. Exec.).*** Motion by -- who was that, Legislator Hahn?

**LEG. HAHN:**

No.

**P.O. GREGORY:**

Legislator Browning.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Sixteen. *(Not Present: Legs. Cilmi & McCaffrey)*

**P.O. GREGORY:**

Okay. Manila folder. Okay. We did, let's see, Procedural Motion Number 8 -- excuse me, ***Home Rule Message Number 8 - Requesting the State of New York to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to the extension of adjudications and owner liability for a violation of traffic control signal indications and providing for the repeal of such provisions upon expiration thereof (Senate Bill S.07648/Assembly Bill A.09737A).*** I make a motion to approve. Do I have a second?

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. Anybody on the question?

**LEG. HAHN:**

Can you explain this?

**P.O. GREGORY:**

Explanation, Counsel?

**MR. NOLAN:**

It looks to me like it extends the Red Light Camera Demonstration Program through 2019.

**MR. VAUGHN:**

The bill extends the Red Light Camera Program through whenever, as the Counsel just said.

(\*Laughter\*)

**P.O. GREGORY:**

Okay.

**MR. VAUGHN:**

2019.

**P.O. GREGORY:**

2019. December 1, 2014 through November 30th, 2019.

**LEG. HAHN:**

On the motion.

**P.O. GREGORY:**

Legislator Hahn.

**LEG. HAHN:**

So extending as is, so like the current contract applies and do we have any opportunity to renegotiate?

**MR. VAUGHN:**

They are actually -- the current contract was renegotiated I believe either earlier this year or some point in time last year, and according to the notes that I have, resulted in a 20% bump in our favor on this. But this doesn't have to do with the contract. The contract will be separate. This is our legal -- our legal obligation. And just --

**LEG. HAHN:**

The State asking for the extension of the --

**MR. VAUGHN:**

Right, so if the State did not adopt this the Red Light Camera Program would actually go away.

**LEG. HAHN:**

Okay.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**LEG. TROTТА:**

Opposed.

**MR. LAUBE:**

Fifteen. (*Opposed: Leg. Trotta; Not Present: Legs. Cilmi and McCaffrey*)

**P.O. GREGORY:**

Okay. Home -- excuse me. ***Procedural Motion 22 - Directing the Clerk of the Legislature to provide notice of public hearings to interested persons.*** I'll make a motion to approve.

**LEG. KENNEDY:**

Second.

**P.O. GREGORY:**

Second by Legislator Kennedy. Any questions? This is just simply to those who would like to get notifications of public hearings, it directs the Clerk to notify these people via e-mail, right?

**MR. LAUBE:**

To develop an e-mail list as requested.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**D.P.O. SCHNEIDERMAN:**

Cosponsor, Tim.

**MR. LAUBE:**

Sixteen. *(Not Present: Legs. Cilmi and McCaffrey)*

**P.O. GREGORY:**

Okay. We have another resolution in your packet. ***I.R. 1564 - Accepting and appropriating 100% grant funding from the New York State Office of Children and Family Services to the Suffolk County Department of Social Services to increase the number of child trafficking victims identified and served and authorizing the County Executive and the Commissioner of Social Services to execute a contract (Co. Exec.).***

**LEG. STERN:**

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Stern. I'll second. Any questions? On the motion? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. *(Not Present: Legs. Cilmi and McCaffrey)*

**P.O. GREGORY:**

Okay. I'd like to waive the rules and lay the following resolutions on the table as late starters: I.R. 1562, Parks and Rec; I.R. 1563, Economic Development; I.R. 1564, Human Services; I.R. 1565, Education; I.R. 1566, Economic Development; I.R. 1567, Budget and Finance; I.R. 1568, Public Safety; I.R. 1569, Public Safety; I.R. 1570, Public Safety; I.R. 1571, Public Safety; I.R. 1572, Public Safety; I.R. 1573, Public Works. Set a Public Hearing on June 17th at 6:30 p.m., Riverhead. I.R. 1574, Ways and Means. Set Public Hearing, June 17th 6:30 at Riverhead. I.R. 1575, set Public Hearing, June 17th, 6:30, Riverhead. Assigned to EPA. I.R. 1576, Public Works; I.R. 1577, Public Works; I.R. 1578, Public Works; I.R. 1579, Public Works; I.R. 1580, Public Works; I.R. 1581, Health; I.R. 1582, Public Safety. Do I have a second?

**LEG. KRUPSKI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Sixteen. *(Not Present: Legs. Cilmi and McCaffrey)*

General Meeting - June 3, 2014

**P.O. GREGORY:**

We stand adjourned. Thank you.

*(\*The meeting was adjourned at 8:22 p.m. \*)*

*{ } - Denotes Spelled Phonetically*