

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

NINTH DAY

June 17, 2014

Verbatim Transcript

MEETING HELD AT THE EVANS K. GRIFFING BUILDING

IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM

300 CENTER DRIVE

RIVERHEAD, NEW YORK

Minutes Taken and Transcribed by

Lucia Braaten & Alison Mahoney - Court Stenographers

*(*The following was taken and transcribed by
Lucia Braaten - Court Stenographer*)*

P.O. GREGORY:

Good evening, everyone. May I have all Legislators at the horseshoe, please. All right. Mr. Clerk, please do the roll call.

MR. LAUBE:

Good afternoon, Mr. Presiding Officer.

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

LEG. KRUPSKI:

Here.

LEG. BROWNING:

Here.

LEG. MURATORE:

Here.

LEG. HAHN:

Present.

LEG. ANKER:

Here.

LEG. CALARCO:

Here.

LEG. LINDSAY:

Here.

LEG. MARTINEZ:

Here.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not Present)

LEG. TROTTA:

Here.

LEG. MC CAFFREY:

Here.

LEG. STERN:

Here.

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LEG. D'AMARO:

Here.

LEG. SPENCER:

Here.

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

Here.

MR. LAUBE:

Seventeen. (Not Present: Leg. Kennedy)

P.O. GREGORY:

Thank you. Okay. We're going to -- Legislator Calarco will lead us in the salute to the flag.

*(*Salutation*)*

P.O. GREGORY:

Okay. The invocation will be given by Reverend Jeffrey Saunders from Feed My Sheep Baptist Church in Medford, a guest of Legislator Calarco.

LEG. CALARCO:

Thank you. It's a pleasure to be able to introduce our Clergy for this evening. Reverend Jeffrey Saunders has been a Pastor at Feed My Sheep Church since 2010. He had been involved with social and civic projects in the Gordon Heights area for decades, and is a founding member of the Gordon Heights Clerical Council. The Clerical Council has led the way to improve housing conditions in and around the Gordon Heights community, promote job growth, and bring peace and prosperity to the historic community.

On May 31st, he retired after 25 years with Shell Oil as a driver and terminal operator, so congratulations on your retirement. And then he celebrated his birthday the very next day, so happy birthday, Reverend Saunders. And then a daughter just got married, too. He's just racking them up.

REVEREND SAUNDERS:

Yes, yes.

LEG. CALARCO:

So Reverend Saunders has been married to his wife, Shirley, for 34 years, who is joining us here today, and has three daughters and two grandchildren. In his limited spare time, he enjoys reading, bowling, and is looking forward to doing more traveling in his retirement.

And I can say I've had the pleasure of working with Reverend Saunders over these last two years as -- through his role with the Clerical Council and working on issues for our community in Gordon Heights, and they have done wonders. And it's because of the leadership of Reverend Saunders and his fellow Pastors in the community, that really stepped up and said, "It's time for us to start making a difference in our community, so we can decide, work together for us on one common mission and one common goal." And it's been a real pleasure working with Reverend Saunders. So, Reverend Saunders, please come up and lead us in the invocation. Thank you very much.

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REVEREND SAUNDERS:

Good afternoon, Family. I know that might be a strange word to most of us, but good afternoon, Family. I'm so glad to be here in your presence. Thank you, Rob, for inviting us to do the invocation. Let us pray.

We come here to do the business of local government, the deliberative body that is closest to the people. As we gather, oh, God, we are reminded that in our differences, there is great strength. We do not all think the same way or believe the same things, yet we are linked by our common humanity and our shared origin. When we work together to move our community forward in a spirit of mutual respect and common decency, we showcase what is best about our community, our state, and our nation.

We embrace, oh, Father, many traditions. We are Christians, some are Jews, some are Muslims, some are Hindus, some are Buddhists, some are Atheists, and some are Agnostics, some are unaffiliated, some are uncertain, and some many other things. We are young and we are old and everything in between. We represent dozens of races and nationalities. We run the gamut from Liberal to Conservative, and some of us are a bit of both. But, God, be sure, we do not agree about everything and we often feel fiercely protective of what we do believe. There is great passions in our beliefs, and rightly so. But there is one thing of which we all agree. We share the goal of making our community the best place it can be.

We come here before you to welcome you to this meeting. We give you respect, and acknowledge you as our Creator and our Provider. It is you who are omnipresent. God, you are everywhere. It is you who are omnipotent, God, you have all the power. It is you who are omniscient, you know everything.

God, as we begin this meeting, we ask that you would guide our thoughts and our actions so that we may have a successful meeting today. Help us to accomplish our goals while displaying our character. And, God, we say this in Jesus' name, we pray. Amen.

*(*Amen Said in Unison*)*

P.O. GREGORY:

If you will all please remain standing. Before we move to our moment of silence, I just remind people to either turn off their phones or put them on silent.

Let us also remember all those men and women in the military who put themselves in harm's way every day to protect our country.

*(*Moment of Silence*)*

P.O. GREGORY:

Folks, we're just going to need a few minutes before we set up a presentation.

Okay. We're going to move on to our proclamations. Resolution 187 of 2013 established "The Truth About Stimulant Drinks," a public education campaign to increase awareness of the side effects associated with stimulant drink consumption and the negative health effects associated with consuming them.

Legislator Martinez will present a proclamation to Douglas Argueta, a Junior at Central Islip High School, who is the winner of "The Truth About Energy/Stimulant Drinks" Public Service Announcement Contest. Legislator Martinez.

LEG. MARTINEZ:

Good afternoon. I've asked Legislator Spencer to join me here today, because without him, this wouldn't have been possible. So I thank you for everything that you have done thus far since I've met you, and, prior to me meeting you, everything you've done for our children here in Suffolk County.

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Today we have the -- well, I have the honor to present this proclamation to Douglas Argueta. He is a Junior at Central Islip High School, who his interest has always been technology. And now going into 21st Century skills, he is definitely utilizing them in his present and, hopefully, in his future.

We -- are we going to show it? So okay. So, right now, it's a 30-second clip, and this is Douglas Argueta pretty much informing the public of the negative effects that stimulant drinks have on the body.

*(*Video Presentation*)*

*(*Applause*)*

LEG. MARTINEZ:

Yay. Where is Douglas? Douglas, if you don't mind, join us up here. He's a little nervous, so.

*(*Laughter*)*

Legislator Spencer, if you could just say a few words, please.

LEG. SPENCER:

Douglas, I want you to know that you are a hero. And by what you've done here, you will create awareness and you will potentially save the life of a young person. I just want to thank you for, one, just taking the interest, getting involved, and putting together such a fantastic presentation.

Legislator Martinez, thank you very much for letting me share in this honor. I appreciate that. Thank you.

LEG. MARTINEZ:

And if you weren't made aware, about 30 submissions that were handed in, and Budget Review Office judged them, and came out that Douglas was the winner. And as -- and I was just saying before that as an educator, many students that I have seen have drank the stimulant drink, and the effects that it's had on them, it's unbelievable.

We -- they used to go to the nurse's office with headaches, and dizziness, and just jittery, and just being pretty much out of control, okay, because they were just so anxious with this drink, especially when they would drink and not eat, so -- and what I just told Douglas, too, and just what Legislator Spencer said, is that you may have saved the life of someone, okay, in terms of them watching this PSA that you created. So I thank you. And from -- on behalf of the entire Suffolk County Legislature, I would like to present this proclamation to you.

*(*Applause*)*

All right. Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Congratulations. Next, I'd like to bring forward Legislator Kate Browning to the podium. She'll be presenting a proclamation to Sergeant Paul Mercready of Suffolk's Seventh Precinct. Sergeant Mercready saved the life of a woman in Mastic Beach who was attempting suicide. Do you want to -- Kate, wait one second.

LEG. BROWNING:

Okay.

D.P.O. SCHNEIDERMAN;

Let's do the photo op and then we'll begin.

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LEG. BROWNING:

Anyway, but it's great to be here with Sergeant Paul Mercready. As Jay had mentioned, the evening of May 24th, a woman walked past a group of teenagers in Mastic Beach into the Moriches Bay, fully clothed, with an intent to take her life. The teens tried to go after her, but they turned back because the water was too cold. And I think we all know how cold the water is these days. We were out there this weekend, it's still really cold. But Sergeant Mercready responded and swam fully clothed in full uniform out to the woman to rescue her. He pulled her from the water and she was suffering from hypothermia, as she was transferred to Stony Brook Hospital with non-life-threatening injuries.

But I think what's important about this is he not only saved somebody from committing suicide, but she has an extended family, and when people commit suicide, they don't always realize the hurt that it's going to cause their family. So I just want to say a special thank you, because I know her family are very happy that she's still here, and that you got out there, you know, with no thought of yourself and that freezing cold water. You saved that woman and I can't say enough thank yous.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Thank you, Sergeant, for your service. Indicate, when you're -- I don't know if you're going to do a quick photograph.

LEG. BROWNING:

We did.

D.P.O. SCHNEIDERMAN:

But then I'd like to bring you back with Legislator Muratore for a second proclamation. This will be to Jose Nunez in recognition of his volunteer efforts and outstanding public service.

LEG. MURATORE:

Good day, everyone, my colleagues, all the important people in the seats behind me. Today's a special day in Suffolk County. Together, with Legislator Kate Browning and myself, it's our pleasure to pay some honor to an individual who is -- you know, the Pastor spoke of all the heritages and all the lifestyles we have in this country, and Jose Nunez is an example of how we conduct our pride, how we work toward improving our heritage, and how we take pride in what we do.

And I've known Jose for a long, long time. Jose was a Union Leader like I was; he was with the Deputy Sheriffs. He's been a Deputy Sheriff since 1996. And besides being a Sheriff -- and, you know, in law enforcement, it's not eight to four and it's not five days a week, it's seven days a week, 24 hours a day. And even having that responsibility, Jose was able to take a lot of effort and put it into his community. He's taught classes in diversity, sensitivity and multi-cultural awareness to recruits. He's an active member of the Honor Guard, so you can see that's what this is all about here. You know, this is his really nice uniform. He is president of the Bronze Shields, which is a fraternal organization within law enforcement. He has been twice elected and served, so he's a politician, too, as Deputy Sheriffs PBA on their Board. He served as a member of the Suffolk Community College "Get There From Here" Advisory Board. He's been a member of the Brentwood Campus and Civic Group, and I can go on and on.

There's so much that says all the effort that Jose has put into his community, and now we see he's put into his job, because he's -- you know, he's taken the competitive exam to do this. It's not just let's make Jose a Sergeant, and let's make Jose a Sergeant because he's Spanish, it's because he took a test, did real well -- did real well, and now became the first Hispanic Sergeant in Suffolk County.

So, on behalf of my colleagues, the hundred and -- well, 1.2 million people in Suffolk County, we say thank you, Jose, and continue everything you're doing. Thank you.

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*(*Applause*)*

SERGEANT NUNEZ:

Thanks.

D.P.O. SCHNEIDERMAN:

All right. So we have a Division B Long Island champion high school baseball team, and the Legislator representing the Cutchogue High School Boys Baseball Team is Legislator Al Krupski. Al, if you'll come to the podium. And I think you may have some members of the team present. Invite them up.

LEG. KRUPSKI:

Coach DeCaro is the Coach of the Mattituck Baseball Team. He's also the Physics teacher, so please pay attention, you might all learn something this afternoon. So -- and I'm going to let the Coach explain how they did. They had a very good season. This is their second Long Island Championship in four years, so, obviously there's -- you know, there's a good trend going on here. And the community is very -- you know, very proud of them. But if you could just go through and explain how you went through the season, and then how you went through the playoffs, and so on.

COACH DE CARO:

Thank you. Yes, it will be quick, guys. We ended up being the League A Champions. We ended up 17-and-1 this year. We ended up being the Suffolk B County Champions. And then we won the Long Island Championship at Farmingdale College just a couple of weeks ago. And we were up in the State tournament in Mamaroneck where we lost three-nothing and ended our run, but ended up 21-and-4 this year.

*(*Applause*)*

LEG. KRUPSKI:

So just on behalf of everyone in the District, I've got a proclamation here for the Coach and one for each of the players. And how many of you are seniors?

*(*Indicated by a Raise of Hands*)*

Okay. So there's a few who are coming back for next year, so maybe we'll see you next year.

COACH DE CARO:

We're planning on it.

*(*Proclamations were presented to the
Mattituck-Cutchogue Boys Baseball Team by Legislator Krupski*)*

LEG. KRUPSKI:

And just also, was it Steve Ascher, who Coach DeCaro coached, and he was on your team.

COACH DE CARO:

In 2011.

LEG. KRUPSKI:

In 2011 when you won the Long Island Championships. He just got drafted by Tampa Bay to play professional baseball. So there's a good history here that's -- it's a good trend you're setting.

*(*Applause*)*

*(*Photograph was Taken*)*

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D.P.O. SCHNEIDERMAN:

All right. Congratulations, gentlemen. Next up is Legislator Anker and Legislator Krupski again will present a proclamation to Ken Barra, the owner of The East Wind, for his generous contributions to the community.

LEG. ANKER:

As Ken makes his way up here, I just wanted to add a little bit of information.

Ken is owner of East Wind Catering, Spa. Ken has been very involved in the Wading River community, as well as the whole North Shore, North Shore Chamber. He's contributed many ideas, and food, and a place for people to go to to really enjoy themselves. But I have Ken here today, again, because not only is he a wonderful community member and business leader, but he has such a great heart. And, again, you know, we as Legislators look for those in our area that really excel in our community deeds. And, you know, he's actually right on the borderline, that's why I have Legislator Krupski here today. But, again, I just wanted to honor you with a proclamation, because you just are such a wonderful person. You do so many good things for our community, so congratulations. And I think Legislator Krupski has a few words to say.

LEG. KRUPSKI:

Thank you, Sarah. Yes, it is good when people do good work for the community that they are recognized. You know, thank you for bringing me in on this, since you do operate in two different Districts. And it's good that you did that and to recognize Mr. Barra for his work for other people.

LEG. ANKER:

And I want to --

LEG. KRUPSKI:

Sure.

LEG. ANKER:

Just a bit of information. It's also, again, contributing to our business community. I believe The Shops at Wading River, it's a new development, business development that's opening, and it's going to be the largest construction project in the history of Wading River. So, again, Ken has taken a chance, he's investing in the community, and we're very proud to have him here today, so congratulations.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Mr. Barra, thank you for your generosity.

P.O. GREGORY:

Okay. We will now do the Public Portion. We have several cards, the first being Robert DeLuca.

MR. DE LUCA:

Good evening, Presiding Officer and Members of the Legislature. My name is Bob DeLuca, and I serve as President of Group for the East End. I'm here this evening to speak in support of I.R. 1574, which is the requirement of a referendum to change or repeal the Drinking Water Protection Program, and I.R. 1575, which amends the Drinking Water Protection Program to provide enhanced water quality protection. I ask for the Legislature's support of these two Introductory Resolutions, because I think both prove to be very important for the future of water quality protection in Suffolk County. And they go a long way to resolving differences that have existed over some period of time in terms of how best to manage that fund, the requirements in the way in which that fund is managed, and the allocation of how those funds go to the places where they're needed.

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I.R. 1574 in particular is important in that it changes the County Charter's Environmental Bill of Rights in such a way that it makes absolutely clear that the Suffolk County Drinking Water Protection Act must go before the electorate and be subject to a mandatory referendum for any repeal or change. And, importantly, I.R. 1575, the amendment to the Drinking Water Protection, to provide enhanced water quality protection, will add 20 million dollars in new money for land preservation, 4.7 million allocated for clean water stewardship projects, and 4.7 million allocated for enhanced wastewater infrastructure in areas that are defined as having water quality degradation. Those three aspects of the Drinking Water Protection Fund are all underfunded for one reason or another. And these two -- these two resolutions together I think put us in a place where we all want to be, which is moving forward with the Legislature and the Administration for the water quality improvement future.

The other thing is that this will allow a ratification of the existing Sewer Infrastructure Fund, which has been very important to many Legislators, and would allow for additional funds to be given for sewage treatment plant upgrades and for other wastewater infrastructure, which is needed throughout the County. All of those things have been important to us. We've all stood here before you on many occasions to ask that you do what you can to protect this fund. Any changes to the fund, that you put them before the public, and that you try to provide enhanced funding within the Drinking Water Protection Program in the areas that are underfunded, currently at a time when water quality is absolutely the most important issue here in Suffolk County to those of us in the environmental community.

So I appreciate your consideration of these resolutions and look forward to their passage. Thank you very much.

P.O. GREGORY:

Great, thank you, Robert. Next is Kevin McDonald, and on deck, Sid Bail.

MR. MC DONALD:

Good evening, Mr. Presiding Officer and Members of the Legislature. I'm Kevin McDonald. I'm affiliated with the Nature Conservancy in Chapters on Long Island. One of the most important issues which we have been working on institutionally has been water quality over the last three years. We've been working closely with the County Exec's Office on the IBM Smart Cities Initiative, a host of other related issues.

So, not surprisingly, we, too, are supporting I.R. 1574 and 1575. We think it closes a chapter on certain ambiguities that were present in the discussion over when is it appropriate to go before the voters or not now. All changes to the legislation that created the Drinking Water Protection Program have to go before the voters.

And the second major element is it also clarifies certain funds that might have been borrowed in the past as to -- and how they get repaid. So we think both these resolutions are important. We think they both warrant your support. We think they add clarity to the investment the County needs to make in water quality protection and urge your support. Thank you very much.

P.O. GREGORY:

Thank you, Kevin. Sid Bail and on deck, Douglas King.

MR. BAIL:

Good afternoon. My name is Sid Bail. I'm president of the Wading River Civic Association. And Wading River Civic Association is a strong supporter of Suffolk County's Drinking Water Protection Program. And fortunately for Mr. McDonald, Mr. DeLuca, we agree with everything that they've said. However, we think that it's not up to the Wading River Civic Association to decide the fate of any kind of compromise agreement. The ball is now in your court. We urge you, as County Executive Bellone has requested, to pass the drinking water compromise measure so that it can appear in the November ballot. Ultimately, it will be up to the voters, as it should be, to render a decision on this important issue. Thank you for your time.

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P.O. GREGORY:

Thank you, Mr. Bail. Douglas King, and on deck, Adrienne Esposito.

MR. KING:

Good afternoon. My name is Douglas King. I am a member of the Suffolk County Disabilities Advisory Board. The division that I'm in charge of is legislation, and the reason why I'm here today is to talk to you about I.R. 1509. I.R. 1509, which will be coming up in a little bit, is in regards to websites, the County websites being in compliance of the Americans with Disabilities Act.

It's my understanding that the I.T. Department has requested a two-month request for an extension of making sure that the website is in compliance of the Americans with Disabilities Act. I've spoken to several members within the last 24 hours of the Disability Advisory Board that are handling this directly, and they are not willing to agree to the two-month extension. I understand that the I.T. Department has gone through extensive changes within their department, but that still should not hinder for people with disabilities that use that website on a daily basis. Thank you.

P.O. GREGORY:

Thank you, Doug. Adrienne, and then on deck, Treasurer Angie Carpenter.

MS. ESPOSITO:

Good afternoon, everyone. My name is Adrienne Esposito, Executive Director of Citizens Campaign for the Environment. I know you won't be shocked to hear that I'm here supporting also 1574 and 1575, but let me explain why we really, really need you guys to vote yes.

This particular -- these particular pieces of legislation are a culmination of six months of negotiations. They didn't pop up overnight. And there seems to be -- I spoke with some of you in the past few days and also today. There seems to be a little confusion about what it is this actually does. What it does is that it takes a 29.4 million dollars that was taken from the sewage portion, the sewage tax stabilization portion of the Quarter Cent Program and puts it back in. It divides that monies up, 20 million dollars for land, 4.7 million dollars for sewage treatment, and 4.7 million for the water quality. Why is that important? I will tell you. 4.7 million dollars for the sewage treatment means that the promises we already made can be kept, particularly for the Northport Sewage Treatment Plant, for the Riverhead Sewage Treatment Plant, for the Patchogue Sewage Treatment Plant, and for the greatly beloved Bergen Point Sewage Treatment Plant.

Also, as you know, we all have been agreeing, and you've been using the water quality portion of that fund as a slush fund for salaries. Now this money will allow us to refresh that and use it for what the public intended for, what the public voted for. And we all know we've been trying very hard to continue to buy some land, right? Twenty million dollars now, we can buy some land. Prices are down. Now we probably -- we could finally have some funds. This is actually a better use of the money than having the 140 million dollars sit in the tax stabilization component when we don't actually need it. So we're asking you to please vote yes.

Now let's talk. I know some of you are a little less than happy for various reasons. You think it should be tweaked, you think it should be -- have another thing here or another thing there. What I'm saying to you is six months of negotiations, and lots of lawyers, sometimes no lawyers. Sometimes the conversation worked better when the lawyers weren't in the room, or on the phone, or in the country. So we have made -- we really worked hard so that this meets your needs. It allows for some semblance of borrowing for the next few years, but then mandates any money that's taken out of the Sewer Stabilization Fund be paid back at a rate of no less than 5% per year, and then there's a timeline what has to be paid back.

So we worked really hard to meet the County's needs, and to meet the public's needs and the mandate that the public voted on when they voted yes on this. So we really need you to vote yes. We don't want to have dueling referendums come November. That's not good for the County, it's not good for the public, and this is a good deal for the public.

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So we don't want to confuse them or hurt the process with a lawsuit that was pending. This is -- this will end the lawsuit. And we don't want to have dueling referendums, so this is a very, very good solution. I'm really hoping you vote yes. Thank you.

P.O. GREGORY:

Thank you, Adrienne. Treasurer Angie Carpenter, and on deck, Ken Williamson.

MS. CARPENTER:

Well, I'm here to speak about a referendum, too, but a different one. Does this sound familiar? The merger will increase efficiency, provide more accurate and timely cash flow, cash flow analysis, eliminate duplicative functions? Really? Never once has this been quantified, and it all goes back to the Performance Management Team report, the very report produced over a weekend at the direction of the County Executive, with no one ever calling or setting foot in the Treasurer's Office.

This Legislature represents the people and is charged with the responsibility of setting policy, good, sound, fiscal policy. We can't continue to borrow our way out of our fiscal mess. We're running out of land to sell and buildings to lease back, all clearly one-shot revenue solutions.

The State Comptroller put Suffolk on the fiscally distressed list and Wall Street lowered our bond ratings. What are you waiting for? Eliminating the Treasurer is not going to get this County back on good financial ground, but, at the end of the day, will only make matters worse. The fact that Suffolk is the only County with both Treasurer and Comptroller elected is certainly not a valid reason to eliminate the Treasurer. Nassau, with an elected Comptroller and an appointed Treasurer, is now dealing with a Fiscal Control Board, perhaps firing their Treasurer when a new administration of a political -- different political party took office, as was done in Nassau, certainly didn't help their fiscal situation.

Promoting policies that increase efficiencies? Never has any such policy or procedure been identified. And exactly how does a consolidated office improve our credit rating with one person in control of auditing, cash, the general ledger, financial statements? And what are these duplicative financial management functions? We heard from former Treasurer John Cochrane testify last week that there is no overlap.

I would ask all of you to look at this Administration's latest consolidation effort here in Suffolk County, that of the Office of Consumer Affairs into the Labor Department. We went from two departments, with a little over 150 employees, to one consolidated Department of Labor, Licensing and Consumer Affairs that now has over 220 employees; one Department, 70 more employees. There have been a significant amount of reclassifications upgrades, Analysts and Labor Crew Leaders becoming Commissioners, Deputy Commissioners, Senior Deputy Commissioners to the tune of over a million dollars. How many Deputy Commissioners do you need? Maybe here is where you should be looking for an opportunity for increased efficiencies and the elimination of duplicative functions.

A department with a budget of 19 million dollars that oversees the collection of 18 million dollars in revenue, approximate. I ask you to compare that to the Treasurer's Office, with a budget of four million dollars that oversees the collection of 1.9 billion dollars in revenue.

Please be aware of the fact that when you point to other function -- other counties and functions --

P.O. GREGORY:

Angie, your time's wrapped -- please wrap up.

MS. CARPENTER:

Last paragraph. That function is fine with a single model like Westchester, Schenectady, Erie, Monroe. They either don't accept partial payments for taxes, as is the case with Schenectady, or they don't even collect taxes at all, as is true with all the other counties. And these counties have one-quarter -- three-quarters of a million

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less residents than Suffolk.

Please, let's stop playing games and really get serious about protecting our taxpayers. And while you might find cover by the argument that we should let the people decide, let's remember that the Charter Revision Commission, charged by our Charter --

P.O. GREGORY:

Okay, Angie.

MS. CARPENTER:

-- with the responsibility of looking at how we operate our government decided in 2008 that consolidation, or more accurately described the elimination of the Treasurer is not a good idea for Suffolk County, not then, certainly not now. Thank you.

P.O. GREGORY:

Thank you.

*(*Applause*)*

Ken Williamson, and then Andrea Spilka.

MR. WILLIAMSON:

Afternoon, Presiding Officer and Members. My name is Ken Williamson. I've appeared here a number of times to speak against consolidation. That's 1487. I speak for myself, as a resident of Hauppauge for 49 years. I was trained as an engineer, and now as a retired airline pilot, matters I shall return to in a moment.

We have on one hand a function of accounting performed by the County Treasurer's Office. We have on the other hand a function of accounting performed by the County Comptroller's Office. This consolidation effort seeks to treat these functions as identical, and to merge them to avoid duplication of work and expense. But even if merged, the functions of accounting and auditing must still be performed separately. Neither of them can disappear, nor can its staffing.

It is the independent oversight that is getting sacrificed by this resolution. That is terrifying to me, and I am fearless. I used to fly off aircraft carriers. My life was literally in the hands of unknown others, but who were subject to the most exquisite oversight possible. That oversight was developed over years of experiencing misadventures caused by human failures and malfeasance. I want to have that kind of trust and confidence in the integrity of this Legislature.

An engineer designing a bridge spends many hours and weeks thoroughly measuring the building site, revealing his own design. The construction engineer and his crew now measure the same things again and again as construction proceeds. Is that a duplication of work? Of course not. These are his cross-checks to ensure that he is following the design plan accurately.

An airliner prepares to take off from Kuala Lumpur, Malaysia. The pilots have carefully filed -- planned out the route, fuel, weather, and they file the plan with authorities. Flight MH370 later disappeared somewhere around the Indian Ocean. Authorities have now converged from around the world, meticulously recalculating that flight plan and study every possible detail involved. Is that legislation -- is that investigation duplication of flight planning? Of course not.

Why is I.R. 1487 not about duplication of work? Simply because it's not about the same work. One is a measure of what was intended, the other is a measure of what actually happened in the execution of the intention. In Ancient Greece, a group of philosophers called Sophists sought to develop their skills and winning philosophical arguments without regard for truth. They became very good at it. The Greek Sophists are no

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longer with us, but Sophistry still is. Sophistry is taught primarily in law schools and practiced in law offices and political arena.

I travel a bit, I talk a bit as I go. When this matter of consolidation is mentioned, the response invariably is one of incredulity. Do you ever wonder why Long Island and New York have earned --

P.O. GREGORY:

Mr. Williamson.

MR. WILLIAMSON:

-- the scorn of so much of the rest of the --

P.O. GREGORY:

Mr. Williamson, your time has expired. Please wrap up.

MR. WILLIAMSON:

Okay. It is time for the Legislative body to stand up and fly right on 1487. Scuttle it now. Thank you.

P.O. GREGORY:

Thank you, sir. Andrea Spilka, and then on deck William McChesney.

MS. SPILKA:

Good afternoon. My name is Andrea Spilka. I'm president of the Southampton Town Civic Coalition. Many of our members are here. Thank you for the opportunity to speak. I don't think that my members will be speaking, although many of them may have written to you, Presiding Officer Gregory. And if they haven't, I know they wanted to, because this is passage of the Drinking Water Protection Program. Resolutions are really important to our civics for a variety of reasons. Everything that happens here on Long Island has to do with water.

The Reverend today spoke in his invocation of making our community the best place it can be. I think that's one of the things that passing this bill would do. Nothing is more important than to the folks here. We're talking about the passage having a major impact on our beaches, our fishing, whether it's recreation or the commercial fishermen, our health, the economy, the resiliency. It's an opportunity for us to put and maximize the money that we have, as well as maximizing money that's coming into us to make a real difference in our water.

My real question is if not now, when? The cost of an action is too high. And, frankly, I'm hoping I don't keep getting or pulling out from the paper DEC closures and information from the papers saying there's a problem with a beach, or there's a problem with something else. Please, on behalf of all of our constituents here, I hope that you'll pass the bills. Thank you very much.

P.O. GREGORY:

Thank you. Okay. Mr. McChesney, and then on deck Robert Cunningham. Did I pronounce your name right, sir?

MR. MC CHESNEY:

You got it.

P.O. GREGORY:

All right.

MR. MC CHESNEY:

Bill McChesney, yes.

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P.O. GREGORY:

Thank you. All right.

MR. MC CHESNEY:

Good afternoon, Presiding Officer and Legislators. My wife, Denny, and I live in Quogue, and our son in Hampton Bays, who cannot be here tonight, unfortunately. As Chairman of the Group for the East End, I let Bob DeLuca speak for the group. Personally, I'll speak for myself.

Clean drinking water is a basic necessity for everyone. That's why time after time that so many of us have voted to protect our drinking water here in Suffolk County. Personally, I'm somewhat disappointed that we need to vote on this once again. We created the drinking water problem. It's our obligation to solve it. I urge you to vote for I.R. 1574 and I.R. 1575.

P.O. GREGORY:

Thank you. Okay. Mr. Cunningham, and then on deck, Mike Fragnoli?

MR. FRAGNOLI:

Yes.

P.O. GREGORY:

All right.

MR. CUNNINGHAM:

Good afternoon. My name is Robert Cunningham. I am a Suffolk County limousine operator. I'm the owner of Platinum Limousine. I'm also the President of the Long Island Limousine Association. I'm also very active in the National Limousine Association. Last week I was in Capitol Hill talking about some of the laws that we have against limousine companies, and most of them I agree with, some of them I don't agree with, in the offices of Congressman Peter King, Chris Collins, Carolyn McCarthy, Charles Schumer, Bill Owens, Kirsten Gillibrand. I was in each and every one of those offices talking about the limousine industry, and I am in support of this bill, 1409. And I am at your service on anything that you need to put this bill through. That's it.

P.O. GREGORY:

Thank you, sir. I just want to make an announcement. I.R. 1409 has been amended. It will be -- come before us via CN. So we are posting the notice for the public hearing, and we'll address it later on in the meeting.

Next is -- speaker is Mr. Fragnoli, and then Thomas Farruggia.

MR. FRAGNOLI:

Hi, good afternoon. My name is Mike Fragnoli. I own Precious Moment Limousines on Long Island. I'm also the Treasurer of Long Island Limousine Association.

I basically ditto everything Robert just said. We are -- we want the bill to pass. Long Island's full of mom-and-pop operators. We do have some big operators. We have mainly mom-and-pop operators and we're trying to protect them. Anybody who is out of a job could jump in a Lincoln Town Car, put an ad in the Pennysaver and take you to the airport. They're running straight plates on their car. They're not licensed properly. We're trying to stop that.

Nassau -- we all jumped on Nassau County's bandwagon when Nassau County started it, just to give us protection. It ruled -- it weeded out a lot of people. We're hoping it does the same in Suffolk County. Most of us are in compliance, we want to be in compliance. And, like Robert said, we're here. You know, anything you guys need to help us -- you know, for us to help you, or for you to help us, whatever you want to do, we're more than happy to help. Thank you.

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P.O. GREGORY:

Thank you, sir. Okay. Thomas Farruggia, and on deck, Mike Anthony.

MR. FARRUGGIA:

Good afternoon. I'd like to submit two documents to the Clerk to go on public record.

*(*Mr. Farrugia left the podium*)*

P.O. GREGORY:

I'm sorry. Where did he go?

*(*Laughter*)*

Oh, okay. All right. Mr. --

AUDIENCE MEMBER:

He's back, he's back.

P.O. GREGORY:

Oh, no, I don't want to change your mind now.

MR. FARRUGGIA:

No. What that was regarding was the Suffolk County Resolution 362-2014, adopted on May 13th, 2014, Suffolk County Legislature authorized Long Island ABATE to -- the use of the Long Island Beagle Club Property, and both documents. One was on behalf of the Calverton Civic Association, its resolution objecting to the use of that property for those uses, and as well as 230 residents objecting to the use of that property as well.

And we understand Long Island ABATE had already backed out, but we don't know who's going to step up, but we want to show our support for the green space that it was funded by.

P.O. GREGORY:

Okay. Thank you.

*(*Applause*)*

Mr. Anthony, then on deck, John Bouviez (*phonetic*). I think I pronounced that right. Bouvier? I'm sorry.

MR. ANTHONY:

Good afternoon. My name is Mike Anthony of Westhampton. I'm a member of the Westhampton Citizens Advisory Council. I, too, come before you today, ask for your support of I.R. 1574 and I.R. 1575.

More importantly, I'd like to add that I'm not only representing -- well, I'm not representing CAC, I'm here as a private citizen who's a member of the Westhampton CAC, but I'm representing primarily Sidney and Zach. Sidney is my eight-year-old granddaughter and Zach is my six-year-old grandson. So I hope you'll keep all grandchildren in mind when you vote to support clean water in Suffolk County. Thank you.

P.O. GREGORY:

Thank you, sir. All right. Mr. Bouvier, and then on deck, Katie Rose Leonard.

MR. BOUVIER:

Thank you. I'm also here in support of I.R. 1574 and 75. I have a different perspective on things. I'm a member of the Conservation Board of the Town of Southampton, although I'm not here in that capacity. I also am a member of the CAC West in the Town of Southampton, although not here in that capacity. But as a capacity as a Conservation Board member, we've seen the first effects firsthand of what's happened with water

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quality, particularly on the East End.

We, by all accounts, by most estimates, we have a billion dollar economy that's directly dependent on the quality of the water out there, and our charter is to protect the wetlands. And we've seen over the years the slow, but incremental, degradation of the wetlands. We've seen frustrated homeowners who can't get remediation to put in septic systems that are not even allowed by the Health Department that will set up nitrogen thresholds that they can't even meet, even though they want to.

So Ms. Esposito had said, "Well, what do we need?" Well, we need the money, we need the help. We spent an awful lot of money over the last hundred years getting ourselves into this mess; we need the money to help us get out of it.

I'm an engineer. I see the solutions, they're in front of me, and I think the time is now. So I urge you, please, to consider the long-term effects of your vote, and the water that you drink when you go home tonight. Thank you.

P.O. GREGORY:

Thank you. Ms. Katie Rose Leonard, and then on deck, Anne Nolon.

MS. LEONARD:

Good afternoon, Presiding Officer Gregory and Members of the Suffolk County Legislature. My name is Katie Rose Leonard and I am the Program Manager for the Long Island Pine Barrens Society. Our Executive Director, Richard Amper, is in Albany advocating for the passage of the Long Island Water Quality Control Act, a measure aimed at reducing contamination of drinking water and surface waters across Long Island. I am here to read his brief statement.

"I want to thank County Executive Bellone and Presiding Officer Gregory for helping to facilitate a positive and proactive approach to the Suffolk County Drinking Water Protection Program in the interest of improving Long Island's water quality for the benefit of our economy, environment and quality of life.

The charter amendments before you, I.R. 1574 and I.R. 1575, are part of an agreement that will restore needed water quality funding, while providing for tax stabilization. Perhaps most important of all, if approved by Suffolk voters, the Drinking Water Protection Program will be modified in the future only by the taxpayers and voters of Suffolk County. This is especially important because Suffolk County government is now playing a key role in reversing the declining quality of our drinking water and surface water, joined by Town government, and most recently by Governor Cuomo and the Federal Government through FEMA, HUD and other government agencies. This collective effort, supported overwhelmingly by the people of Long Island, is essential to our restoring and reclaiming our water. We must all work together to respond to the challenges we face: A 200% increase in nitrogen in the Magothy Aquifer in just 17 years, 117 active pesticides detected in our water supply, and 90% decline in shellfish production in only a decade, beaches and shellfish beds closed on a regular basis.

Our densely populated Island has a daunting challenge before it, but together we are up to meeting the challenge. Long Islanders have created New York's third State Forest Preserve after the Adirondacks and the Catskills. Long Islanders took men to the moon. Working together again, we can reverse declining water quality, clean up our bays and harbors, and ensure a permanent supply of fresh, pure drinking water for our children and our grandchildren. Let's start by passing the legislation that is the subject of your public hearings tonight for a new and better Drinking Water Protection Program, one that this Legislature can approve on July 29th, and which Suffolk residents, taxpayers and voters can approve on November 4th. Thank you for your help."

P.O. GREGORY:

Thank you. Anne Nolon, and on deck, Wayne Cook.

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MS. NOLON:

Good afternoon. I'm speaking on behalf of the Reverend Jeanette Phillips, and greetings to you from her, our founding Board Chair of Hudson River Healthcare, and I'm speaking to you in support of I.R. 1581.

Dr. Spencer, a word of thanks from Mrs. Phillips, who honors the fact that you have been so respectful of community input and the value of her words. She felt so honored by your words the other day at the Health Legislative Committee that she asked me to say -- this is the first time that she hasn't shown up in person. She felt so comfortable with me being able to express her feelings of gratitude to this Legislative body. At 81, I thought we should give her a pass. She has been here at every meeting, and we will have her back again.

She wanted me to say that she would like you to have the confidence in Hudson River Healthcare, that we remain dedicated to assuring access to the highest excellent quality healthcare at an affordable cost for our patients. The MLK Community Health Center is a very proud name to her, as it represents a leader in our community health center movement, as well as around -- of our whole country. So it makes her so proud that we are undertaking this effort, this next stage, by bringing the MLK Health Center under the HRH Care services and programs, and that we will continue the residency training program in conjunction with Good Sam Hospital. So we are very proud, as she is, and what she states and what she believes in.

She wanted me to say and remind you of our commitment, her commitment in particular, to the community, the power of the patients' voices in guiding health care, and how we remain committed to the Community Advisory Board process that this County has held high. And so we thank you for this opportunity to -- and I thank you for the opportunity to express her words. Thank you.

P.O. GREGORY:

Thank you. All right. Wayne Cook, and on deck, Brian Knatz.

MR. COOK:

Presiding Officer and Members of the Legislature, my name is Wayne Cook. And I'd like to thank you for your time and attention regarding Introductory Resolutions 1574 and 1575, which are critical to the future integrity of Suffolk County's Drinking Water Protection Program.

The Drinking Water Protection Program was created in 1987, approved by 84% of Suffolk County voters. Since it was created, the fund has provided for land preservation above Long Island's purest aquifers, protection of our County's treasured farmland, stabilization of sewer rates and a variety of water quality improvement projects.

As you know, declining water quality is Long Island's greatest environmental and economic challenge. County Executive Bellone has made it the top priority of his administration. Therefore, assuring the Drinking Water Protection Program is being used appropriately and for its intended purposes is more important now than ever. The resolutions being discussed today restore funds that were taken without a public referendum and guarantees that any future alteration to this fund would be subject to voter approval.

I'm asking that you please pass Resolution 1574 and Resolution 1575 so that we can assure the integrity of the Drinking Water Protection Program moving forward. As a voter and a taxpayer, passage of these resolutions would restore my confidence in the program and its continuation into the future. As Mr. McChesney clearly defined, I personally can't think of anything basically more important than the cleanliness and health of our drinking water. So please pass these resolutions. Thank you.

P.O. GREGORY:

Thank you, sir.

*(*Applause*)*

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Brian Knatz, and on deck, Joan Hughes. Brian, are you here? Did I pronounce your name wrong? K-N-A-T-Z. Okay. Joan Hughes, and on deck, William Toedter (*phonetic*)?

MR. TOEDTER:

Close enough.

P.O. GREGORY:

All right. Toedter. I'm sorry (laughter).

MS. HUGHES:

Joan Hughes. I'm representing the East Quogue Citizens Advisory Committee, and I'm here to urge you to pass Resolutions 1574 and 1575.

The members of my community are well aware of the importance of our drinking water, and the threats to it currently from overdevelopment. We urge you to restore the funds that were taken from the Drinking Water Protection Program, and give the voters the opportunity to decide the fate of this program. Thank you.

P.O. GREGORY:

Thank you, ma'am. Okay. William Toedter. Sorry.

MR. NOLAN:

It might be Teeter (*phonetic*). It's possible.

P.O. GREGORY:

Teeter (*phonetic*)?

MR. TOEDTER:

You got it right.

P.O. GREGORY:

Toedter? Okay.

(*Laughter*)

And on deck, Louise Harrison.

MR. TOEDTER:

My name is William Toedter. I'm serving as the President of North Fork Environmental Council, and I actually was one of the speakers before you last November regarding the budget process. I'm here to speak in support of Resolutions 1574 and 1575. It's a very important process that we think must be passed and must be passed now in order to protect our drinking water.

One of the things I'd like to say is we're here to support that, even though in some cases we don't think the bill goes -- the resolutions go quite far enough, but we're realists. We know that in any partnership, there's give and take in ideas, there is -- there are concessions made. And we want to thank Bob DeLuca and Dick Amper for their work in helping forward this progress, as well as the work of the Legislature in getting to these resolutions as they sit today, so that we can support them.

I did want to point out that the speakers before you last November all basically said one common thing in their messages, and that was, we ask you not to take the money from the fund. We ask you to do the hard work to make the hard decisions, and to do what was right in terms of the budget process. And even though these resolutions allow you to borrow from these funds over the next several years, we're asking you not to. We're

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asking you to do the hard work, to make the hard decisions, to do what's right for the budget process, and to correct the problems with the budget here in Suffolk County. We're here again to support these resolutions, but we're also here to ask you to do the hard work and protect our drinking water. Thank you.

P.O. GREGORY:

Thank you, sir. Louise Harrison.

MS. HARRISON:

Good afternoon, Presiding Officer Gregory and Members of the Legislature. My name is Louise Harrison and I live in Peconic. I've worked in environmental protection on Long Island since the 1980s in County, State and Federal employment, as well as for nonprofit and -- in nonprofit organizations and in consulting positions. And I am here today -- I'd like to echo all of my -- the previous speakers on these two resolutions, 1574 and 1575. I'm here to support those resolutions as well. I particularly liked the comments of the previous speaker, Mr. Bill Toedter. I'd like to echo those in particular.

I think this -- the charter amendment in 1574 is particularly important, requiring that any future proposed changes to the Drinking Water Protection Program go to the voters in a referendum, and that would -- the 1575, which would accomplish several important goals. Many of these have been spoken about, you have them before you. There's no need for me to reiterate what those goals are and what those provisions are. But I have something else I'd like to offer into the conversation today. As you pass these resolutions, I'm asking you to keep in mind that any future use of County funds for sewer upgrades or new sewer infrastructure be thoroughly reviewed for the potential environmental impacts associated with growth inducement or groundwater draw-down that could be caused by the export of water resources off of Long Island via ocean outfalls. We should be treating wastewater to the highest degree possible so that it's fit to return to our groundwater, and, indeed, is returned to our groundwater.

I participated in the County's Flow Augmentation Needs Study, which you may never have heard of, between 1987 and 1992, and that study was to determine the effects on groundwater draw-down and wetlands caused by the Southwest Sewer District and its ocean outfall. After a successful lawsuit by the Environmental Defense Fund, Suffolk County was made to study the effects of that groundwater draw-down and mitigate. I'd be happy to discuss this study and any potential negative impacts associated with sewerage with any of you at any time in the future, and I thank you very much for the chance to address you today.

P.O. GREGORY:

Thank you. I'll call Brian Knatz again. Did Brian come back in the room? Okay those are all the cards that I have. Is there anyone else that hadn't filled out a card? Please come forward. Okay. All right. The "Unofficial Mayor," Sixteenth.

MR. BLASSINGAME:

How are you doing, Presiding Officer DuWayne Gregory? I am known as the "Sixteenth Unofficial Mayor" of Wyandanch, and Wyandanch is where my heart lies.

I'm down here to say that looking at a site called -- a blog called "Tobacco." As a community leader of Wyandanch, even though we have other community leaders in other places, Wyandanch take offense when people start attacking it needlessly. And the gentleman was kindly told that he did not live in the Hamlet of Wyandanch. Community leaders told him. But as an unofficial man, the "Sixteenth," Wyandanch is tired of being attacked by others because they have whatever comes to their mind, be it drugs, be it this, be it that. We're working diligently on building up Wyandanch. You could come through it, you could look at it, and as community leaders, we are working day and night in improving it.

And the gentleman was told. That's how I know. I called your office, that's how, but he was nicely told that he do not live in the Hamlet of Wyandanch. He wanted to represent people of color, but last time I heard, there was over 13 million on the Island, you could find us anywhere, you know. But Wyandanch is tired of being

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needlessly attacked. And that's how -- we will defend ourselves, that's how, to say, have we did something? Have we done something? But just to attack us to attack us, to say that our school system is bad, our this is bad. Wyandanch School System, that's a top-notch to any school system on this Island, and I would put it up with any other school system. We have good leaders in Wyandanch, good men and women, and we see others, that's how -- because they're community leaders, or call themselves from other places. Wyandanch would not have it no more, that that's how they attack at us.

We are working diligently with our Presiding Officer, and he come through Wyandanch to see. I'm grateful to this Board. That's how that helps Wyandanch to rise, because it took each and every individual. And I thank you for helping us to make Wyandanch rise. And I am not going to stand you -- stand before you that long. I thank you for listening to me.

(*Applause*)

P.O. GREGORY:

Thank you, Bobby. We're done with the Public Portion. Can I get a motion to end the Public Portion?

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, seconded by Legislator Barraga.
All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Legislators Browning and McCaffrey)

P.O. GREGORY:

Okay. Public Portion is closed. Do we have any statements? No. Okay. Consent Calendar, do I have a motion?

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen. (Not Present: Legislators Browning and McCaffrey)

P.O. GREGORY:

Okay. I have been requested to take two resolutions out of order, the first one being I.R. 1581, on Page 9 in Health.

I.R. 1581 - Requesting legislative approval of a contract with Hudson River Healthcare, Inc. (HRH Care) for the operation of the Martin Luther King Jr. Community Health Center in Wyandanch (Sponsor: County Executive). I make a motion. Do I have a second?

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

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LEG. D'AMARO:

DuWayne.

P.O. GREGORY:

Motion is --

MR. LAUBE:

Sixteen. (Not Present: Legislators Browning and McCaffrey)

P.O. GREGORY:

We have the motion before us. I guess same motion, same second.

The motion is --

MR. NOLAN:

To approve.

LEG. D'AMARO:

Excuse me.

P.O. GREGORY:

Motion to approve.

LEG. D'AMARO:

Excuse me, DuWayne.

P.O. GREGORY:

Yeah.

LEG. D'AMARO:

Just please note my recusal on the record.

P.O. GREGORY:

Gotcha.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

Okay. So the motion -- the resolution is before us. There's a motion to approve. Legislator Hahn has a question.

LEG. HAHN:

No. I just want them to come up.

P.O. GREGORY:

Oh.

D.P.O. SCHNEIDERMAN:

Tim, you got the motion to approve and the second?

MR. LAUBE:

I have motion to approve and second, yes, Gregory and Muratore.

MR. NOLAN:

1581.

P.O. GREGORY:

Does anybody have any questions? I.R. 1581, Page 9, Health. It's the transition of the Martin Luther King Health Center.

D.P.O. SCHNEIDERMAN:

I'll just say one thing, one comment on the record, since I have a clinic now where we have transitioned the County clinic to Hudson River. They're doing a remarkable job. It's a gorgeous clinic, it's well-operated. I'm hearing nothing but positive feedback from the community, and thrilled to have them as our operator.

P.O. GREGORY:

Legislator Anker.

LEG. ANKER:

I also have a clinic in my District and they are doing a great job, and they've added other medical services. So, again, I want to thank you for all the work that you've been doing, Hudson River, and I look forward to working with you in the future.

P.O. GREGORY:

Great. And I will just state that this is the second -- will be the second, if this resolution passes, of health centers in my District that are being transitioned to Hudson River. I think they do an excellent job. I look forward to working with you. We're actually going to have a community meeting tomorrow. I just did a robocall to alert the residents to come out. And I appreciate your openness and willingness to do that, because people are resistant and hesitant to change, and it's important that they have all the information in front of them.

So with that, I will call the vote. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Legislator D'Amaro)

P.O. GREGORY:

All right. Resolution passes. Thank you. Okay. I have another request from Legislator Lindsay. I'll recognize -- you want me to --

LEG. LINDSAY:

Yup.

P.O. GREGORY:

I.R. 1487, on Page 8, in Government Ops. I'm sorry, *1487 - A Charter Law to consolidate financial management functions in the County Department of Audit and Control (Sponsor: William Lindsay III)*. Do you have a motion?

LEG. LINDSAY:

Motion.

P.O. GREGORY:

Motion by Legislator Lindsay.

MR. NOLAN:

Take it out of order.

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P.O. GREGORY:

To take it out of order.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay.

LEG. LINDSAY:

Motion to approve.

P.O. GREGORY:

Motion to approve by Legislator Lindsay. Do I have a second?

D.P.O. SCHNEIDERMAN:

I'll second.

P.O. GREGORY:

Second by Legislator Schneiderman. Okay. The motion --

LEG. KENNEDY:

Motion to table. Motion to table, Mr. Chair.

P.O. GREGORY:

Motion to table by Legislator Kennedy, second by Legislator Trotta. On the motion?

LEG. KENNEDY:

Yeah, on the motion to table, Mr. Chair.

LEG. MURATORE:

Second.

LEG. KENNEDY:

We have debated this issue extensively. It was put up last year and found to be flawed. It was legally flawed. It was improperly constructed at that time. The manner that it is put before us now I've done some legal research on. I question the validity of it. Even if it's not technically legally flawed, the fact that we postpone or put the actual outcome or impact out into 2018 is somewhat questionable.

Now the sponsor, to his credit, attempted to go ahead and find a solution that would not impact an incumbent, because, clearly, the electorate spoke and elected her resoundingly. But I think the thing that's critical to understand is, having had the privilege to know three of our past Treasurers personally, going all the way back to Ms. Tuthill, is that this issue is not about the particular individual, it's about the office and the function. And, quite frankly, I am not persuaded by the arguments that we are somehow compelled or obligated to put a question out there before the public that in my opinion is questionable and ultimately would undermine the effectiveness of our fiscal oversight. And so I absolutely will vote no on it, and I think it should be tabled, and I think it should be tabled subject to call, because, quite frankly, I think we do our constituents a disservice by

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putting it before them, a question that's really not a properly constructed question or a meritorious question. I think it's really quite elemental, and it's something that I have quite strong feelings for, and that's the purpose of the table.

P.O. GREGORY:

Thank you. Anyone else?

LEG. TROTTA:

(Raised hand).

P.O. GREGORY:

Legislator Trotta.

LEG. TROTTA:

I agree with Legislator Kennedy. And the most basic fact is that if there's a Republican County Executive and there happens to be a Democratic Treasurer and the Republican just got elected, he throws them out. I don't want that. I don't want it vice versa. I want it to be independent. I want the voters to decide who the Treasurer is.

I mean, there's a lot going through the hand. Everyone -- I met with both the Treasurer and the Comptroller and they both said how short they were of people. So, you know, is this going to save \$300,000? I don't think it will. I think they've been working short for a long time. I just think that the people should decide who the Treasurer is. It's been like that and it should stay like that.

P.O. GREGORY:

Okay. Legislator Barraga.

LEG. BARRAGA:

Well, my feeling is that the general electorate should make the final decision with reference to this particular proposal. It's a referendum, just like any other referendum. If you talk about referendums being passed at different levels of government, usually the elected officials say, "Look, let the people decide." You know, whether you agree with the Treasurer, as she spoke this morning, or the Chief Executive of Suffolk County, let the general public make that decision.

This is not that involved. I mean, the case has been made, or at least supposedly been made, that this is so complicated that people somehow cannot understand this. Well, I don't agree with that. You're all sitting hear. They understood your elections and some were very tough. Just take a look at some of the campaigns right now and some of the things that are being said about people. But somehow, on November 4th, people will go in there and they'll make a decision.

I don't think any of us want to put ourselves in a position where an opponent at some point and says -- point in time says, "Tom Barraga denied your right to vote on a referendum." It's direct democracy, it's one of the pillars of democracy. I learned this in school. It's a referendum, something called initiative, election recall, the basic pillars of direct democracy, where the people themselves make the decision.

Someone testified this morning, they were talking about County Government closest to the people. We're bringing it down even further, we're bringing it to the people, the same people who put you here. This is not rocket science. The people will make a decision on November 4th. Don't put yourself in a position where somehow you're voting against a referendum. No one does that, no matter what level of government. You're not happy with it, so be it. Let the people decide, that's all it comes down to. Give them the opportunity.

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And, you know, how many times over the years have people approached me and said, "Hey, Tom, how come we didn't get a chance to vote on that?" Well, you don't get a chance to vote on it because you elected me, you elected the 18 of us, and most of the time our decisions are final, but not in this case. This case, they step forward, direct democracy. They make the final decision on the referendum. They'll say yes or they'll say no. That's the way it should be.

P.O. GREGORY:

Thank you. All right. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Thank you, Legislator Barraga. That was very well said. I think the public has the right to weigh in on the structure of government in Suffolk County, I think that's very important.

I want to make it clear that a vote to table is -- effectively kills this because of the timeline. You know, typically something may get tabled because it needs to be reworked, or there are, you know, some technical aspects that need to be changed. You table this, because of the timeline, it won't be on the ballot this November, period, as simple as that. So I think we have to give the voters the opportunity to weigh in. If you're going to kill it, kill it with a regular vote, not with a tabling motion. Let's have an up or down vote on the bill itself. If it fails, it doesn't make it to the ballot; if it passes, it does, and that's all I would ask. I'm going to oppose the tabling.

P.O. GREGORY:

Thank you. Legislator Trotta.

LEG. TROTTA:

Just using Legislator Barraga's thought process, you know, this is something we're voting on, then it costs maybe 100,000, 200,000, 300,000. Should we let the public vote on contracts that affect 50 million, 100 million, 200 million, 300 million dollars. That -- using that logic, we should let them vote on every contract that we go against -- that we approve. I mean, this is a small amount of money compared to what other things we do. And this is a -- this is a position that employs someone, bipartisanly, picked by the people, who will watch over it. Your logic is backwards.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Legislator Schneiderman, I think that I am going to actually acknowledge that you have persuaded me. And that, in fact, you're right, we shouldn't -- I shouldn't be the proponent of an attempt to stop something procedurally, or by allowing the clock to run, when some members have this strong urge to get this writing out on the ballot, which I absolutely, positively believe is poorly constructed, will undermine and diminish the ability to have strong financial oversight in the County, and will ultimately lead to some kind of negative consequence when I'm gone, because in 2018, win lose or draw, the ship sets sail, Kennedy's out the door. But, nevertheless, I'll withdraw the motion to table, but I'll absolutely vote no on it, absolutely.

P.O. GREGORY:

Okay. Legislator Calarco.

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

LEG. CALARCO:

Thank you. This isn't a new issue for us. We debated this quite extensively last year and, you know, at the time it was quite a controversial issue then. When I was looking at it at that time last year, I kind of ended up

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in the same aisle that Legislator Barraga did. At the end of the day, we have to let the voters decide on what they want.

But when we're talking about this particular resolution, what we're talking about is changing the form of government we have here in Suffolk County. We're going to eliminate a whole department, an elected official, and so we do have a responsibility to take a look at that proposal to make sure it's valid, to make sure it's something that is a legitimate form of government to put forward. We did that quite extensively last year. We went through quite a bit of debate, we had many, many public hearings, we had quite a bit of that discussion. And at the end of the day, it was hard to say, walking away from it, that this is isn't a valid alternative form of government to what we have now. And that the most basic principle, what we're doing is we're going to the electorate, we're going to the people of this County and saying to them, *What form of government do you want?* That's what rises this above another level from many of the decisions we have to make in this room day to day, because most of what we're doing is just running the County. But at the end of day, this is asking the public, *What form of government do you want? Do you want to have two elected officials, do you want to have one elected official to oversee this particular functions?* And that's why it's important to give them that choice and that option and that's why I supported the bill last year and why I'm going to support it this year.

P.O. GREGORY:

Okay, Thank you. Legislator Browning.

LEG. BROWNING:

I think I've been consistent. And, you know, the fact of the matter is we don't have -- not every County has a Comptroller, not every County has an elected Treasurer, but they all have Treasurers, and I strongly believe in having those two independently elected officials.

Now, as far as the finances are concerned, I see that there's nothing in there that says how much you're going to save. But I think that the voters should know that now you're going to take away two sets of eyes from the County's finances and only one set of eyes is going to be on the County's finances. I do not -- I look at it as saying, *Okay, what's the potential for corruption?* Absolutely, the potential is there when you only have one set of eyes and not two. And when you put it up for a referendum, are the people really getting -- they're going to read that, and I really do think that people are going to read it and say, *Oh, absolutely I'm voting for this because we're going to save money*, but we're not telling them now that we're going to save money because five, six, ten years from now it could cost money. So, you know, I can tell you the first thing that I believe is going to happen is when we have that new Comptroller come in, that new Comptroller may say, *Oh, I need more staff*. Well, there goes that savings.

So I'm going to be consistent. I believe in good government, I believe in independently-elected people watching over our County's finances, and I believe in no corruption. And I think that that's what they will do, is continue -- whether it be a Democrat or a Republican, going forward, we'll have two independently-elected people looking over our finances and making sure that it's being spent properly and that things are being done right.

P.O. GREGORY:

Thank you. Legislator Spencer.

LEG. SPENCER:

I have a question, maybe for Counsel. When -- who determines the exact language that is on the ballot as a result of this bill? Is it completely spelled out word-for-word?

MR. NOLAN:

Yeah, it's in the bill, and it's determined by the sponsor of the bill, with the assistance of Counsel. We try to come up with a question that, you know, accurately described what the law does and as neutral a fashion as possible so that it's a fair question.

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I should also point out that when the voters go to the poles, in addition to the question, an abstract of the law is prepared by the County Attorney that's reviewed by me and also by the Clerk, so it's a more detailed description of what the law does. That hasn't been prepared yet, they'll be prepared if this law is approved, but that will also be available to voters when they go to vote.

LEG. SPENCER:

Thank you. I have some concerns with supporting dissolving the two offices. I did listen to some of the controversies -- the testimony, and I do think that we need the oversight. I like having two sets of eyes and I think that having the Treasurer that is kind of putting forth what we are going to do and the Comptroller kind of verifying what was done, I think it's important. And I think that I had a difficult time supporting it when I -- especially I've gone in to the Treasurer's Office and sat down and spent a couple of afternoons and I really think there is some significant function that's there.

On the other hand, when I go to my voters and I went to them before when it comes to the idea of letting the voters choose, and that's how I voted before in terms of giving the voters an option. And I think my fear here is I think the voters can get it right, but I think a lot of times, you know, we're a representative of government and we spend time, we have staff to brief us, we beam in on these things, and a lot of time, depending on who's able to get out and have the money to frame the argument wins the campaign, especially when a small number of people a lot of time will vote in an election.

And so that's, I guess, my concern in terms of when we look at a referendum. I think the voters are sophisticated and intelligent and can get it right, but it depends on who has the money and who is framing the campaign. So this is a very difficult decision for me and definitely coming from a colleague, I don't know how I'm going to vote at this time. I'm hoping that there's some more testimony here. But right now, you know, it's -- I understand the political world, but I also understand that once we're on this side of the public service, and I look at Angie as being a fellow public servant, she's always opened her office and tried to answer my questions just forthrightly and I do see the need there. So it's a very difficult, difficult vote for me, so, you know, it's not for lack of respect for my colleague Bill. Hopefully something can be said that will help me out a little bit more.

P.O. GREGORY:

Thank you, Legislator Spencer. Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. I had the opportunity recently to visit the Treasurer's Office and look at the work that her office does and I was surprised at how much work is done in that office with so little staff. I mean, they are stretched out very thin. There's a lot of empty desks. If it were not for a lot of the interns they have during the summer and their busy period, I'm not quite sure how they would get everything done. But they do a lot of work with just a few people, and I was very impressed with that.

I have a real problem trying to figure out where these savings are going to come from in this consolidation of the offices. We say we're going to have an appointed Treasurer as opposed to an elected Treasurer. I don't see a diminishment in the amount of managerial staff, but I do see a diminishment in the oversight that we get with an appointed official versus an elected official. The elected official, elected Treasurer is held accountable to the people and she's elected every four years, or he or she is elected every four years, and it's a good check and balance to what the Comptroller does, and I think there would be a diminishment in that oversight.

I was truly concerned about an issue that my colleague Legislator Cilmi brought up at one of our recent meetings in the committee and we were reviewing the taxi and limousine and he asked a very pointed question, I hope I'm not asking the question that you were going to ask. But he did ask the question and he wanted to know how much -- he went into detail about how much time was spent by the Performance Review team to look at the efficiency of the taxi and limousine and what the savings would be if we went with this new software versus other software, and quite an extensive amount of time was taken. But he asked the question, he goes,

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How much -- did you spend any time in the Treasurer's Office or the Comptroller's Office and try and make a determination as to how much would be saved, if any, and the answer was none, they weren't tasked to do that.

So it just seems odd that, you know, we're going to be voting on a piece of software today, but something where we're changing the structure of government, we couldn't have the Performance Review Team come in and take a look at that. And I'm just concerned, if we bring this before the electorate, that they're going to vote against or for it for the consolidation. The same way that if we told them that we want to do away the County Legislature or if we want to go from 18 to 9, I bet you they would believe there's too many of us sitting up here too right now. So I'd really be truly concerned if we give that power to the people who automatically are going to say, *I've had enough of government. There's too many of you, we're tired of you, it's time to move on.* So I think we have -- we make some -- we're elected to make these decisions, just like we vote on the budgets, the Capital Budget, billions of dollars, I think this should be in our hands and this is a decision that we should make and I believe that the way it works now is fine. Thank you.

P.O. GREGORY:

Thank you, Legislator McCaffrey. Anyone else? Legislator Anker.

LEG. ANKER:

We've been debating this issue for a long time, you know, since last year. And, you know, it just basically comes down -- and you even had said it, Legislator McCaffrey, power to the people. It's the power to the people, this will allow them to make that decision. You know, we need to give them credit, we need to give them the ability and we need to give them the respect that they deserve. You know, we have all the bullets, you know, yeah, we're going to save \$900,000, possibly; you're consolidating government. I believe this is the -- we're the only County, if not one of two counties in the entire State that have these two type of offices. I'm going to vote for this. I will -- I approve this. It's saving money. Rob Lipp, what is our debt figure for this year?

(Brief pause)

MR. LIPP:

Sorry about that. Okay. So we have, in terms of debt we are -- in the General Fund we have \$123 million in debt service for just serial bonds, which is a significant increase over the previous year.

LEG. ANKER:

Okay. And as far as your review of this, will we save money or will we spend money or will we end out even?

MR. LIPP:

For the consolidation you're talking about.

LEG. ANKER:

(Nodded head yes).

MR. LIPP:

So all we did is we -- in our fiscal impact statement, we costed out what the savings would be if the three positions were eliminated in 2018, which was over 500,000 in 2018, and then a full year would be over 700,000 when you add in retirement. So -- okay, I should repeat this, okay.

LEG. ANKER:

Yes, could you repeat that again?

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MR. LIPP:

Sure. So what I said was what we did is we simply, as stated in the resolution, they were going -- the resolution would eliminate three titles that are filled now, and we costed out what the savings would be if those titles were eliminated, and it would be 585,000 in 2018, it would go up to 707,000 in 2019 because that's when retirement savings would kick in. We also said, though, in terms of any concerns that the Treasurer has about weakening financial accountability controls, that was something beyond the scope of our fiscal impact.

LEG. ANKER:

Now, is that expense including the office and the other cost that's associated with having an office open, a department open?

MR. LIPP:

Well, the offices and departments would all be there, you know, it would just be under a different umbrella. So there wouldn't be any savings, to my understanding, there.

LEG. ANKER:

So no shared services or consolidation of services, equipment?

MR. LIPP:

No. Actually, last year when we looked at the County Executive's resolution -- which was somewhat different, no doubt -- we questioned whether or not any savings could be had simply because we observed the levels of staffing were so low.

LEG. ANKER:

So again, it would be a savings. It would, you know, improve the finances of Suffolk County --

MR. LIPP:

No.

LEG. ANKER:

-- by consolidating the two offices.

MR. LIPP:

No, that's not what the fiscal impact says. It says that if the three positions were eliminated, this is what the savings would be if there were no replacements. And we did not opine on -- well, I shouldn't say opine, but we did not have any way of, at least within the short period of time, of determining whether or not there would be a loss in terms of weakening financial accountability or controls.

LEG. ANKER:

For some reason, yeah, I thought there was more to it. Again, you're saying kind of the opposite of what I had heard earlier, that we would be saving money, that there was \$900,000 by consolidating the top positions. Again, I'm trying to understand your --

MR. LIPP:

Okay. So the fiscal impact statement --

LEG. ANKER:

Your explanation.

MR. LIPP:

Maybe I'm not explaining it clearly enough, I'll try to simplify it. The fiscal impact statement says, based upon the resolution, it would be three positions eliminated, and the savings from eliminating those three positions would be 585,000 in 2018 and would rise to 707,000 in 2019.

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LEG. ANKER:

Is that a savings of money for the County?

MR. LIPP:

Yes.

LEG. ANKER:

So you just said we would not be saving money.

MR. LIPP:

No, you were asking about other positions. Perhaps I misunderstood your question.

LEG. ANKER:

I said will Suffolk County save money by consolidating these departments or offices?

MR. LIPP:

And the answer is to the extent that all it does is eliminate the three positions, this is what the savings would be.

LEG. ANKER:

And there's no other financial savings.

MR. LIPP:

Not that the fiscal impact was able to calculate. We did mention that there is a possibility that there may be some problems associated with weakening financial accountability and controls, that was beyond what we would be able to make a determination on.

LEG. ANKER:

I feel like -- again, Robert, I feel like we're talking in circles, because you said in 2014 we're going to save 520 some thousand dollars, in 2015 we're going to save 700 and some thousand dollars.

MR. LIPP:

No. No, 200 -- the bill doesn't take place until 2018.

LEG. ANKER:

Okay.

MR. LIPP:

So that's when the savings would start, in 2018.

LEG. ANKER:

In 2018, okay. But again, you're talking savings, I'm just trying to understand, you'll have -- we'll have savings eventually.

MR. LIPP:

Right. So I guess what I'm saying is on the surface, those are the savings, yes. But there are other issues that, for purposes of completeness, I don't want to shortchange, that there could be other issues that make it problematic, the savings, and those being the possibility of impact on controls, that it's beyond our ability to determine if there would be an impact there. And the fact that there's a shortage of staffing to begin with, that would make it a bit problematic to cut staff.

LEG. ANKER:

I understand. Again, 2018, we have to wait until that office is no longer there. But again, I keep hearing, you know, we're eliminating three positions and we're not saving money. It just seems that's -- it's hard to comprehend that -- do you understand where I'm coming from? That how can you cut high paid positions and say Suffolk County is not saving money?

MR. LIPP:

Right. So the answer is you are correct, that if we eliminated the three positions there would be savings -- these are the savings that I just stated. But for purposes of completeness, so I don't miss anything, I want to say there is another side to the story that should be stated that would reduce or mitigate the savings from the positions. And whether or not you could put a financial dollar amount on that is something that's beyond what our fiscal impact was able to do.

LEG. ANKER:

And again, you're -- and can you just give me the bullet points of those concerns, where we will be losing money because of this consolidation.

MR. LIPP:

So there weren't any really bullet points other than saying that the Treasurer has concerns, has expressed concerns that it would weaken financial controls and accountability, and it's beyond our ability to quantify that.

LEG. ANKER:

So you're going by -- but let me just interject. You're going by the Treasurer's concerns. This is a person who basically will be losing a position or losing her job if we go through with the consolidation. So you're going by her concerns and not by other -- other bits of information that's out there?

MR. LIPP:

Well, there's no way to calculate the impact. What the Treasurer is saying and what other people have stated that support that position is they have concerns. We are not able to quantify those concerns, though. We just wanted to bring it out in the fiscal impact that there are some concerns, we don't have the ability to actually do an analysis, at least short term, to quantify if that would be the case, and since you're talking going out to 2018 and 2019, we'd only be able to really truly determine whether or not those concerns were valid until after the fact.

LEG. ANKER:

I understand what you're saying. But again, my concern is that you're using her concerns to create the issues of financial impact, which to me is a little jaded. You know, the Treasurer has her own personal interest. So again, I still need to understand where you're getting your information as far as will the County be losing money, and how are they going to be losing money if this consolidation were to go forth? And if we excluded the Treasurer's concerns.

MR. LIPP:

So if we excluded the Treasurer's concerns, those concerns were also voiced previously by Charter Revision Committees -- commissions, I should say, so it wasn't only this Treasurer. And I felt that our office would not have been responsible if we didn't bring up that point, yet we are not able to clearly quantify to what extent that may be valid.

LEG. ANKER:

Okay, thank you.

MR. LIPP:

You're welcome.

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P.O. GREGORY:

Okay. All right, Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chair. Just to quickly address Legislator Anker's questions; good questions, I think.

So let's hypothetically say that we had an employee who got paid \$80,000 a year, and let's say that employee was responsible for seeking out grants, and those grants typically amount to, let's say, a million dollars a year. Well, then by eliminating that position, we may be saving the \$80,000, but we're losing the revenue that was associated with her or his work.

Similarly, to take a real life example in recent history, the Treasurer came to this body, last year I believe it was, and asked us for the authority to hire another individual who would be responsible for helping to process tax refunds to those who are seeking -- who were due refunds. And it's costing us an "X" amount of money in interest payments because we can't get those tax refunds done as expeditiously as possible. In fact, it's costing us more money in interest payments than it would cost us for the employee to process those applications. So that's -- those are just two examples of how we may be saving money, you know, on the surface but losing money ultimately.

So I just wanted to kind of speak to that. And I want to ask Budget Review a question or two with respect to this supposed savings. Who authorizes the budget here in Suffolk County? Ultimately.

MR. LIPP:

The County Executive proposes, we make amendments, so it's a combination of the County Executive and the Legislature.

LEG. CILMI:

Right. So ultimately, the Legislature adopts the budget.

MR. LIPP:

Correct.

LEG. CILMI:

So has there ever been a case where the County Executive has proposed a budget with "X" number of positions and the Legislature has added to those number of positions and, therefore, increased the budget?

MR. LIPP:

Oh, definitely, yes.

LEG. CILMI:

Oh, definitely. So is it beyond the realm of imagination that if we were to complete this consolidation, this merger of these two departments, under the expectation that we would be able to shed three positions costing "X" amount of money, and let's say that once that happened in 2018, three years away, once that happened the County Executive did, in fact, propose a budget that eliminated those three positions and saved us whatever amount of money that saved us, is it possible at that point that the Legislature, in that year, would put those positions back in, or put even more positions into the budget, therefore increasing the budgets of those two combined departments, is that conceivable?

MR. LIPP:

Yes.

LEG. CILMI:

Is there anything to prevent that from happening?

MR. LIPP:

A majority of the Legislature thinking it was a bad idea.

LEG. CILMI:

Okay. So when we talk about there being potential savings, there are two problems with that, from my view. Number one, as you said in your answer to Legislator Anker, you ignore the possible unintended consequences to reducing our staff by "X" number of people, if you can, in fact, even do that. Because we've all seen that it takes our Comptroller's Office quite a long time to complete audits, and we've heard from our Comptroller's Office their backlog of audits is substantial because they just don't have the staffing to be able to prepare those audits as expeditiously as they'd like. We've also heard from our Treasurer Department inasmuch as they're in need of additional employees to do the work that they do to save us money.

My guess is that at some point in time, whether it be in 2018 after this happens or some time before, that we'll now increase the budget of those two officers for good reason, in order to increase revenue to the County or save money. So I think to say that -- to say that doing this is wise because we're going to save money today I think is premature. And quite frankly, I think it's -- it assumes that this body is going to -- is going to act in a certain way that may not happen, and in fact, this body will have changed in 2018 or 2017, whenever we prepare the budget for 2018. And to constrain this Legislature in 2017 to acting in a budgetary way so as to affect the savings, the purported savings from this merger, I think is at least premature and probably irresponsible.

And as Legislator McCaffrey alluded to, I continue to be troubled by the fact that the County Executive's Office, through their Performance Management Team, has not spent an ounce of time in the Treasurer's Office. We've seen the Performance Management -- or I should say we've heard the Performance Management Team talk to us about the savings that have ensued from their involvement in some of the other departments that they've gotten involved in. And it just puzzles me why we would throw an entire -- basically the entire history of Suffolk County in terms of our governmental structure out the window without spending, you know, some time, a day or two, a couple of hours. And it's not without -- it's not without the request to do so. And we've talked about this here at the Legislature. We've asked why they haven't done that. The County Executive himself said that he was looking to reach out to the Treasurer's Office, to get all of the financial years together in the County and try and formulate a plan moving forward.

The Treasurer has reached out to the County Executive's Office to ask -- you know, to get together, and yet not the County Executive's office, not the Performance Management Team, nobody apparently has bothered to take the time to look at that department to see if, in fact, there is some synergies that exist between maybe the Comptroller's Office and the Treasurer's Office, or maybe some other office and the Treasurer's Office. Maybe it's the Clerk's Office and the Treasurer's Office that's more appropriately consolidated, I don't know. The County Executive I don't think knows either because they didn't spend any time there.

So for all of those reasons, and some more which I won't belabor today, I will -- I'll be opposing this bill. And I hope my colleagues think long and hard before we change the structure of this government without having spent any time in the office that we're consolidating to see whether or not we could achieve the savings that are purported to happen and more. Thank you.

P.O. GREGORY:

Thank you, Legislator Cilmi. Legislator Lindsay.

LEG. LINDSAY:

Thank you, Mr. Presiding Officer. I've spent the last few weeks listening to the debate go back and forth on this issue, and obviously it's a very important issue. I also spent a considerable amount of time in the Comptroller's Office, as well as with the County Treasurer, to better understand the functions of each office. And coming out of it and hearing the arguments against doing this merger, my initial reaction is the checks and balances that everybody believes exist are false, they don't exist. There is no audit function on the Treasurer's -- from the

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Treasurer's Office. In fact, neither office has audited the other. So any perceived checks and balances that are in place, in my opinion, just are false.

The assumption that everyone seems to be going with that's against this idea is that should we eliminate the Treasurer as an elected position, we're, therefore, going to eliminate the function that the Treasurer has within our County government, and that no one is going to continue to do the work that the Treasurer does. Now, you may say, *Okay. Well, we're going to have to hire somebody to do that.* At what cost, at what is going to be the ultimate expense? By 2018, an elected Treasurer is going to be making almost \$200,000 a year. We have other people within the Comptroller's Department that can absorb the functions and there still will be policies and procedures in place to not completely eliminate the possibility, but eliminate the likelihood of any malfeasance to occur. You're always going to have the possibility of malfeasance occurring, but for that to happen there would have to be a conspiracy that would take place. It would have to be -- more than one person would have to be involved. No one is saying turn over the entire purse strings to any elected official, whether it be the Comptroller, whether it be the Legislature, whether it be the County Executive. We have a system of government in place where there are checks and balances and, quite frankly, the Legislature provides those checks and balances.

We also have policies and procedures in place to make sure that these things don't happen. We have an independent auditor that goes in and audits both departments to make sure that all policies and procedures are followed. We have a State Comptroller who has the ability to go in and audit both departments. We have a State Attorney General that has the ability to go in and investigate if any allegations of malfeasance have taken place. So the argument that we're eliminating all of the checks and balances and that we're just handing over the checkbook to one person is just incorrect.

I think the best example of why this is a good idea is something that occurred last summer. The Viral Patel's Commack Hospitality LLC example, which some of you may recall, where we had a vendor who was providing homeless space -- was providing places to sleep for homeless people and operated a homeless shelter here in Suffolk County, and they received \$2.7 million a year from the County for rent, and they did that while they still owe the County \$900,000. And a system is in place where the right-hand does not know what the left-hand is doing. I think by putting these two departments together, putting them all under one roof, it eliminates or it makes less likely the possibility of something like that occurring again.

When you look at -- when I was looking at putting this together, this bill, and really trying to take the politics out of it, because I did not want it to be about politics. I did not want it to be about any individual person or any individual personalities or any individual political party. I wanted to make it as neutral as possible, and in doing so, in my opinion, I felt it was best to leave it to the voters to decide. And I respectfully disagree and, quite frankly, I object to the fact that we believe the voters aren't smart enough or intelligent enough to make this decision. When the County Charter was formed over 50 years ago, things were a little different. Just the form and functions in the way -- government operates the way that private industry operates, a lot has changed in 50 years, and the fact that government cannot change with the times I think is flawed. The belief that we can't merge two departments and still operate a government effectively, by that argument, we should have two Legislators -- Legislatures, we should have two Sheriffs, we should have two elected District Attorneys, we should have two elected County Executives. I mean, if you want to take the argument to the level of absurdity, that's where it goes. I've heard every -- almost everyone here on this body speak about government consolidation, streamlining government, making government more efficient, but yet here we are with an opportunity to actually do that and we have -- we have a contingent of Legislators who are against it. This is our opportunity to actually follow through and consolidate government, make government more efficient. When you look at the two departments that I have, there is a seasonality that exists between the two; there's busy seasons and there are slow seasons for both. And the symmetry between the two departments is those two -- those seasons are opposite of each other. By putting them together, you're able to consolidate resources and move people around. Right now, when one department is overwhelmed because of the way that the functions occur, we cannot shift assets from the Comptroller's Office to the Treasurer's office or from the Treasurer's Office to the Comptroller's Office; by merging these two departments together would enable us to

do that.

So we can talk about what the real savings are, what they aren't, I believe the savings are actually greater than what is being proposed by the BRO Office. I think there's -- the hard cost numbers that we've -- that the BRO Office has talked about, which is almost \$1.3 million by 2019. I think there's a tremendous amount of soft cost savings that would go along with that as well.

And with all due respect to Legislator Cilmi, his example that if you eliminate this position, you eliminate all the revenue that comes in before it; it's just not accurate. We still will have people in place that are still providing those same functions. I mean, if you're of the belief that the County Treasurer is sitting in her office doing all the work and that's where all the revenue comes in, that's almost absurd.

But taking all the politics aside, removing everybody within politics from this and you look simply at people on the outside that watch the County, between our auditors and the rating agencies, they all are in agreement that -- and they all look favorable upon this. On the rating side, they believe that this could actually increase the County's rating within the rating bureaus; and at worst, it would be a credit neutral outcome. When you look at Capital Market Advisors, they believe that, *The County needs to leave no stone unturned as it attempts to stabilize its operations and produce a structurally balanced budget. Consolidation of two County offices into one resulting in annual savings that are well into six figures may very well be an idea whose time has come;* These aren't my words, these are theirs. I think it's time that we look at changing how we function as a County we. Have to streamline. We've reduced our workforce by close to a thousand employees, now it's time to restructure management, and to do that we need to consolidate departments.

Just in terms of pure numbers, when you look at the number of people, the number of employees that, if this passes, a County Comptroller would be in charge of, it would be roughly a hundred employees, based on the current staffing levels that we have. For contacts, when we look at Commissioners with the same leadership structure in charge of departments with several hundred, in some cases more than a thousand employees, I believe a Comptroller can manage a hundred individuals.

For all of these reasons and for the fact that I believe it's the right thing to do in terms of streamlining government and making it actually doing something to make it more efficient rather than just throwing rhetoric out to the public to appease them, I think the voters are intelligent enough to make this decision and that's why I'm in favor of putting this on a ballot referendum.

P.O. GREGORY:

Thank you, Legislator Lindsay. We have several more speakers, but I wanted to take the opportunity to speak, because some have spoken already. I will be supporting this measure because I believe that it should go before the voters. But I think if you go and look back at my comments during the previous debates, I'm not necessarily a hundred percent convinced, but I don't believe that my personal opinion should obstruct the voters from making their opinion; I don't think my opinion outweighs theirs. But I do have concerns. I do see positives, but I think the requirement is going to be on this Legislature and the County Executive to enforce what this bill promotes. If it is true what was presented earlier, that with the consolidation of the Department of Labor that we have more personnel, that would eliminate the argument to consolidate. So in future years, when budgets come before us, we would have to ensure that we're diligent, ensure that this consolidated department does not grow, because that would eliminate the argument, at least one of the arguments as I understand it.

There still is the argument of oversight, which I think is important. I think some have expressed concerns about having those two functions under one roof. I'm not sure if that's valid or not, but I do see the positives and the negatives of that. But my concern specifically is this doesn't end the question. You know, consolidating does not end the question, because there is a path where this consolidated department can grow and then the decisions that the voters make this November will be under mind in the future if we don't ensure that we don't allow this department to get out of hand with personnel costs.

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So with that, I will call -- Legislator Kennedy, you wanted another word?

LEG. KENNEDY:

I do, Mr. Chair. And I'm glad to hear the sponsor talk about his motivation and the reasons that he feels strongly about putting this forward. He and I have had some personal conversations, and Legislator Anker questioned BRO, too. Fortunately, I think we do still have the Treasurer here in the room. So rather than all of us talking about what we think she may or might think or not think, through the Chair, I'd like to ask if she could please come up here so I can ask her a couple of the questions about what she does do, what the role of the office and what, in fact, may or may not be the savings that everybody is talking about.

The cycle, I think, is somewhat illusive, Legislator Lindsay, in that people are delinquent and redeem properties all year long. I've done it, I've dealt with it, it's an ongoing, sustaining function and it's critical to the portability of property here in the County of Suffolk. It goes right to the heart of the economic engine that is our flexibility of property. I think she's still here; is she in the back?

P.O. GREGORY:

Well, I will allow that, but I will just state that we have 18 Legislators and not 19. You can ask the questions, but I don't think it's appropriate that the Madam Treasurer engage in a debate of the bill.

LEG. KENNEDY:

Well, thank you for the privilege to bring her to the table, Mr. Presiding Officer. But as an elected official, and as the one who's charged with the day-to-day operations of the office, quite frankly, she knows it better than any of the 18 of us.

P.O. GREGORY:

Oh, absolutely. Absolutely.

LEG. KENNEDY:

And so the panacea that we're talking about, which is the elimination of the Office of Treasurer, not her per se, but that office of Treasurer.

P.O. GREGORY:

Right.

LEG. KENNEDY:

She knows best how to go ahead and address some of what does and doesn't go on. So I see her standing down there.

MS. CARPENTER:

Well, I certainly don't relish being put on a hot seat, but go ahead, I'll answer the questions.

LEG. KENNEDY:

Not at all, Madam Treasurer, not at all. There have been many things that have been talked about, but one of the things that I wanted to ask you about in particular -- because there is this sense going back and forth as to the function that goes on with the Comptroller from audit and a function that goes on with Treasurer for disbursement, and the role that happens between the two, the interplay, and when there may be an opportunity for somebody to go ahead and intercept what might be a question or a payment or something that may ultimately not be something collectively we would want to see go out the door. Is that something that's occurred? Have you ever had occasion to contact the Comptroller?

MS. CARPENTER:

We have. And just to the answer the question about auditing, the auditors from the Comptroller's Office are coming to the Treasurer's Office on Tuesday, as a matter of fact. We received a letter about a week and a half

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ago saying that they wanted to come audit the Hotel/Motel Tax program, which certainly --

LEG. KENNEDY:

Which they've done periodically.

MS. CARPENTER:

Which they've done, not as timely as perhaps I would have liked, but they are coming on Tuesday. So to the question about does the auditor -- you know, does the Comptroller's Office audit the Treasurer, or vice versa; yes, they do, because it is an appropriate function of the auditor to audit.

LEG. KENNEDY:

I'm a little curious, because I heard the sponsor speak a little bit about this notion that the two offices are somehow juxtaposed and that there may be some seasonal aspect. Which season is your busy season (*laughter*).

MS. CARPENTER:

We have a busier season. We are always busy in the Treasurer's Office. And there are units that peak at certain times and units that have a little bit of a downtime, if you will; not even a downtime, but an opportunity for us to utilize personnel within the department to try to get things going as quickly as we possibly can. Right now is the chaotic hectic season because of -- and I'm sure your offices are getting phone calls from taxpayers who have missed paying their taxes on time and are now told they have to go to the Treasurer's Office and pay interest and penalties in addition to. So that particular unit is like bursting with the phone calls, and it filters out to all of the others, too. It is extraordinarily busy, and we do have downtime. And I don't know who mentioned it, but thank you for the recognition that we are short staffed and we are able to function with the use of interns and with overtime. And I, you know, appreciate the fact that the Legislature has approved those interns each year, and hopefully that will continue in the future.

LEG. KENNEDY:

Tell me a little bit about the tax redemption process. Because in all that I've heard with the dialogue, I hear very little about that aspect of your office.

MS. CARPENTER:

You're talking about the small claims and --

LEG. KENNEDY:

Property tax redemptions, delinquent taxes --

MS. CARPENTER:

Right, okay.

LEG. KENNEDY:

-- sale of property. And does the Comptroller do anything like that?

MS. CARPENTER:

Nothing at all.

LEG. KENNEDY:

Okay.

MS. CARPENTER:

There is no redundancy, there is no duplication, they have nothing at all. The only area of County government where there is a little bit of an overlap, and I had suggested that last year, that perhaps the Redemption Unit of the Real Estate Department would be better suited in the Treasurer's Office in Riverhead. There would be like

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two positions, they could aid in going out to investigate properties to make sure that the property owner is not there and try to help speed along the redemption to get those properties back in a situation where they are paying taxes in a timely fashion. But as far as that is concerned, there is absolutely no duplication whatsoever.

LEG. KENNEDY:

And I recall you talking about Division of Real Estate. You shared that observation with the County Executive's Office?

MS. CARPENTER:

I did.

LEG. KENNEDY:

Okay.

MS. CARPENTER:

And on the record here.

LEG. KENNEDY:

Okay. Well, what is your sense about the purported savings that might occur if in 2018 there was no longer an elected Treasurer?

MS. CARPENTER:

Well, I think Robert Lipp was very forthright in saying that if you eliminate positions, there obviously is going to be less of an expenditure of money -- you're cutting those positions out, you're not going to be spending that money -- but at what cost? When the County -- when the Budget Review Office did a little bit more of an analysis last time, they said, *Yes, you could have a savings if you eliminate positions*, but at what cost to service, at what cost just globally? What happens when you don't have -- it's not like -- you know, I would say that I want to correct the record; the Treasurer is not sitting there doing nothing. To think that without the Treasurer or the Deputies, that the kinds of things that we do could be done isn't going to happen unless you've got somebody who has these powers, if you will. We are working with people all the time, making decisions all of the time on -- you know, someone will come in and say, *Well, this person feels that their, you know, penalties should be waived for "X" amount of reasons*, they can't make that kind of decision, it has to be someone in a supervisory capacity, someone who isn't a policy making decision in the office. Setting up the payment plans, trying to facilitate that ability that this Legislature gave to the Treasurer's Office back in 2002 so that we can take partial payments.

LEG. KENNEDY:

That was Maxine Postal, I believe, right?

MS. CARPENTER:

Myself and Maxine Postal --

LEG. KENNEDY:

That's right.

MS. CARPENTER:

-- cosponsored that resolution that allowed. Initially it was in '98 for Social Security recipients, and then in 2001 or 02 we expanded it to include all taxpayers.

And just to set the record straight, one of the Legislators made the statement that I'm, you know, offering these opinions based on the fact that I'm personally affected trying to save my job. I am not personally affected; this legislation would take place at the end of my term. I am affected as a Suffolk County taxpayer,

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because it absolutely, absolutely erodes what we have in place now as far as fiscal stability.

LEG. KENNEDY:

Okay. All right, thank you. Thank you, Madam Treasurer. Thank you, Mr. Chair.

P.O. GREGORY:

Legislator Calarco. Oh, Madam Treasurer? Legislator Calarco has a question for you.

MS. CARPENTER:

Sure.

LEG. CALARCO:

Good evening.

MS. CARPENTER:

Hi.

LEG. CALARCO:

I just have one real quick follow-up question, actually, to the line that Legislator Kennedy had, and I know his very first question was to the point of whether or not you have ever had a situation where you found that there was a payment that the Comptroller's Office had authorized that you found was inappropriate and you had --

MS. CARPENTER:

Yesterday morning.

LEG. CALARCO:

Okay.

MS. CARPENTER:

Yesterday morning. See, the process is with the Community Preservation Funds, when those payments go out, that the Treasurer's Office reviews those, they come to Administration, we review all of the calculations to make sure they are right, and once that approval is on there from Administration, it goes to Audit for approval before the check is authorized. Well, yesterday the approval was not in place. We're not quite sure yet how the paperwork got to Audit & Control, but it did. They approved the payment. It was my office that discovered that that had happened, so the paperwork came back to Administration so that we could verify the fact that the payment was right and appropriate -- it was \$8 million, by the way -- and then we released the check. But there are --

LEG. CALARCO:

So that was a valid payment, then.

MS. CARPENTER:

Pardon me?

LEG. CALARCO:

It was a valid payment, because you just said you released the check.

MS. CARPENTER:

Yeah, it was a valid payment.

LEG. CALARCO:

Okay. Were there any other instances -- how many times does that happen in a year?

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MS. CARPENTER:

I can go back and check and let you know.

LEG. CALARCO:

I would think that after two years of -- a year and a half of debate on this, you would have more than one example.

MS. CARPENTER:

That's your prerogative to think that, but I --

LEG. CALARCO:

Well, I'm just --

MS. CARPENTER:

-- wasn't here prepared to go through the instances, and I certainly will do that when I go up to the office and pull them out for you.

LEG. CALARCO:

I'd appreciate that. Thank you.

MS. CARPENTER:

Okay. You're welcome. Any other questions?

P.O. GREGORY:

Okay, let's try to wrap this up. We have public hearings coming up. You want to -- I thought you didn't want to speak.

LEG. ANKER:

No, I do. Can I have Angie back up here? Just a quick question.

P.O. GREGORY:

All right.

LEG. ANKER:

So the question is, you know, again, my -- again, my concern is this is strictly about, you know, a policy, government policy, how we can save money and consolidate; that's the focus of this. So my question to you, Angie, is why are we -- out of 62 counties in New York State, we're the only one County that has a system. What makes our system different and better than the systems that are in all the other counties in New York State?

MS. CARPENTER:

We are not the only County in the State of New York that has this system. We are the only County that elects both the Treasurer and a Comptroller. Most of the Counties have Treasurers that are elected. Other counties that have Treasurers, 70% of them are elected. The only thing that is accurate is that we're the only County that elects both the Comptroller and the Treasurer. Almost all the counties have Treasurers, only nine have Comptrollers. So maybe in consolidation you shouldn't have a Comptroller. Why is it the Comptroller that should be in charge? Not that I'm thinking it's a good premise or something that should be done, but --

LEG. ANKER:

So you would agree, though, that in the other 62 counties, if we had one financial officer, whether it's a Comptroller or Treasurer, that would be a success in Suffolk County?

MS. CARPENTER:

No, I don't think that would be a success in Suffolk County, absolutely not.

LEG. ANKER:

Why not -- again, it being bigger than other counties.

MS. CARPENTER:

Because we, unlike the other counties in the State of New York, have over a million and a half residents. Counties like Monroe have 234,000, Schenectady has maybe 500,000; and I'm going by memory, so I could be off a little bit on the numbers. But I do know that of all of the other counties that have a single model, they have a fraction of the residents. And of the counties that have that single model, very, very few of them collect the taxes. So the taxes in the County of Westchester are collected by the villages and the towns, not the Treasurer.

LEG. ANKER:

If you had \$1.3 million to spend, what would you do with it? Would you hire more employees? Again, this is following Legislator Cilmi's comment on, you know, hiring more people for grant writing to make the County more money, hiring more people in general to get through some of the tax work. What would you do with the \$1.3 million that we might be able to save?

MS. CARPENTER:

As the Treasurer -- first of all, you're not going to save \$1.3 million. But as the Treasurer, I wouldn't be asking for 1.3 million, I'd be asking for 28,000 for a Clerk so that I could help process the tax refunds in a more timely fashion.

LEG. ANKER:

So would you be willing to give up one of the positions in order to get those extra savings to hire the Clerk that you need?

P.O. GREGORY:

I think we're debating here. If we --

LEG. ANKER:

I'm trying to understand, again, why these three positions are vital in the functions of Suffolk County's financial, you know, process.

P.O. GREGORY:

It's not germane to the bill before us.

LEG. ANKER:

I think it is.

MS. CARPENTER:

I would say that the positions of Treasurer and the two Deputies are as vital, if not more so, than the positions of Comptroller and the two Deputies, and the position of the Labor Commissioner and God knows how many Deputies, certainly more than two. And those departments are not responsible for the collection of \$1.9 billion. As in the case with the Labor Department that oversees \$18 million of revenue and their budget is \$19 million. Do you think that that's a wise and a judicious use of \$19 million, to collect 18 million?

LEG. ANKER:

Well, again, I'm wondering, again, since DPW -- you know, the one Commissioner oversees 600 employees. And again, you know, your department has a smaller number of employees. Again, consolidation to me would be -- you know, would be a very successful process to go through.

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One other question. As far as the top three positions that they're looking to eliminate, what are the total hours per week do those folks put in? Because, again, Legislator Cilmi mentioned that there's a lot of work to be done. But, you know, how many hours per week on average do these three positions put in?

MS. CARPENTER:

Well, the hours are 9 to 5, but more times than not you will find that we're there before nine and more times than not, especially in the case of the Deputy, is there closer to six o'clock every night.

LEG. ANKER:

And they're there to do the work, they're there, you know, weekends, holidays.

MS. CARPENTER:

No, they're not there weekends and holidays. If it's necessary, they do come in on weekends to oversee the tax history when they loaded the files, because IT said to them that, *Please don't do it during business hours because it causes problems with the server. Could you please do it after hours or on the weekends;* so that the person would not be there alone, the Deputy has come in, yes.

LEG. ANKER:

And you said because you're backed up, there's a lot going on. I'm assuming people don't go on vacations or they take their own personal time in order to put that -- those hours in?

MS. CARPENTER:

I'm not going to dignify that question with an answer.

LEG. ANKER:

Well, I'm just saying, if there's a lot of work, sometimes people will work overtime or do what it takes, especially if they're in a position where they don't get overtime.

MS. CARPENTER:

They'll work overtime when absolutely necessary, because the County Executive has asked that we keep a very tight lid on overtime, so that we don't employ overtime unless absolutely necessary. And there are times that people stay on their own to get their work done and don't charge their time.

LEG. ANKER:

Okay. Thank you.

MS. CARPENTER:

You're welcome.

P.O. GREGORY:

Legislator Trotta.

LEG. TROTТА:

Just a quick question to Dr. Lipp. When the Labor Department joined the Consumer Affairs Department, was there any savings? Apparently there's seven Deputies or something I'm hearing?

MR. LIPP:

Yeah. So we had done a report once upon a time, I can't remember the specifics of it, that I believe it was for Legislator Cilmi. And the -- by and large, we couldn't untangle that sort of stuff. Was there savings? Yes, but the problem was it was at the time where there were significant layoffs back in 2012, so that it looked like most of the savings we had was purely from all the layoffs, it had nothing to do with consolidation. So there was no way we could really establish whether or not there were any savings from that.

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LEG. TROTTA:

Are there more employees in the two -- in the one combined unit than there are -- when there were two of them separately?

MR. LIPP:

Right, today. So I could research that and get back to you.

LEG. TROTTA:

Generally what's your feeling? Do you know -- I mean, is the budget the same?

MR. LIPP:

I feel lots of things, but I'm not feeling this one, I'll get back to you.

*(*Laughter*)*

P.O. GREGORY:

Enough of that one.

MR. LIPP:

Right now I'm feeling a lot of love in the room.

P.O. GREGORY:

No comment at that. Before I call the roll, I really want to commend Legislator Lindsay. I know you put a lot of effort into it and I appreciate his effort, particularly his first six months. You know, I know how difficult it can be to pull something together like this and for depoliticizing something that was considered very political and I appreciate that and respect you for that. So Mr. Clerk, we have --

MR. NOLAN:

A tabling motion.

P.O. GREGORY:

We have a -- did you withdraw it?

LEG. KENNEDY:

I withdrew it.

MR. NOLAN:

Oh, he withdrew it.

P.O. GREGORY:

You withdrew. So we have a motion, a motion and a second. Roll call.

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

LEG. LINDSAY:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

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LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

No.

LEG. TROTTA:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. CILMI:

No.

LEG. MARTINEZ:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eleven.

P.O. GREGORY:

Okay.

MR. LAUBE:

Twelve, check that (Opposed: Legislators McCaffrey, Trotta, Kennedy, Cilmi, Muratore & Browning).

P.O. GREGORY:

Okay. All right, we have a couple of minutes before Public Hearings. We're going to go to **Tabled Resolutions:**

1096-14 - Adopting Local Law No. -2014, A Local Law to establish healthy food standards at Suffolk County Facilities (Hahn). Legislator Hahn?

LEG. HAHN:

Motion to table.

P.O. GREGORY:

Motion to table.

LEG. CILMI:

Second.

P.O. GREGORY:

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 by Legislator Schneiderman.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1323-14 - Adopting Local Law No. -2014, A Local Law to streamline procedures for filling Presiding Officer and Deputy Presiding Officer vacancies (Presiding Officer Gregory). I made some changes, so this has to be tabled for a public hearing. I'll make the motion, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

1464-14 - Appropriating funds in connection with Improvements to North Fork Preserve (CP 7189)(County Executive).

LEG. KRUPSKI:

Motion.

LEG. HAHN:

Second.

P.O. GREGORY:

Motion by Legislator Krupski, second by Legislator Hahn.

D.P.O. SCHNEIDERMAN:

To do what, approve? To approve it or table it?

LEG. KRUPSKI:

To approve.

LEG. TROTTA:

What is it?

LEG. KENNEDY:

1464.

P.O. GREGORY:

1464.

D.P.O. SCHNEIDERMAN:

This is for planning for the park there.

P.O. GREGORY:

Any other motions?

LEG. D'AMARO:

Yeah, I'll offer a motion to table.

P.O. GREGORY:

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

LEG. TROTTA:

(Raised hand).

P.O. GREGORY:

Second by Legislator Trotta. On the motion? Okay. All right.

LEG. D'AMARO:

Well, I'll just ask, I'm not sure what -- what's changed. When was the last time we met, two weeks ago?

P.O. GREGORY:

Yes.

LEG. D'AMARO:

I thought we had a full and fair debate on this issue and had decided that in light of the budget, the Capital Budget and the pipeline debt, that this was not something we were willing to consider at this time. I'm not quite sure why that would change in two weeks. And if anyone has an answer to that question, I'd like to hear it; but if not, I will certainly be voting to table.

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LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

Who else was that?

D.P.O. SCHNEIDERMAN:

On the motion.

P.O. GREGORY:

Oh, I'm sorry, Legislator Krupski.

LEG. KRUPSKI:

Just to answer Legislator D'Amaro, I don't think anything has changed as far as the debate goes. I think it's the exact same issue, that almost \$20 million was spent and this would be money to start planning for the development of the preserve. So to your question, I don't believe anything has changed.

P.O. GREGORY:

Okay.

LEG. D'AMARO:

Well, if I could respond?

P.O. GREGORY:

I think Legislator Hahn had wanted to go.

LEG. HAHN:

You can let him respond.

P.O. GREGORY:

All right. Legislator D'Amaro.

LEG. D'AMARO:

Okay. Thank you, Legislator Krupski, I appreciate that. It was just, I believe we talked about last time the setting of priorities concerning our debt, thinking about some of the things that we could not fund at this time, some of the decisions we made in amending the Capital -- the proposed budget. And this, I believe, was parkland that we acquired that we now own, there's no threat of development going forward. And if we were going to look at our pipeline debt and if we're concerned about the debt of the County and the interest which is paid out of the operating budget, this just may not be the time to take the step off the ledge and start on a new project that's going to wind up costing us, I don't know what the number is, but it's more than just this one vote, there will be more. And once we start, then you'll have the argument being made that we already spent some money, so why go back. This is the time to consider whether or not we want to go forward with a project of this magnitude at this cost, given all the other priorities we have and all the other things that haven't been funded. So if nothing's changed, I'm certainly not in a position to change my vote on that. I'd like to see the park get developed, but not at the cost of the other projects that take priority.

P.O. GREGORY:

Legislator Hahn.

LEG. HAHN:

Yes, you know, I see your point. However, we spent an enormous amount of money to purchase this property, and even to purchase the underlying rights on a farmland property, correct? And I think that the plan and while we have a vague -- well, not a vague plan, but we don't have all the fine details for the plan written yet and

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that's what's needed to move forward. Because I believe there were some economic development components with this equestrian facility, there's a real need from the equestrian community. We have a real need for campsites, there's waiting lists that go on and on at our parks for the camping sites, and we were really excited to have this property purchased for this purpose and I would hate to see the planning for that delayed.

P.O. GREGORY:

Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

You know, we've been spending a lot of money through the years on preserving land, whether it's farmland or open space on both -- all over the County, but particularly on the south and the north fork, and the South Fork did a lot of ways for people to enjoy it. We've got State campgrounds, we've got County campgrounds. The North Fork there's nothing, and the public throughout the County has spent to preserve the rural character of those areas. And we have spent just on this parcel alone, this was sold to us as the next great County park, that we were going to do something really special here and that got us to spend, I believe it was over \$10 million, if I recall. It was a significant amendment of money.

LEG. KRUPSKI:

(Nodded head yes).

D.P.O. SCHNEIDERMAN:

An enormous amount of money to preserve what -- I think it was 300 acres, the North Fork Preserve. So I don't think it's time to walk away from it. I think it's time to finish what we started. We've been spending a good deal of money, this is another 100,000 to plan out the actual park which was thought up from the very beginning. Really, this just begins to complete a process to open up the North Fork to all the County so they can enjoy the beauty of that area.

P.O. GREGORY:

Okay. We have a tabling motion and a motion to approve. The tabling motion goes first. Mr. Clerk, roll call.

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

LEG. D'AMARO:

Yes.

LEG. TROTTA:

Yes.

LEG. SPENCER:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. KENNEDY:

This is to table, Mr. Clerk?

MR. LAUBE:

Yes.

LEG. KENNEDY:

Yes to table.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

No.

LEG. CALARCO:

No.

LEG. ANKER:

No.

LEG. HAHN:

No.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

No.

D.P.O. SCHNEIDERMAN:

No.

P.O. GREGORY:

No.

MR. LAUBE:

Eleven.

D.P.O. SCHNEIDERMAN:

The Bond is irrelevant.

MR. NOLAN:

We're not going to get that now, it's tabled.

D.P.O. SCHNEIDERMAN:

Right, the Bond is tabled.

MR. NOLAN:

Everything's tabled.

P.O. GREGORY:

No, that was --

LEG. LINDSAY:

That was a tabling motion.

MR. NOLAN:

That was a tabling motion. It got eleven, right?

MR. LAUBE:

Eleven, yes.

MR. NOLAN:

It passed.

D.P.O. SCHNEIDERMAN:

It was tabled, so the next one is to approve.

P.O. GREGORY:

Oh, okay.

MR. NOLAN:

Yeah, we're going into Public Hearings now.

P.O. GREGORY:

Okay. I'm sorry, I'm trying to do three things at once.

All right, we're going to ***Public Hearings*** now. Okay, the first Public Hearing, the ***2014-2015 Suffolk County Community College Budget***. I don't have any cards on that. Is there anyone in the audience that would like to come forward and speak? Please come forward now. Seeing none, I 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 Hahn).

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 8-2014 - To set a public hearing regarding the alteration of rates license for Davis Park Ferry Co., Inc. (Presiding Officer Gregory). I don't have any cards on that matter. Is there anyone in the audience that would like to speak on it? Please come forward.

D.P.O. SCHNEIDERMAN:

Do you have the BRO report on this one?

MR. NOLAN:

Yes.

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D.P.O. SCHNEIDERMAN:

Motion to close.

P.O. GREGORY:

Okay, motion to close by Legislator Schneiderman, second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Hahn).

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 12-2014 - To set a public hearing regarding the Alteration of rates for North Ferry Co., Inc. (Presiding Officer Gregory). I do have one card; Julie Ben-Susan.

MS. BEN-SUSAN:

Good evening, Ladies and Gentlemen. Thank you for your attention. Having spoken to you just two weeks ago, I'll just introduce myself for the record. I'm Julie Ben-Susan and this is Bridg Hunt beside me; together we manage the North Ferry.

We do not want to repeat ourselves, nor do we want to presume. We provided certification of the publishing of our proposed rates in both the Suffolk Times and the Shelter Island Reporter to the Clerk of the Legislature, and we offered up a sample of the receipt that will be produced from our -- from phase I of our new electric fare system called FerryPass. We appreciate the attention that you have given us thus far and -- to our petition and to the expeditious manner in which you have been processing it. We would be pleased to answer any questions that you may have. Thank you very much.

P.O. GREGORY:

Thank you. Okay.

MR. HUNT:

Thank you.

P.O. GREGORY:

All right. Is there anyone else who would like to speak on this matter? Please come forward. Okay, a motion to close by Legislator Schneiderman. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (*ACTUAL VOTE: Seventeen - Not Present: Legislator Kennedy*).

P.O. GREGORY:

Okay. ***(Public Hearing on) IR 1096-14 - Adopting Local Law No. -2014, A Local Law to establish healthy food standards at Suffolk County Facilities (Hahn).*** I don't have any cards on this matter. If there's anyone in the audience that would like to speak on it, please come forward. Not seeing anyone, Legislator Hahn?

LEG. HAHN:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Hahn.

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D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen (Not Present: Legislator Spencer).

P.O. GREGORY:

(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 don't have any cards on this matter. Is there anyone in the audience that would like to speak? Please come forward. Not seeing anyone, Legislator Hahn?

LEG. HAHN:

Motion to recess one more time.

P.O. GREGORY:

Motion to recess by Legislator Hahn.

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:

(Public Hearing on) IR 1325-2014 - Adopting Local Law No. -2014, A Local Law to ensure access to emergency services via telephone (Trotta). I do not have any cards on this matter. Is there anyone in the audience that would like to speak? Please come forward. Not seeing any, Legislator Trotta? What would you like to do? 1325, your bill.

LEG. TROTTA:

Close.

P.O. GREGORY:

Motion to close by Legislator Trotta.

LEG. CILMI:

Second.

P.O. GREGORY:

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

D.P.O. SCHNEIDERMAN:

Tim, recusal.

MR. LAUBE:

Sixteen (Recused: D.P.O. Schneiderman - Not Present: Legislator Krupski).

P.O. GREGORY:

(Public Hearing on) IR 1394-14 - Adopting Local Law No. -2014, A Local Law to warn consumers of the dangers of liquid nicotine (Anker). I don't have any cards on this matter. Is there anyone in the audience that would like to speak? Please come forward. Not seeing anyone, motion to recess by Legislator Anker. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Krupski).

P.O. GREGORY:

(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 matter. Is there anyone in the audience that would like to speak on it? Please come forward. I make a motion to recess.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen (Not Present: Legislator Krupski).

P.O. GREGORY:

(Public Hearing on) IR 1488-14 - Adopting Local Law No -2014, A Local Law to modify County's Hardship Property Redemption Process (Spencer). I don't have any cards on this matter. Is there anyone in the audience that would like to speak on this matter? Please come forward. Legislator Spencer?

LEG. SPENCER:

Still have some changes that we're working with the Administration on this, so we're going to have to recess it.

P.O. GREGORY:

Okay. Motion to recess by Legislator Spencer.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Krupski).

P.O. GREGORY:

(Public Hearing on) IR 1507-14 - Adopting Local Law No. -2014, A Charter Law to improve budget and fiscal communication in County Government (Krupski). I don't have any cards on this matter. Is there anyone who would like to speak? Please come forward. Seeing none, Legislator Krupski.

LEG. KRUPSKI:

Motion to close.

P.O. GREGORY:

Motion to close. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) IR 1573-14 - Adopting Local Law No. -2014, A Charter Law to clarify the County's Procedure for disposing or transferring surplus personal property (Browning). I don't have any cards. Is there anyone in the audience who would like to speak on this matter? Please come forward. Not seeing any, Legislator Browning.

LEG. BROWNING:

Motion to close --

LEG. KRUPSKI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) IR 1574-14 - Adopting Local Law No. -2014, A Charter Law amending Article I of the Suffolk County Charter to require a referendum to amend or repeal the Suffolk County Drinking Water Protection Program (County Executive). I have a couple of cards, the first being Joy Flynn.

MS. FLYNN:

Good evening. I'm sorry I couldn't be here earlier. I'm Joy Flynn from Quoque. I'm just here in support of both of these resolutions, IR 1574 and 1575, so please protect our water. Thank you very much.

P.O. GREGORY:

Thank you, Ms. Flynn.

LEG. TROTTA:

I have a question for her

P.O. GREGORY:

Ms. Flynn? Legislator Trotta has a question for you.

MS. FLYNN:

Uh-oh. I'm supposed to be the one asking questions.

P.O. GREGORY:

You must be in the Police Department. He only asks questions about the Police Department.

*(*Laughter*)*

I'm only kidding. Just kidding, Rob. I'm only kidding,

MS. FLYNN:

This is not going to be a hard question, is it?

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LEG. TROTTA:

Can you tell me a little bit about this bill?

MS. FLYNN:

No, I can't tell you a whole lot about it. I just have been working on water protection, and anything that is going to help to preserve our water and fund it properly --

LEG. TROTTA:

How do you know that this is going to fund it properly?

MS. FLYNN:

Because I trust my Legislators to do it properly.

LEG. TROTTA:

Do you know that they're going to take \$30 million or \$40 million or {un-sum} amount out of the Drinking Water Fund over the next three years?

MS. FLYNN:

I know that if you approve this, that we will be protected better than if it's not approved.

LEG. TROTTA:

Do you know that they're planning on taking between 30 or \$40 million out for the next three years out of that fund and giving 20 million back?

MS. FLYNN:

Yes.

LEG. TROTTA:

And you're okay with that?

MS. FLYNN:

Yes.

P.O. GREGORY:

All right, Ms. Flynn. Thank you. Lillian Ball.

MS. BALL:

Good evening. I'm Lillian Ball, I'm here on my own behalf but as an eight-year veteran of Southold Town Land Preservation Committee where I was proud to serve with Al Krupski as our liaison to the Town Board.

I would like to say that I'm in full support of these two resolutions, because I do trust the process of negotiations that has been going on for the last several months between members of the environmental community, lawyers and this Legislative body. So it's not an ideal solution, I don't -- I don't like to see land preservation being an item that doesn't have a steady funding stream, but I do think that for right now, it's better to get this behind us and go on to a positive way of figuring out how we can get a steady funding stream for land preservation. Because farmland and open space preservation is something that Suffolk County has always supported and I'd like to see that go on. Thank you.

P.O. GREGORY:

Thank you, Ms. Ball. That's all the cards that I have. Is there anyone else that would like to speak? Please come forward. Okay. Do I have a motion?

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LEG. MARTINEZ:

Motion.

P.O. GREGORY:

Motion by Legislator Martinez to close.

LEG. LINDSAY:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) IR 1575-14 - Adopting Local Law No. -2014, A Charter Law amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for enhanced water quality protection, wastewater infrastructure and general fund property tax relief for Suffolk County (County Executive). I have the same names. Did you guys want to speak on both?

MS. LILLIAN:

(Shook head no.)

P.O. GREGORY:

Okay. All right. I don't have any cards on this matter. Is there anyone else that would like to speak? Please come forward. Okay. Legislator Martinez makes the motion to close. Second by Legislator Lindsay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay.

(Public Hearing on) IR 1409-14 - Adopting Local Law No. 17 -2014, A Local Law to establish the Suffolk County Taxi and Limousine Commission and to provide for the registration of for-hire vehicles (County Executive). I don't have any cards on this matter. Is there anyone that would like to speak on it? Please come forward. Not seeing anyone, Legislative Counsel?

MR. NOLAN:

(Inaudible).

P.O. GREGORY:

Oh, okay.

LEG. CALARCO:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Calarco. I will second. All in favor? Opposed? Abstentions?

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LEG. LINDSAY:

Recusal.

MR. LAUBE:

Seventeen (Recused: Legislator Lindsay).

P.O. GREGORY:

Okay. Setting the date for the following Public Hearings of July 29th, 2014, 2:30 PM, at the Rose Caracappa Auditorium in Hauppauge, New York:

IR 1323, a Local Law to streamline procedures for filling Presiding Officer and Deputy Presiding Officer vacancies;

IR 1390, a Local Law to amend the Administrative Code to expand the requirements for appointed officers of the Suffolk County Police Department;

IR 1620, a Local Law to amend, update and reorganize Chapter 528 of the Suffolk County Code to incorporate changes adopted by the State and to facilitate continuing advancements and modifications of the law in the future.

MR. NOLAN:

You got a motion. You need a second.

P.O. GREGORY:

Do I have a second?

LEG. CILMI:

Second.

P.O. GREGORY:

Was there a motion? Did I make --

MR. NOLAN:

You made it.

P.O. GREGORY:

I thought I made it, okay. Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Yeah, Mr. Chair. I'm going to make a motion to take an item out of order. It's under Economic Development, it's 1566, it is my appointment to the Citizens Advisory Board, Ms. Schaarschmidt. She actually came to committee and was fully vetted and approved. She's taken the extraordinary step to take the ride out here today just to hear us vote. So I ask that we take it out of order, if we can, please. I make a motion to take it out of order.

LEG. HAHN:

Second.

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P.O. GREGORY:

I'm sorry. Motion to take 1566 out of order. Second by -- who was that? Legislator Hahn. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

1566-14 - To appoint Deborah Schaarschmidt as a member of the Suffolk County Citizens Advisory Board for the Arts (Kennedy).

LEG. KENNEDY:

Thank you. And I'll make the motion to approve.

LEG. MURATORE:

Second.

P.O. GREGORY:

Motion to approve IR 1566. Second by Legislator Muratore. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay.

LEG. KENNEDY:

Thank you very much. I appreciate it. Thank you.

P.O. GREGORY:

All right, back to the agenda, **Tabled Resolutions (Cont'd):**

IR 1464 was tabled.

IR 1465-14 - Appropriating funds in connection with the Historic Restoration and Preservation Fund (CP 7510) (County Executive).

LEG. HAHN:

Motion.

P.O. GREGORY:

Motion to approve by Legislator Hahn.

LEG. CALARCO:

Second.

P.O. GREGORY:

Seconded by Legislator Calarco. On the motion, Legislator D'Amaro.

LEG. D'AMARO:

I'm sorry, what bill are we on?

P.O. GREGORY:
1465.

LEG. D'AMARO:
Oh, this is that house.

*(*Laughter*)*

P.O. GREGORY:
Uh-oh.

LEG. BROWNING:
Hold on a minute.

*(*Laughter*)*

P.O. GREGORY:
The fire department is on call.

*(*Laughter*)*

LEG. CILMI:
Three hundred thousand.

LEG. D'AMARO:
Right. This was again tabled during the last session two weeks ago, and I thought we, again, had a full debate on that and discussed the need for the \$300,000 expenditure. I think also that this had also been brought up in the past, and in the past we've also declined to fund this and I'm again asking what -- what has changed in the last two weeks to reverse the tabling motion? If anyone wants to answer that.

P.O. GREGORY:
Chair of Parks, you want to -- or Kate, is it your bill?

LEG. BROWNING:
Well, yeah, this is the home and house in my district that, you know, the project has been moving forward. I don't know when -- I don't remember what year the County Executive came in anymore, but this was a project that he committed to making sure that it would move forward and be completed and it's a half-done project now. And I think that their commitment was there, that we approved the money back then to make this happen and, you know, I'd invite you to come to Yaphank and see the work that's being done there. And again, like I said before, is this is -- this is an intersection in the historic Yaphank community. The Chair or the President of the Historical Society puts in a lot of his own time, work, effort, Mr. Kessler, to make this corner and make this intersection look like what it is today. We have used prisoners, we have done a lot of work in there that saved us a lot of money. And so I'm going to ask you to do it, I mean, to support it. Because, again, I strongly believe in preserving our historic homes and our communities. You know, it's who we are.

I didn't grow up on Long Island. I know many of you did, and I think it's important to preserve your history. I think I told you about, you know, when I was back home in Ireland in March, I was able to go to the castle dated back in 1390 and that my family came from; and so I know my history, I know who I am, I know where I came from. And I think that's important, not just for us here today but for our future children, that they will know who they are, where they came from. And this is certainly -- there's the family that owned that home still lives in that community.

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So I'm all about preserving our history. It is something that the County purchased many, many years ago. I don't want to see it fall down, and I don't see why should we have -- you know, put the money into it half and then decide today we're not going to do anything? It's a half-done project, let's complete it.

LEG. SPENCER:

DuWayne?

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Legislator Stern.

P.O. GREGORY:

Okay, Legislator Stern was before D'Amaro.

LEG. STERN:

Thank you, Mr. Presiding Officer. I agree with Legislator Browning, it's important for us to preserve our history heritage and the historic structures that we are entrusted with preserving. But I do remember the discussion about this particular property very well, in committee and otherwise. I specifically remember having the conversation with the -- with Gil Anderson and with Commissioner Dawson. There was to be a plan. There was to be a specific plan on how best to go forward in preserving this structure, how much money it was going to cost, what was it going to look like, how was it going to be maintained, how was it going to be administered for the benefit of the community going forward, and that then would determine what kind of dollar amounts we would have to commit. Here it's exactly backwards, we're asked to commit dollars before we have any kind of plan before us.

My concern here is that maybe they've started something there, we'll have to throw a little money at it, we'll have to throw a little more and a little more and a little more, and ultimately all of this time we still don't know what the big grand plan is, both in terms of structure and how it's going to be administered going forward. So like I said at that time, I think this appropriation is premature.

P.O. GREGORY:

Legislator Spencer.

LEG. SPENCER:

As far as those questions, Kate, do you have -- does anyone have any information that with this \$300,000, how far does that get us to completion?

LEG. BROWNING:

I would have to talk to Rich Martin and see how much, but I believe that's what they need to complete the project. So I --

LEG. SPENCER:

Tom, do you have any information on this?

MR. VAUGHN:

I do have some information on this, Legislator Spencer, and I would just say this. My understanding is that the Parks Department does have a plan. And what I would offer as a possible solution or a possible alternative would be to allow the Parks Department to come and make a full presentation at the next Parks Committee meeting to present their plan and provide the committee with a greater understanding of what the plan is and how to proceed forward. And perhaps then, by garnering more support from the Parks Committee, we can be in a better position to maybe move this forward at a later date.

LEG. SPENCER:

Thank you, Tom.

P.O. GREGORY:

Gil, did you have something to add, Commissioner?

COMMISSIONER ANDERSON:

No.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Mr. Vaughn, I appreciate that very much, but that's all missing the point here. Of course, the Parks Department can come forward and make an argument for doing this Capital Project. And I agree with my colleague, Legislator Browning, that it is important to preserve the history of Long Island and our history and our unique heritage as part of the State of New York. However, you know, this is going beyond the merits of the project. It's the overall picture of our budget situation and our priorities and our Capital Program. You know, building jails, outfall pipes, and I can go on and on. Last cycle we saw the list from the Budget Review Office for the ten most costly projects, and again, this would commit \$300,000 for exterior work on this house; and that's not the end of the project, it continues after that.

So as I can agree with Legislator Browning on the need for preservation, and I think we do an awful lot of that, and rightly so here in the County, but at some point we have to draw a line and we have to put other projects that are in more need than this particular project first. So I will not be supporting this.

P.O. GREGORY:

Okay. Anyone else? Okay.

LEG. BROWNING:

I think -- I mean, clearly it doesn't look like it's going anywhere today. But I think what I'll try and do is have Mr. Kessler come and do a presentation also on all of the work that he has done on his own, using his own funds, using his own company, donations and, you know, plus what the prisoners have been doing. I'd invite you to come up there and come see what it looks like. So I definitely would like him to come so you can see how much work he's done, and saved us so much.

P.O. GREGORY:

So are you changing your motion to a tabling motion?

LEG. BROWNING:

Was there a tabling motion?

P.O. GREGORY:

No.

LEG. BROWNING:

Okay. I'll change my motion to table --

P.O. GREGORY:

Okay.

LEG. BROWNING:

-- for this cycle and we'll work on getting Parks.

P.O. GREGORY:

All right. Who was the second on that?

LEG. TROTTA:

I'll second it.

P.O. GREGORY:

Okay, Legislator Trotta.

LEG. D'AMARO:

Just on the motion?

P.O. GREGORY:

Yeah.

LEG. D'AMARO:

Was there a second? I apologize.

P.O. GREGORY:

Legislator Trotta seconded.

LEG. D'AMARO:

Yeah. Legislator Browning, in that presentation, if the Parks Department can also tell us how many ongoing projects they have and what the funding is and what we're spending on them would also be helpful, so we can take it in context. I think that would be helpful. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

LEG. SPENCER:

Okay, motion is tabled.

IR 1502-14 - 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) (County Executive).

MR. NOLAN:

There's no bond.

P.O. GREGORY:

Oh, we don't have a bond, so I'll make a motion to table.

LEG. KENNEDY:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

If you may, if just go to your -- we're going to go to the manilla folder just for a minute, and I see Ben Zwirn is in the audience, I want to get him out. I make a motion to call **IR 1626** out of order, that's **Adopting 2014-2015 Operating Budget total and County contribution for Suffolk County Community College (Anker)**.

LEG. ANKER:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Legislator Anker makes a motion to approve. I'll second.

LEG. KENNEDY:

On the motion?

P.O. GREGORY:

On the motion, Legislator Kennedy.

LEG. KENNEDY:

Yes. The -- did we wind up increasing what the County contribution would be?

P.O. GREGORY:

No. We stuck with the County Executive's proposed budget at 2%.

LEG. KENNEDY:

Oh, 2%. So that original discussion, it subsequently got resolved.

P.O. GREGORY:

Right.

LEG. KENNEDY:

Okay, great. Thank you.

LEG. D'AMARO:

Well, about --

P.O. GREGORY:

Legislator D'Amaro?

LEG. D'AMARO:

Mr. Presiding Officer, I'm going to support this. I'm going to support this bill. And I think we worked in the Working Group on this, we worked long and hard on this budget, as a matter of fact. And again, I want to commend you for opening those meetings up to the public, I think that was a very positive step forward. But I was just curious, I know the Working Group had talked about a 3% increase as opposed to a 2%, and I thought that was the actual recommendation of the Working Group, in fact. And I was surprised to learn a day ago that that recommendation had been changed. And I was just -- would like to inquire as to how that happened.

*(*The following was taken and transcribed by
Lucia Braaten - Court Stenographer*)*

P.O. GREGORY:

We -- at the request of the Working Group, I had reached out to the Administration, and they were not supportive of a 3% increase. I had brought it back to -- and, actually, I spoke to Ben Zwirn and some on the Board of Trustees, would they be okay with that, and they were okay with that. They didn't want to push the issue. The County Executive's Office wouldn't commit to whether they would veto a recommended -- or an increase or not. But the College certainly expressed their thanks for increasing the budget 2%, having had three zeroes and I think 1% increase in the past four years.

LEG. D'AMARO:

Okay.

P.O. GREGORY:

And I had brought that to and I spoke to the Chair of the Education Committee and we had discussed it in the caucus Friday.

LEG. D'AMARO:

I appreciate that, and I appreciate you making the effort, and it's -- I mean, reaching out to the College and getting the College Board of Trustees some consensus as whether the 2% number works for them. I appreciate that. Last we had left off in the Working Group, though, Mr. Zwirn was going to go back and poll that same Board of Trustees as to whether or not the 3% -- if we went up to 3%, if the additional 1% would have gone towards lowering the tuition for students at the College. And, Mr. Zwirn, thank you for coming up. I'm just curious if that conversation ever took place.

MR. ZWIRN:

We had a conversation with the Presiding Officer and the Chairwoman of the Board of Trustees and she indicated that the Board would support any additional funding that would have gone to reducing tuition. Having said that, this is the first time we're getting -- the College is getting an increase from the County, the 2% after having -- getting really nothing over the last several years. It is a major step and the College is grateful for the efforts of the Presiding Officer, the Legislature that has been very supportive of the Capital Program that the College has. We've been very ambitious this year, there's a lot of projects pending. And we also want to thank you for your efforts to try to get the tuition reduced by increasing the County's contribution. But we are grateful for the Budget Office's work and the County Exec's Office for making this 2% happen. So we're grateful and saying thank you.

LEG. D'AMARO:

That's a very strong argument for less funding, and that's pretty good.

*(*Laughter*)*

MR. ZWIRN:

Well, it's --

LEG. D'AMARO:

I want to ask you this. And, like I said, I will support this bill, because I think even 2% is the right direction. The discussion we had in the Working Group, however, was that an extra 1% in the grand scheme of County budgeting was not an enormous amount of money.

MR. ZWIRN:

About \$390,000.

LEG. D'AMARO:

Three hundred and ninety thousand. It would only reduce tuition, I think, by \$20, we said?

MR. ZWIRN:

Twenty dollars.

LEG. D'AMARO:

Which is not an awful lot. But, you know, there is a cutoff line where people living perhaps, you know, at the poverty line or just above and want to go college and have access to education. And that's why I was pushing for going the extra percent, because although it may not have that much of an impact this year, if we continued with increases along the years, I think that, ultimately, you know, cumulatively it would wind up having a significant impact on the cost of going to college here in Suffolk, especially at a time where we made this point in the Working Group, or I did as well, that the cost of a college education, especially with private schools, is extremely expensive, out of reach of many people, I would say, even -- and I'm talking middle class and upper middle class individuals that cannot afford to send two or three to college anymore. So I'm always very concerned about the affordability.

I just want to note on the record that I would have supported the 3%, as I think some others around the horseshoe would have as well, and I'll let them speak for themselves, because I think that along with public safety, providing a quality and affordable education, higher education, to Long Island residents is one of the key components to growing our economy, keeping our young individuals here. You know, it just seems to be, you know, one leg of the three legs when you talk about economic development. And, again, I just want to state for myself that I would have supported the higher number, but will support this bill today. Thank you, Mr. Presiding Officer.

P.O. GREGORY:

Yes. And thank you, Legislator D'Amaro for your advocacy for increased County contribution.

One thing I failed to mention was with my conversation with the President of the Board of Trustees, she was in favor of the increase, as I think all the Administration at the College would be, but she was concerned that if the Administration wasn't in favor of that, that she didn't -- she didn't want to proceed forward. So, based on that advice, when the Administration wasn't willing to support the increase, I felt it was the appropriate thing to do to go with the 2%. But I agree with you, that we have to keep the College affordable. And, you know, it's an opportunity for people to stay locally, get their education locally, and increase their earning income power and abilities. And out of it, my conversations with the College and the Administration, we all -- we're all in agreement that we will sit down and talk about a long-term plan to address increasing the County's contribution, so this issue is not over.

MR. ZWIRN:

And that was an important part.

P.O. GREGORY:

Yes. Okay. Yes, Legislator Anker.

LEG. ANKER:

Just a real quick comment. Again, I think because, you know, we know how tight our finances are. And if we were to push it over 3%, we'd be -- let's see, what is it? 1.118 million. Rob, is that -- what was the 3% versus the 2% contribution towards the Community College? Look that up while I'm talking. But, again, it looks like, again, 2013, '14, you know, we're contributing 38,888,000. So, you know, we're contributing a lot. Unfortunately, it's not the third that we should be, and that's something we need to strive for. And it's unfortunate that the --

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LEG. D'AMARO:

Well, how are you going to get there if we don't start increasing now?

LEG. ANKER:

Well, with that in mind, as far as the contribution to the Community College, we have supported tens of millions of dollars towards the capital projects, and it will benefit the County, it will benefit the College, and hopefully help with the revenues. So there's a plan --

LEG. D'AMARO:

But it won't help with tuition, though.

LEG. ANKER:

You never know. Again, this is something we can look towards the future. But right now, everyone seems to be pretty happy with the 2%. You know, eventually, we can give more, and I think, you know, we're good. But we have to take a fiscally conservative perspective on this, because there's only so much money we can give, and I think we've been extremely generous with the capital projects.

LEG. D'AMARO:

Well, if I could just respond. The cost of the extra 1% is the cost of changing the facade of the Homan House, roughly. So this is what we're talking about, priorities, and how we spend our money. And, you know, fiscally conservative, yeah, I agree with you in economic times that we're in right now. We're not out of the woods yet. But, you know, to me, the reason why I would support the additional funding is because I think this is the priority, I think this is where it belongs.

P.O. GREGORY:

Okay.

MR. LIPP:

So just for -- to answer the question, though, the increase for 3% would have been 1,169,669. Instead, it's 779,779, a difference of 389 and change.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. Congratulations.

MR. ZWIRN:

Thank you very much.

P.O. GREGORY:

All right. I have a request from Legislator Schneiderman to take, in the red folders, ***I.R. 1485*** out of order. ***It's authorization of --***

LEG. KRUPSKI:

Second.

P.O. GREGORY:

Authorization -- excuse me -- of the alteration of rates for North Ferry County -- excuse me, Company, Inc. Second by Legislator Krupski.

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LEG. CILMI:

Hang on a second.

MR. NOLAN:

To take it out of order.

LEG. CILMI:

Legislator Schneiderman stole my red folder.

P.O. GREGORY:

This is to take it out of order. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Same motion, same second on the resolution. Legislator D'Amaro.

LEG. D'AMARO:

This is a -- this is a bill to change the ferry rates. And they seem like relatively modest increases to me in reviewing the schedule. And I just want to say that I appreciate -- I know how expensive it must be to operate this on a daily basis, and I think that the operators are doing a fine job of keeping the costs in control. So I'll support this.

D.P.O. SCHNEIDERMAN:

You know, BRO had reviewed it and they supported these rates. They're very modest. The company has been actually losing money over the last few years, and nobody's asking them to do this at a loss. And I think these fees are fair and it's time to adjust them. I think it's the right thing to do.

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

Legislator Krupski.

LEG. KRUPSKI:

You know, I did have an opportunity to speak with the operators of the North Ferry, and also to look at Budget Review's analysis of it. And here's a company that's seeking to raise rates because they want to take care of their infrastructure and keep up with improvements, because, as you know, everything's out in the open there in a marine environment. The pilings and the ramps and everything need a lot of work. So in order to keep up with their capital improvements, they need this rate increase in order to stay in business.

P.O. GREGORY:

Okay. Anyone else? Okay. We have a motion and second. All in favor? Opposed? Abstentions? Legislator Hahn is behind you.

MR. LAUBE:

Eighteen.

BUDGET AND FINANCE

P.O. GREGORY:

Okay. All right. Back to the agenda. Page 7, Budget and Finance: ***I.R. 1549 - Amending the 2014***

Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County (Sponsor: County Executive).

LEG. D'AMARO:

Motion to approve.

P.O. GREGORY:

Motion to approve by -- was that Legislator D'Amaro? Second by Legislator Stern. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1549A - (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$175,000 Bonds to finance the settlement of a general liability case against the County), same motion, same second. Roll call.

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

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yup.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Seventeen.

P.O. GREGORY:

I.R. 1550 - Amending the 2014 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County (Sponsor: County Executive).

LEG. D'AMARO:

Motion to approve.

P.O. GREGORY:

Motion to approve by Legislator D'Amaro, second by Legislator Stern. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1550A, bond resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$200,000 Bonds to finance the settlement of a general liability case against the County).*** Same motion, same second. Roll call.

LEG. TROTTA:

On the motion. How long is the bond for?

MR. LIPP:

Well, it's basically part of our serial bond issues, which we issue twice a year. So it will come up perhaps the next cycle of bonding, which will be in the Fall. And depending upon what the average life of all of the projects rolled together are, that will be the number. On average, over the last 10 years, we've averaged the life of 18 years. Some years have been less, some years more.

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P.O. GREGORY:

Okay. Anyone else? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

It needs a roll call.

P.O. GREGORY:

Oh, I'm sorry. It's been a rough day.

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

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

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.

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LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Sorry, Dr. Spencer, I missed you. Dr. Spencer.

LEG. SPENCER:

Yes.

MR. LAUBE:

Yes. Thank you. Seventeen.

P.O. GREGORY:

Okay. *I.R. 1557 - Amending the 2014 Operating Budget, transferring funds within the Traffic and Parking Violations Agency and authorizing the refund of administrative fees in accordance with Local Law No. 6-2014 (Sponsor: County Executive).* Motion by Legislator Calarco.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman. Any questions?

LEG. HAHN:

Yeah, I just -- I have a quick question.

P.O. GREGORY:

Legislator Hahn.

LEG. HAHN:

Where did I read -- there was an editorial written about this, and I think they brought up -- I think it brought up a good point, and that I had brought up during discussions on this original Local Law. So I just have a quick question.

Will we refund fees for those individuals who had a taillight out, or some kind of infraction that they were allowed to fix?

P.O. GREGORY:

Yeah, that's what this is about, exactly what it's about, isn't it? Legislator Calarco.

LEG. HAHN:

Well, no. There were two types. There were two types of refunds that would happen, those individuals who were found -- is it not guilty?

LEG. D'AMARO:

Yeah, a broken taillight kind of thing.

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LEG. HAHN:

No. Those individuals who were found not guilty of the infraction to begin with, and then those individuals who were able to fix the infraction.

P.O. GREGORY:

Dismissed.

LEG. HAHN:

You know, like immediately after, and turn in their receipts, or whatever it is. And I really feel like, as an agency processing these infractions, that there is an administrative expense associated with folks who actually did have a busted taillight, and they had to come in before us. And while the State allows them to fix it and not get that fee, there should be something charged to them. But that's just, you know, my 10 cents on this. Whether it should be a full fee or not, I don't know. If it should be a partial fee, some sort of processing though, because they were -- they did have an infraction. Am I wrong here? Am I going on --

LEG. BROWNING:

No.

LEG. HAHN:

People are motioning to me.

LEG. TROTTA:

I think I read that article. I read that article. I think what it said was they still had to pay.

LEG. HAHN:

No. It was saying that we shouldn't give the money back to those folks. But this -- does this do that? Does this give it back to both groups?

LEG. TROTTA:

I don't think it does.

LEG. HAHN:

The ones that are not guilty to begin with, and then the ones who --

LEG. TROTTA:

I checked on that and I was told it wasn't.

LEG. CALARCO:

Through the Chair, I could probably answer those questions --

P.O. GREGORY:

Yes.

LEG. CALARCO:

-- because I sponsored the resolution last year that changed the process so that we weren't charging these administrative fees for individuals who get their tickets dismissed.

Previously, anybody who had a ticket, was issued a ticket and was found to be not guilty could not be charged an administrative fee, though there's an administrative cost to processing that and finding them not guilty to us in terms of running the court to do that. Those individuals cannot be charged a fee, never could be, never have been. So I know Newsday made some reference to this in Sundays op-ed, but those individuals were never charged an administrative fee in the first place. Those people who weren't found guilty walked out of that Bureau without paying a dime at all.

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So what we had, though, was a situation where people had been issued violations for things like having their taillight out, or maybe having the -- their inspection was up, it was up, and they didn't have it done yet, and State Law permits those individuals to correct the problem. Actually, it's not even 24 hours, it's by sunset the next day. Take it down to either a dealership who identifies the issue was corrected, or take it -- if they fix the problem themselves, they can replace their own taillight, take it to the Precinct and have the local police officers verify that the problem was corrected. If that occurs, then those individuals have their tickets dismissed. Not quite the same as not guilty, but dismissed, so they don't get a violation, they don't get any fines, but we were charging them the administrative fee.

And what we found, this body voted for it unanimously last year, was that it really wasn't fair to those individuals. You take the person who's got the taillight out, I don't know anybody sitting in this room that does a, you know, 16-point check of their car before they go out and drive on the road. So, yeah, it took the police officer's time to get -- to pull the person over to tell them, "You got a taillight out," you now, write them the ticket, they've come through the process. But if they fix the problem and they did it by sunset of the next day, because you only get this fee waived if you were able to get that process done in time, then we felt it was not fair to charge those people and we've ceased doing that.

What this resolution is doing that the County Executive brought forward is basically refunding all those individuals in the past who had been charged that administrative fee prior to us changing the law and saying that we wouldn't charge that. So it's bringing some, I guess, fairness to it. And, quite honestly, as much as we created the Traffic Violations Bureau as a means to keep this ticket revenue in Suffolk County, it wasn't intended to just nickel and dime people.

P.O. GREGORY:

Legislator Muratore.

LEG. MURATORE:

Yes, thank you Mr. Chairman. To Legislator Calarco, but the taillight was out when they wrote the summons. They did commit the crime, so why -- I mean, the crime was committed, or violation.

LEG. HAHN:

Infraction.

LEG. MURATORE:

Infraction.

LEG. CALARCO:

Right. And State Law allows them to fix the -- to correct that issue and have their tickets dismissed, and they don't charge -- they can't be fined.

LEG. MURATORE:

But the taillight was out.

LEG. CALARCO:

Sure, and they --

LEG. MURATORE:

When they wrote the summons, the taillight was out.

LEG. CALARCO:

Well, no doubt.

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LEG. MURATORE:

He or she was guilty.

LEG. CALARCO:

No doubt, but the State -- well, State Law dictates that that individual is not guilty, but has their tickets dismissed because they corrected the problem. And, again, it's only if they correct the problem. So if the individual has the taillight out, waits a week and fixes the taillight, that ticket doesn't get dismissed.

LEG. MURATORE:

Well, they're not getting the money back.

LEG. CALARCO:

They're not getting that money back, yeah.

LEG. MURATORE:

Right, they're not getting the money back. But the person that committed the crime -- the violation with the taillight out, or whatever, headlight out, they committed the violation. We shouldn't be -- it costs us money to find that out.

LEG. CALARCO:

We voted 18-0 to change the policy last year. I don't see how any one of us could sit around here now and say that it's fair to not --

LEG. MURATORE:

Well, I think we all can --

LEG. CALARCO:

-- make whole all those people.

LEG. MURATORE:

Okay.

P.O. GREGORY:

Okay. You want to say something, Mr. Vaughn?

MR. VAUGHN:

I was going to, but Legislator Calarco said everything that I said.

P.O. GREGORY:

Okay.

MR. VAUGHN:

Was going to say, only better.

*(*Laughter*)*

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

ECONOMIC DEVELOPMENT

P.O. GREGORY:

Okay. *I.R. 1552 - Authorizing 2014 Cultural Funding (Sponsor: County Executive).*

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. SPENCER:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1553 - Authorizing Film Promotion Funding for 2014 (Sponsor: County Executive). Motion by Legislator Schneiderman; I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1554 - Accepting and appropriating 80% federally funded New York Metropolitan Transportation Council (NYMTC) grant funds for the purpose of preparation of the Nicolls Road Alternatives Analysis Study (Sponsor: County Executive). Do I have a motion?

D.P.O. SCHNEIDERMAN:

I'll make a motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. HAHN:

Second.

P.O. GREGORY:

Second by Legislator Hahn.

LEG. CILMI:

On the motion.

P.O. GREGORY:

On the motion, Legislator Cilmi.

LEG. CILMI:

I just wanted to ask again, so this is 80% federally funded, but the balance of the money comes from the New York Metropolitan Transportation Council and is not, therefore, public money; is that correct? Is that -- or at

least not County money?

COMMISSIONER ANDERSON:

Correct, it's -- 80% is federally funded.

LEG. CILMI:

But the 20, what's the 20%?

COMMISSIONER ANDERSON:

Twenty percent would be County-funded.

LEG. CILMI:

Well, the last, County funded 20%?

COMMISSIONER ANDERSON:

Yes.

LEG. CILMI:

Okay. Thank you.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Commissioner, this is part of a larger project, I believe.

COMMISSIONER ANDERSON:

This specific funding is to look at an alternatives analysis. It's to continue the results of the BRT Feasibility Study and look at alternatives that could be -- could address BRT along 97. The analysis, the original Feasibility Study identified two prime locations, one being 110, the other one being 97.

LEG. D'AMARO:

So this is the next step in --

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

-- looking at feasibility for the BRT?

COMMISSIONER ANDERSON:

To see where the stops would be, you know, what needs are along the corridor, trying to connect. You know, right now, we're envisioning connecting Stony Brook University to Suffolk Community College down to the railroad, Long Island -- at Ronkonkoma down to Patchogue. And this is going to identify not only those, but would look to any needs for the type of --

LEG. D'AMARO:

This touches on so many different aspects of what we're trying to accomplish from an economic development standpoint.

COMMISSIONER ANDERSON:

Correct.

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LEG. D'AMARO:

Right, the connecting of the various segments.

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

Trying to get away from -- more vehicles off the road, public transportation, rapid transportation.

COMMISSIONER ANDERSON:

Uh-huh.

LEG. D'AMARO:

Okay. All right. And the County portion is only 20% --

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

Of the total?

COMMISSIONER ANDERSON:

Yeah.

LEG. D'AMARO:

Okay. Thank you. Thank you, Mr. Presiding Officer.

P.O. GREGORY:

Legislator Stern.

LEG. STERN:

Thank you. And, Commissioner, at this point, what do you see as the timing for this project going forward?

COMMISSIONER ANDERSON:

The study is expected to take about 15 to 18 months. So, once we have this, you know, and we get the consultant on board.

LEG. STERN:

Thank you.

P.O. GREGORY:

Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Gil, our 20%, that's actually in-kind, right, that's staff time?

COMMISSIONER ANDERSON:

That I don't know, it could be.

MR. LIPP:

Yes, the answer is yes. As a matter of fact, the resolution doesn't add any County costs, it just adds the \$350,000 --

COMMISSIONER ANDERSON:

Right.

MR. LIPP:

-- and the associated revenues.

D.P.O. SCHNEIDERMAN:

We're doing it in-house, which we often say, "Why aren't we doing this in-house?" This one we're doing in-house, our piece of it.

COMMISSIONER ANDERSON:

Yes.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

Yeah, may I? So that's why I was a little bit confused, because I remember seeing the County Executive's Fiscal Impact Statement and it said zero.

COMMISSIONER ANDERSON:

Right. I didn't, obviously, get down to the Fourth Whereas, but it's in there.

LEG. CILMI:

Gotcha. Okay. So we're -- and we're not hiring anybody in additional -- in addition for this, this is -- we're paying for existing staff, correct?

MR. LIPP:

We're doing both. The \$350,000 is a contract, but that's fees for services, rather, and that's being paid for with the grant, the 80% that is. The additional is, as Legislator Schneiderman said, sort of in-kind service that we're paying out of existing Operating Budget and salaries.

LEG. CILMI:

For existing staff?

MR. LIPP:

Correct.

LEG. CILMI:

Right. Thanks.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen -- 17. Make that 18.

P.O. GREGORY:

Okay. *I.R. 1555 - Approving change of project for a Downtown Revitalization (CP 6412) grant to the Holbrook Chamber of Commerce and amending the contract with the Town of Islip to reflect same (Sponsor: County Executive).*

LEG. LINDSAY:

Motion.

P.O. GREGORY:

Motion by Legislator Lindsay.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1563 - To reappoint Frederic Defeis as a member of the Suffolk County Citizens Advisory Board For The Arts (Sponsor: Lou D'Amaro). Motion by Legislator D'Amaro.

LEG. D'AMARO:

Yeah, motion. He's been a member of the Board for quite some time. He's doing a great job and I'd like to reappoint him.

P.O. GREGORY:

Okay.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. We did 1566.

EDUCATION AND INFORMATION TECHNOLOGY

Okay. *I.R. 1509 - Amending Resolution No. 422-2013, ensuring Suffolk County Government Internet content is accessible to the print-disabled (Sponsor: Jay Schneiderman).*

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by Legislator D'Amaro.

D.P.O. SCHNEIDERMAN:

Just on the motion.

P.O. GREGORY:

On the motion, Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

So there was testimony earlier in Public Portion against extending this deadline by a representative of the disabled community. However, the Department, as you know, the IT Department has new leadership. They are working on this. There is what I would categorize as significant progress toward meeting this goal, the County -- making all of the County web pages accessible to the print disabled is a very large task and it's going to take some time. This is a couple of months, I believe, in terms of an extension and we're seeing some good progress. I would just ask my colleagues to grant this.

LEG. STERN:

Yeah. Through the Chair to Legislator Schneiderman. In the course of your conversations with I.T., do they think now that they can get it done within this time period that you're suggesting?

D.P.O. SCHNEIDERMAN:

I'm not sure, but I am comfortable that they're taking this issue seriously. Really, the law that we passed only asks the County to comply with the ADA. We're supposed to be doing this anyway. They -- it's more complicated perhaps than I or others thought initially. There's a lot of information that is stored, a lot of images that are hard to convert in a way that a print reader can process. So it's fairly hard, but we're trying to start with the most important pages.

They've got a template that they've worked out. They're in dialogue with members of the Disabilities Advisory Committee. I believe it's moving along. It's not as fast as I would like it to, and I think that that sentiment is shared by those people who are waiting for this, you know, who depend upon the ability to access this information, but I don't see how we can't extend the deadline.

LEG. STERN:

I would say that I would be supportive, but reluctant, if they can get it done within the time that you're suggesting. But what you're saying is that even with this extension, it still might not be the case. In fact, what I'm gleaning here is that it's unlikely.

D.P.O. SCHNEIDERMAN:

What it does, I think, is it forces the issue, it forces them to work diligently on this issue. If I extend it for a longer period of time, I'm not comfortable with that. I'd rather keep it short, do the best job, report back, and if they need more time, we'll cross that bridge when we get there.

LEG. STERN:

Which is understandable, and it's important to send that message. I'm going to send a message as well and I'm not going to be supportive, and I hope that that is, hopefully, even more of a message to our I.T. Department that this is critically important to so many members of our citizens throughout the County.

D.P.O. SCHNEIDERMAN:

I wish there was somebody from I.T. here to answer that -- Oh, yeah, Doug is here. Doug, if you could come up, and maybe you could answer the question of can you do this. I think this extension is for two months. Is that likely, unlikely? Are we going to see you again in two months?

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ACTING COMMISSIONER MILLER:

We have the whole web team working on this full-time. We have four people working on web development. We're converting the whole website. It's over 20,000 pages. But it's a collaborative effort, because we don't -- we don't dictate the content in I.T., although we do provide the website. And so we have to work with the Departments and to get the tagging for the images to make them print accessible. We are working with the Advisory Committee, as you've said. And so I think we will be in a good place to be able to finish this on time.

D.P.O. SCHNEIDERMAN:

So you actually can do this in the next two months?

ACTING COMMISSIONER MILLER:

We're really shooting by the end of the year, was our ultimate goal, because it is such a large website. I mean, that's the honest answer.

D.P.O. SCHNEIDERMAN:

Okay.

ACTING COMMISSIONER MILLER:

For the whole website. We have the landing pages and the main page, that will be done, yes. It's the outer departmental pages that we will need some time to convert, all those other pages.

P.O. GREGORY:

Legislator Spencer.

LEG. SPENCER:

I definitely support doing everything we can to become more accessible, especially to the disabled community. But I also want to make sure that we are doing things in a manner that is efficient. Did you say the whole Department?

ACTING COMMISSIONER MILLER:

We have four people on our Web Development Team. All of them are working on this full-time.

LEG. SPENCER:

So I want to make sure that we do the right thing, but I guess, at the same time, I want to make sure that the disabled community has the information that is relevant to their lives and what they need, and have access, as much access as possible. But I also -- I realize we don't have an unlimited amount of resources. So I just want to make sure we're going about this in a way that is efficient and that -- where we could put a lot of resources to address this because of the way that it appears on the surface, and, at the same time, neglect a lot of important things that we need to do at the same time. I hope I'm phrasing the -- my concern gingerly enough that -- you know, that I don't step on any toes, but I just want to make sure we do it right. And do you -- I mean, are we able to do that? Are we able to fulfill our responsibilities where we need to have information in the I.T. Department that's disseminated for all the functions that we carry out, and are we putting resources in an efficient manner towards this project?

ACTING COMMISSIONER MILLER:

We are putting all our web resources on this project, and it is a big conversion. It's converting the whole website to a different software, basically, to accommodate this. And, as I said, it's many thousands, 20,000-plus pages. So it does take time to visit every single page and update the content for every page to make it accessible. But we are doing that full-time and that's -- these are all the resources we have to do that in our Department.

LEG. SPENCER:

Sure, I appreciate it. Are we doing it, though, in a -- are we doing it just to do it as quickly as possible, or are we doing it in a way that will be -- so we're converting to a different program, and I guess technology is changing so quickly. Is that program, besides having that function of increasing accessibility, is that program robust enough to be able to also provide -- is that the appropriate program for all of the functions that we need to provide? Is it something that we'll put all this effort into it and it will be obsolete in a short period of time, or we're doing it in a way that we'll be able to continue to build upon that and that new technology? Because will technology change -- I guess technology always changes, but to where the effort you're spending now to do this by hand, that there will be some sort of visual recognition, or some sort of software, or something that's in the pipeline that will automatically do this for everything? That's -- so I guess that's my question. Have you looked at the technology that's out there? We do it, we put it in one specific program, and then we find that there's some Google Glass or some voice translation or some recognition that does everything across the Board automatically, and then we've done this exorbitant amount of resources in vain? So that's --

ACTING COMMISSIONER MILLER:

Yes. Yes, it is current technology. It does require us to visit it and review all the content of all the pages, though, because if we did an automated tool, it still might present the information incorrectly. So it still needs our team to review all the content of the County web pages to ensure they are correct before we post them out there.

LEG. SPENCER:

I think I'll stop there.

P.O. GREGORY:

All right. Legislator McCaffrey.

LEG. MC CAFFREY:

Yeah, I just have -- I hope it's a simple question. What makes this not accessible, our current website, what has to be done?

ACTING COMMISSIONER MILLER:

Most of the problems with our current website revolve around imagery and PDF files that are not recognizable by the various readers that are used out there. And so in order to make them compatible, you have to go to each one of these various images and tag them, so that a reader can then read an image instead of not present the image that's out there.

LEG. MC CAFFREY:

By reader, you mean the software reader, or the person reading it?

ACTING COMMISSIONER MILLER:

The software that the disabled use to read it.

LEG. MC CAFFREY:

Oh, so it's a different type of software that they would use to be able to access the content on their -- and so you need to make that software to be able to read it compatible with what's on the website?

ACTING COMMISSIONER MILLER:

Yes, that's correct.

LEG. MC CAFFREY:

Thank you. I understand that. Thanks.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

Thank you. To Budget Review, was there a Fiscal Impact Statement on this bill?

MR. LIPP:

I believe we stated, though I'll have to look it up, that it was an opportunity cost, because they're using in-house staff to update the pages.

LEG. CILMI:

There are those words, "opportunity costs," again.

MR. LIPP:

Oh, yes. I should have chosen different words.

LEG. CILMI:

No, no, you chose the right words. The fact is that there is a cost, and that's why it is "opportunity cost," but there is actually a -- an actual cost associated with many of the things that we say there's opportunity costs to, and this is one of those -- one of those things, apparently, as the Acting Commissioner said. Acting, right?

ACTING COMMISSIONER MILLER:

(Nodded yes).

LEG. CILMI:

So we have four people working full-time. For how long has that been going on?

ACTING COMMISSIONER MILLER:

From, I guess, the first time we learned about it, when Legislator Schneiderman came us to. I don't recall exactly what date that was. We've been working full-time on, you know, the website since we've had a website, but on this particular project, they've devoted all their time to --

LEG. CILMI:

Right, right, right. Well, that's what -- so, through the Chair to Legislator Schneiderman, when was that, approximately?

D.P.O. SCHNEIDERMAN:

Well, Doug, you took over about a month ago?

ACTING COMMISSIONER MILLER:

Yes.

D.P.O. SCHNEIDERMAN:

So -- and my sense is until you took over, there was no full-time commitment here. So I'm going to guess about a month now. But you've also been working on this template and figuring out how to do it, so it's a learning curve. We were told initially that this could be done in-house and you are trying to do it in-house. I'm sure you've run into some complications you weren't aware of. But as you get it worked out for one web page, that learning, then, will be able to translate to the next page, right, so it will start going faster and faster and faster. So how -- the real question is how long do you anticipate four people working full-time on this project?

LEG. CILMI:

Well, that would have been my next question.

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D.P.O. SCHNEIDERMAN:

All right.

LEG. CILMI:

Thank you for asking it for me, Legislator Schneiderman, I appreciate that. So about a month, you would agree, then, about a month so far?

ACTING COMMISSIONER MILLER:

Yes, I would say that's a good estimate.

LEG. CILMI:

So four salaries. What level are they? How much do they get paid?

ACTING COMMISSIONER MILLER:

It's different titles, but I guess as an average --

LEG. CILMI:

Roughly.

ACTING COMMISSIONER MILLER:

-- 55,000, something like that.

LEG. CILMI:

Okay. All right. So, I mean, we'd have to do the math. But the point is, is there's a very discernable fiscal cost associated with this, and I'm not saying -- that may be a cost that we are, you know, committed to bearing and that we should bear. I don't know.

D.P.O. SCHNEIDERMAN:

It's Federal Law.

LEG. CILMI:

I understand that. But my only point is that there is a cost associated with it, and we should detail those costs to the best of our ability when we can figure them out, or when we know about them. Maybe there's a way we should update our Fiscal Impact Statements as we go in some cases. Anyway, thank you.

P.O. GREGORY:

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

LEG. STERN:

Opposed.

LEG. SPENCER:

Opposed.

MR. LAUBE:

Sixteen.

P.O. GREGORY:

You got two oppositions? Okay. There were two, Stern and Spencer.

MR. LAUBE:

They're all here, okay. So it's 16.

P.O. GREGORY:

Okay. All right. *I.R. 1510 - Appropriating funds in connection with Suffolk County Disaster Recovery Project (CP 1729) (Sponsor: County Executive).*

LEG. ANKER:

Motion.

P.O. GREGORY:

Motion by Legislator Anker.

LEG. MURATORE:

Second.

LEG. CALARCO:

Second.

P.O. GREGORY:

Second by Legislator Muratore. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1510A - (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$1,000,000 Bonds to finance the cost of acquisition of hardware and related software for the Suffolk County Disaster Recovery Project (CP 1729.523), the bond resolution. Same motion, same second.
Roll call.

LEG. TROTTA:

On the motion.

P.O. GREGORY:

On the motion, Legislator Trotta.

LEG. TROTTA:

Again, how long is this bond for?

MR. LIPP:

Average is 18 years.

LEG. TROTTA:

How long does this equipment last?

MR. LIPP:

I'm not sure what the period of probable usefulness is for this, so I have to check that out. It's probably five years, though, but I'm not sure.

LEG. TROTTA:

Commissioner?

MR. LIPP:

Because it's equipment, it's probably five years. That being said, the 18 years is the way we can legally, not that we would want to, but we could legally do it, because it's mixed in with projects that are as much as 40

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years, like land and sewer infrastructure.

P.O. GREGORY:

Any other questions?

LEGISLATOR TROTTA:

(Shook head no).

P.O. GREGORY:

No? Okay. All in favor? Opposed?

MR. NOLAN:

Roll call.

P.O. GREGORY:

Oh, I'm sorry. Well, gees, I did it again. See, you're throwing me off. All right, Mr. Clerk.

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

LEG. ANKER:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

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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:

Seventeen.

P.O. GREGORY:

Okay. *I.R. 1511 - Appropriating funds in connection with the acquisition of Fiber Cabling Network and WAN Technology Upgrades (CP 1726) (Sponsor: County Executive).*

LEG. ANKER:

Motion to approve.

P.O. GREGORY:

Motion to approve by Legislator Anker.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by Legislator D'Amaro. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1511A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$500,000 Bonds to finance the cost of acquisition of Fiber Cabling Network and WAN Technology Upgrades (CP 1726.517)). Same motion, same second. Roll call.

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

LEG. ANKER:

Yes.

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LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

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. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Seventeen.

P.O. GREGORY:

Okay. Page 8, *I.R. 1565 - Reappointing member to the Suffolk County Community College Board of Trustees (Anne Shybunko-Moore) (Sponsor: Sarah Anker)*. Motion by Legislator Anker, second by Legislator Hahn. Any questions? On the question, Legislator Barraga.

LEG. BARRAGA:

On the resolution, I will not be supporting this resolution. Suffolk County Community College is a college right now of 27,000 students with three campuses. When you accept an appointment as a member of the Board of Trustees, you also must accept a responsibility and commitment to do the job. You have to show up. This individual did not show up for meetings for four consecutive sessions. And the rule is in place that once that happens, they're no longer a member of the Board.

Now, I don't see why this person should be reappointed. Certainly, I've never had any qualms. I've always voted for appointments in the past, and I have never been too concerned how a person comes before us, whether they have political clout, educational quality, I usually support them. And normally as a Legislator, I don't have the option, when they don't do the job, to fire them. In this particular case, because it's coming back, because this individual did not do the job, I'm going to vote to fire them, basically, my one vote. And I'm doing that because I sat as a member of the Board of Trustees of Suffolk Community College, and I was eventually Vice Chairman of the Board of Trustees of that College. And I'm speaking today for the members who sat with me years ago. Some of those members were individuals where you have campuses named after them, like Ammerman, he was the President of the College for many, many years. You have the Ammerman Campus. Bob Kreiling was the Executive Vice President at the time and he became President of the College, and I think there's Kreiling Hall now on the Ammerman Campus. There was Dr. Bernard Shea, a longtime member of the Board. In fact, I think there's a building, Shea Theatre, is named after him. There were individuals who were totally at that time committed to the growth and success of that College. Paul D'Amaro, Lou's uncle, who was an acting State Supreme Court Judge, he was a member of the Board, became eventually Chairman of the Board. Norman Lechtrecker, he was the Mayor, I believe, of the Village of Patchogue for many, many years. Dr. Damianos, before he got into the Wyandanch business, he was a member of that Board. Very rarely did anyone miss a meeting.

And when you were first elected to that Board, the first phone call you received was from Al Ammerman, because he wanted to meet with you and have lunch and explain to you what his future aspirations were for the College. It started from nothing. By the time he left, there were 23,000 students and three campuses. He wanted to make sure you were on board, because you're dealing with policy issues month to month. This is not the kind of a Board where you show up and have a cup of coffee and piece of Danish. That college always has serious challenges. To have an individual who misses four consecutive meetings, it's unacceptable.

Now, the current Trustees are saying, "Well, she could have had an excused absence the fourth time. I don't care what that individual was doing the fourth time, they should have been at the Board of Trustees meeting. They've contributed basically nothing. What if you missed four General Sessions? By the time you got to the second or third session, the press, everybody would be all over you. They'd be wondering what did the people elect you for? What was the point of taking the appointment if you're not even going to show up? The sad part is that maybe we could have gotten somebody who was showing up for the meetings and really contributing.

So, from my perspective, this reappointment, I'm going to vote in the negative. I don't think this -- whatever this person does, let them continue to do it. But, certainly, don't bother getting involved with the College, because you haven't done the job and you should be terminated.

P.O. GREGORY:

Legislator Kennedy. Legislator Kennedy?

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LEG. KENNEDY:

I think there's underlying circumstances. And, as usual, I deflect to my colleague to the right for his years of experience and his wisdom, and he speaks from the heart, and certainly having done the job. Having said all that, I know what the circumstances were for the last missed meeting. I don't know what the prior three were. I do know that this individual has been instrumental in promoting a lot of the manufacturing and technology curriculum upgrades. She works at length with encouraging our young people, as far as becoming involved in the kind of high-tech jobs that we talk about that we want to see. I think it's unfortunate that she had the series of missed meetings that she had, but I think that, you know, the message has been kind of sent there and I believe that the Board itself rectified or remedied what might have been an omission on their part. They may have acted prematurely in that she indicated that she was asked by the Governor to go ahead and participate in the Start-Up New York filmings that we see on television each night.

So I respect Legislator Barraga's experience and what he said. I think in this case, because of the particulars that I know about, Ms. Shybunko-Moore, I will support the resolution. I was questioning, and I thought that I would ask Counsel, as to whether or not there was even a need for this resolution based on the fact that the Board -- my understanding is that the College Board itself had already acted.

MR. NOLAN:

The circumstances were the President of the College Board sent the Presiding Officer a letter stating that she missed four meetings in a row consecutively and that they -- and they referenced a vacancy. At that point, I don't think we had any choice but to -- if we wanted her to stay on the Board, but to do a resolution.

LEG. KENNEDY:

So my sense is that perhaps maybe, and I'll talk with you about this after this meeting, we may have to look at that segment that kind of invokes an automatic decertification of a member of the Board. If there's a miscommunication from the member to the President, the President, as a matter of fact, takes some particular action that was unwarranted, that Board should probably have the ability to go ahead and rectify what might have been a missact on their part, but that's a conversation for another time. Thank you.

P.O. GREGORY:

Okay. Legislator Anker.

LEG. ANKER:

I also want to commend Anne Shybunko-Moore on her -- you know, her experience and what she's done. She is an incredible asset to Suffolk Community College. I believe I had sponsored the resolution to first appoint her. And, unfortunately, I think the situation arose that -- you know, Anne's a very busy person. She owns a multi-million dollar defense firm, she's got four small children, she's on a number of other boards and committees. And, like Legislator Kennedy had mentioned, she participated in Start-Up New York, which is an essential part of what Suffolk Community College is promoting and working with. So, again, I mean, if she missed the fourth meeting, that's actually part of what Suffolk Community College is actively involved with.

She's been instrumental in the Workforce Development Department with John Lombardo. I even took a tour of her company with John Lombardo. And, again, you know, she's using some of those kids being trained at the Workforce Development Center at Suffolk Community College. So, you know, she is so connected, and the networking that she has from not just in Suffolk County and Long Island and New York State, but even globally, is just incredible. She's working with the U.S. Navy, she's working with a lot of other companies on composites, and, you know, very involved work that the kids at Suffolk Community College are being trained for right now as we speak.

So, again, I think the situation happened was that Suffolk County has a Charter, and it says if you miss four meetings, you're out, no matter what. Anne was not aware that she had missed four meetings, because she's incredibly involved in so many things, especially the Community College. The bylaws with the College does not clarify that. So, because of the situation, there is going to be more -- you know, more discussion on how this

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situation doesn't happen again.

But I just wanted to clarify that Anne is an asset to the Board. I have heard nothing but good things about her from the Board Members, the Administration, the parties here, political elected officials. And, again, it's unfortunate the situation happened, but she has agreed to be on -- you know, to continue to be on the Board, which, if we lose her, we lose a great deal of what Suffolk County can gain and that's her networking and her knowledge. So I will be supporting this measure, as I am sponsoring this measure, and I hope my colleagues support this.

P.O. GREGORY:

Legislator Spencer.

LEG. SPENCER:

There's no doubt as to how special she is and I agree with that. If there's anyone that believes in excused absences, it's myself. And, you know, I definitely know sometimes with my job as a physician, and then my Legislative responsibilities, it's very, very difficult, but we -- you know, I know that I have a responsibility to be here.

I think that I agree, the fourth absence, if she was working on Start-Up New York, that that should be an excused absence. I guess my question is, the College, do they meet on average? Through the Chair to Legislator Anker, they meet once a month, is that how often they meet on average?

LEG. BARRAGA:

Yes, they meet once a month.

LEG. SPENCER:

So I guess is -- you know, someone can be extremely valuable, and we're using four as a number, but even if you say, all right, the fourth one was excused, but she missed three meetings in a row and she's so incredibly busy that she didn't even realize she had missed three meetings, although I empathize with that, you're kind of making Legislator Barraga's point. In this matter, she could be the best thing in the world and highly qualified, but if we don't have the benefit of her company for over a quarter of the year, and then if you talk about four meetings, that's over, you know, a third of the year --

LEG. ANKER:

Just to clarify, she thought she had an excused absence. She called, you know, she spoke to the Board and she thought she had an excused absence. So maybe she would have made an extreme effort if there was a reason why it wasn't excused. So, in her mind, she thought she was in good shape.

LEG. SPENCER:

Oh, I agree, no doubt. Eliminating the fourth, I'm just wondering in my mind when you talk about a Trustee missing three meetings, I would be curious to find out from her perspective, did she know the meetings were going on, were there other things? I know she's a busy mom and things like that. But she's that busy where she would miss a quarter of the year, if I excuse her for the fourth, but she missed three meetings in a row, was there any insight as to why she would miss three meetings, the other three meetings? So, I mean, it's tough. I can respect what she does, think that she's absolutely wonderful, but also realize you've got to be there to do the job, and if you're a Trustee and you miss a third of the year or a quarter of the year, you know, the fourth, it would be a third of the year, but still, missing a quarter of the year, I would need to understand if there was some project or some commitment.

In order for me to support her moving forward, I would need to have some sort of comfort that that has been addressed, and maybe she was involved in something that had ended, there was some special circumstance, and that's going to change in order for me to support her moving forward, or otherwise I think I'm thwarting my responsibility, and that's irregardless of how good she is.

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Was there any other explanation from the Committee as to the other three meetings?

LEG. ANKER:

All I can say is I know she had called. She knew she had the meetings, they were excused through the Board. And, you know, again, not only does she -- participates on the Board, but she's extremely involved in the ongoings of Suffolk Community College, especially with course development. So, again, she, you know, may not have those hour, two hours at the meetings, at the Board meetings, but she spends a lot of time working with the College in many, many other ways, so.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

Yeah, I just -- you know, I sit on the Education Committee, and she came to committee and this one sort of slipped by me. But I share Legislator Barraga's concern, and I appreciate Legislator Spencer's line of questioning, because we know how busy she is, we know everything that she does. We know the value that she could potentially bring to the College and that she has brought to the College. But, that said, many people bring value to the College who do not sit on the Board of Directors and -- or the Board of Trustees, rather. So, if she -- if she is going to make a commitment to sit on that Board of Trustees and to be a participant in meetings to vote on the resolutions that come before the vote, etcetera, then I think, given her -- given the value that she brings, I think she deserves an opportunity at this point to do that, and I would support that opportunity. But I would ask Legislator Anker, as the sponsor of this bill, did Ms. Shybunko-Moore commit to you to make meetings in the future?

LEG. ANKER:

Yes, she did, now that she understands the -- you know, the situation. Again, she was not aware that when she was participating in other events that pertain to the College, and pertain to, you know, the economy of Long Island and reaching out, and she was told she had an excused absence. If she was told she had an unexcused absence three of the times -- let's put the Start-Up New York meeting aside, that was a fourth. But she was told she was excused three times. You know, she was unaware of, you know, being taken off the Board with any absences, but now -- she understands now, the Board understands. Even the Board at Suffolk Community College didn't understand the situation. And, unfortunately, she's kind of created an example of what to be aware of. And so now in their bylaws they're going to have this. I believe this is not even in the bylaws from Suffolk Community College's Board Members. So we're living and learning.

And, again, I hope my colleagues support this, because she is such an asset. And, you know, again, if you want to talk to, I don't know, I know Ben's here and Gail's here, on her contributions to the College's --

LEG. CILMI:

No, no, all that's fine, but -- and, you know, I can appreciate the fact that the Board may not have been aware of this four-absence thing, and that she may not have been aware of the four-absence thing, and she may have thought one or two or more were excused, quote, unquote, excused, but the fact remains is that she was not there. And regardless of what the school's policy is, or regardless of what the Legislature's or the County's policy is with respect to attendance at these meetings, clearly, she needs to be there, irrespective of the policy. I mean, the policy could say you could be excused at any -- you know, we may not even have a policy that says you have -- you know, you can miss six meetings in a row and it doesn't really matter. But the fact is that from a practical point of view, it does matter. So I just need to know from you that she's committed to participating in future Board meetings, and understands that she really can't miss them, regardless of who says they happen to be excused.

LEG. ANKER:

And I understand your concern, and she has -- she said to me she's absolutely committed. She looks forward to attending the meetings. And she is one of the most active members on the Board, and I'm, you know, really

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happy that she hasn't backed down, you know, because she could have -- you know, this is becoming a political football, and she could have easily said, "All right, that's it, not" -- "I'm done with Suffolk Community College, I'm going to move away." We really need her. And she's just -- again, all I can say is she has been so beneficial at this point, it's a shame that this situation has had to happen. But we've learned and they've learned, and now they have it in their bylaws, and, you know, everyone's more aware of what the commitment entails. And she absolutely has given me her word that she will be attending these meetings. And, you know, if there's something down -- if there's a situation down the road, maybe she can't attend, or whatever, but at this point, she's fired up, she's ready to go, she's committed to Suffolk Community College, and that's why she, you know, asked to continue to be on the Board.

LEG. CILMI:

Okay. I'll support it this time and we'll just -- these appointments come up every how many years? Is it three years?

LEG. ANKER:

George?

LEG. CILMI:

George, these appointments come up every three years, is it?

MR. NOLAN:

Oh, they're longer than that. I think they're either -- I think they're a seven-year appointment to the Board.

LEG. BARRAGA:

Hers ends in 2019.

LEG. CILMI:

And hers ends in 2019, Legislator Barraga is saying, so -- but, if she continues to miss meetings, is there a mechanism to remove her from the Board?

LEG. ANKER:

Well, she's out, basically.

MR. NOLAN:

If she misses four again, you're not saying --

LEG. CILMI:

Well, but it's four consecutive.

MR. NOLAN:

Right.

LEG. CILMI:

I mean, she could plan it so that -- I mean, I'm not saying that -- certainly, it's not her intention to do that. But, as you said, Legislator Anker, she is a very busy person. She sits on several Boards, and she's got an incredibly successful business, and we just need her to be there, that's all. So I'm done. Thank you.

MR. LIPP:

It's a five-year term, apparently. It expires June of 2019.

MR. NOLAN:

She was appointed in 2012 to a seven-year term. We're appointing her to complete the term she had started.

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D.P.O. SCHNEIDERMAN:

Was there anybody else?

LEG. D'AMARO:

(Raised hand).

D.P.O. SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Through the Chair to Legislator Anker, I just want to understand what you were saying, that the Board itself didn't understand that you can't miss more than four meetings? The College Board of Trustees didn't know that?

LEG. ANKER:

(Shook head no.).

LEG. D'AMARO:

Then how did the President know to write the letter to the Presiding Officer? I don't understand.

LEG. ANKER:

As far as I know -- okay. Ben, would you like to come up and maybe explain?

*(*Laughter*)*

MR. ZWIRN:

No, not really. Not really.

LEG. ANKER:

So, from what I understand, there was a miscommunication between the Administration, so the Board was unaware. So the letter came out -- came through the Administration and not through the Board. So the Administration had the verbiage from the Charter and the Board did not.

LEG. CILMI:

The Administration, meaning Bellone?

D.P.O. SCHNEIDERMAN:

No, McKay.

LEG. ANKER:

No, the Administration of the President of the College.

LEG. D'AMARO:

Oh, from the College Administration?

LEG. ANKER:

Yes.

LEG. D'AMARO:

So the College Administration was aware of the attendance requirement.

LEG. ANKER:

Charter.

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LEG. D'AMARO:

But not the Board that's responsible for enforcing it.

LEG. CALARCO:

I think, Legislator D'Amaro, if I can --

LEG. D'AMARO:

Well, wait, let me just finish. Let me just finish, please.

LEG. CALARCO:

Oh, I was going to try to answer your question. All right.

LEG. D'AMARO:

It was rhetorical. We did address this in committee without question. I mean, without asking questions, not without question. I hadn't realized that this was the -- based on excused absences granted by the College Board of Trustees. My question is why isn't this individual here to explain to us precisely what happened and why? I mean, four out of 12 is one-third. It's an extremely important Board. And I'm not saying I wouldn't support it, but I don't think the College -- they really don't understand the power. They can't excuse absences under the Suffolk County Charter. They're not aware of the rules that govern their own attendance, yet we appoint them. It's disappointing at best.

So I think that this individual should at least have the opportunity to come here and explain to the appointing authority, that also I think in my tenure we passed a law requiring the attendance on these various Boards, should come here and explain to us precisely what happened and why.

LEG. ANKER:

Well, that's my fault. I'll take the blame for that, because, you know, we -- she went through the committee and we had the opportunity to ask questions and --

LEG. D'AMARO:

Fair enough, that's true.

LEG. ANKER:

-- she was there. So I will take the responsibility for not inviting Anne, requiring her to come here, because, again, committee, it's required --

LEG. D'AMARO:

So that's five meetings she missed now.

LEG. ANKER:

No.

*(*Laughter*)*

P.O. GREGORY:

She had an excused absence.

LEG. D'AMARO:

But that last one you excused, so okay. All kidding aside, I do want to support her. You make a very compelling argument, that she would be a tremendous and continue to be a tremendous asset to the College Board and -- but I think that given the unique -- not unique, but given the severity of the circumstances here, I mean, it is a quarter of the year, whether you -- like Legislator Cilmi said, whether you knew or not that there's some kind of attendance requirement, I mean, maybe this individual is just so busy doing the things that you

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described that they really don't have the time to put into this. It's problematic, because while you're making the argument for her, it's also making an argument against her having the ability to serve at 100%. And I think that in that circumstance, she should be here and explain to each of us in a public forum as to what happened and why.

LEG. ANKER:

What I can do is invite her to an upcoming Education Committee meeting to go into more details, because she did come to the last meeting. We did vet her, you know, the reasoning behind, you know, what happened with her situation.

I understand your concern, but, again, I know you guys are going after the -- you know, she's missed all this time during the year. During the year, she has been so involved with the Community College, and that's something -- again, I will invite her to come to the Education Committee meeting, and if you want a list of all the things that she's worked on related to the Community College, I'll be more than happy to provide that to the committee members.

You know, like I said, I understand your concerns, but she got caught between a rock and a hard place. And, you know, if we lose her as a Board Member, I think it would be a huge, you know, deficit within the Board. You know, you talk about there's always the -- there is always those few people that are really proactive, the busy people always seem to get things done, she's one of those types of people. She gets so much done. And, you know, again, we've got so much going on with the College, we've got capital projects going left and right, we just approved their Operating Budget. She's a win/win. And, you know, unfortunately, she got caught between some misinformation, misunderstandings. And let's put her back on the Board and let her do her thing. And I really have the -- you know, I have high expectations of her, and I think all of us will continue to have high expectations. But, you know, I just ask for your support, and, hopefully, she will continue to be on the Board.

LEG. D'AMARO:

Well, just in a quick response to that, I appreciate you telling us how active she is with the College, and that's wonderful, but this Board is the governing -- has the governing authority over the College itself. And those meetings are just as important, if not more important, than probably anything else she's doing at that College. I want to give this individual the benefit of the doubt based on what you're saying, but I would have to have that person here and explain to me why it is that she missed four consecutive meetings, even putting aside the attendance requirement. I mean, if we're voting to, in effect, appoint someone to a Board and they came up here and said, "By the way, when you appoint me, I'll miss four out of the 12 meetings," I wouldn't vote for them. And I think that, at a minimum, deserves an explanation.

And you are right, she was at the committee, to her credit, but I think that there's questions, legitimate questions raised here, and perhaps we should table this and wait a cycle, and ask her, invite her to come down.

LEG. ANKER:

Well, I'm hoping you'll approve it, only because I think they have some votes coming up. It would be nice if she'd be part of that, the votes that they have at their next Board meeting. But --

D.P.O. SCHNEIDERMAN:

Are you making a motion?

LEG. BARRAGA:

I'd like to make a motion to table.

P.O. GREGORY:

Okay. A motion to table. Second?

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LEG. KRUPSKI:

Second.

P.O. GREGORY:

Oh, Legislator Krupski seconds. I would just like to say, when this first happened, I made a call to Ms. Shybunko-Moore, because my -- I didn't have the background of what was going on, and I wanted to find out if she was still interested, understanding, you know, a little bit about her. I know that she's very busy, that she runs her own corporation, but she's very active as well representing the College. She has been on the Board of Trustees, I don't know for how many years, but it certainly hasn't just been a year, has it?

MR. NOLAN:

Appointed in '12.

P.O. GREGORY:

So a couple of years. But prior to that, she was on the Foundation. So she has shown a long history of supporting the College, I think, you know, and she's been there for two years, three years now, and she's missed four meetings. I don't necessarily think that should be held against her, considering, in my conversation with her, she had informed people that she thought were the appropriate people that she wouldn't be able to make the meetings and she thought she was excused, not even knowing the requirement of four consecutive meetings, that she would be booted off the Board. She, on her own, went and informed those in charge that she wouldn't be able to make it, because she's that responsible, and felt that that was her obligation and duty to do so. It wasn't until later that she realized that after having even given notice, that she was not excused and that she was put in this predicament.

So I personally would like to give her the benefit of the doubt. I think she's a valuable asset. She's committed to the Board, she wants to remain committed to the Board. And one thing that's come out of this whole process is, because of the Legislative appointments, we have a requirement that not all Board Members have. So our requirements are held to a different standard than other appointments to the Board. And for whatever reason, there hasn't been an understanding of that in the Board in itself. So I think they've addressed that concern, and I think she -- again, I think she'll be of value, continue to be a valuable asset.

LEG. BARRAGA:

Presiding Officer. Yeah, just one comment. I'm making the motion to table to give her the opportunity of coming before this body or the committee so that certain questions can be asked of her in terms of what were the circumstances surrounding missing four consecutive meetings. I think there are members who would like to know the rationale for that, because we talk about, you know, the rules, the policies, who knew what. You know, you would think after the second time she phoned and got an excuse or third time, she'd begin to feel, *"Well, you know, there's something not right here, I shouldn't be doing this, I shouldn't be missing these meetings."* I'd just like an explanation when you miss four in a row as to what, why, "Why did you do this? Are you so involved in your own business and your own situation that you really, you know, cannot devote the time to this, or is this an aberration, even though it ran for four months? Will it happen again?" But I think there are enough members here that would like to see her make a presentation and ask a few questions.

P.O. GREGORY:

Well, if I recall, I don't remember -- she did tell me. I know one instance was she was filming -- the Governor requested her to be a part of the Start-Up New York Program. There was another instance where she was actually on vacation with her family, she couldn't make it, so she had called in. The other two I don't recall. But she felt it enough to inform the President and, I think, the Board. If not, the Administration and the Board, or Administration that she would not be able to attend the meetings. And I believe these questions were vetted in committee; is that right?

MR. NOLAN:

She was there, but nobody asked her.

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P.O. GREGORY:

Oh, she was there, but nobody -- okay.

MR. NOLAN:

In the committee.

P.O. GREGORY:

All right. So we have a motion and a second for a tabling. And we have --

LEG. D'AMARO:

Can I just ask one more question?

P.O. GREGORY:

Yeah.

LEG. D'AMARO:

I'm sorry. I'm sorry. This Board member was appointed, George, you said in 2012, I think.

MR. NOLAN:

That's correct.

LEG. D'AMARO:

Do we know the attendance records since appointment?

MR. NOLAN:

No.

LEG. D'AMARO:

Who's here? Mr. Zwirn, if you know.

MR. ZWIRN:

No, I don't know. I don't know what the attendance is going back to 2012.

LEG. D'AMARO:

2012, 2013, so that's two-and-a-half -- two years that we don't know what the attendance record has been. Yeah, if it's the same track record, that would be 12 absences.

P.O. GREGORY:

Do you have a question, Legislator D'Amaro, still?

LEG. D'AMARO:

Well, I have a question in my mind.

P.O. GREGORY:

Okay.

LEG. D'AMARO:

You know, I want to be comfortable. I want to support this. I hear Legislator Anker advocating for someone strenuously, and that lends a lot of support to voting yes on this, but I have a responsibility also. I want to know -- you know, we're talking about four absences in, I guess, the last several months, but I'd like to know this individual -- and I think it's appropriate to ask, given that they were four consecutive absences, what's been the track record from day one, and no one here has the answer to that question, which is problematic in my mind.

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P.O. GREGORY:

Okay. Legislator Calarco, then Legislator Spencer.

LEG. CALARCO:

Yes. And through the Chair, Ben, I think I got a question that you can answer at least. It's my understanding that last week the Board of Trustees took a vote to give Anne retroactive the excused absences, so that she would have those absences properly addressed, and she would be technically, you know, allowed back on the Board.

MR. ZWIRN:

The Board of Trustees met in Executive Session and agreed to restore her to the Board. And because of the County Law that --

LEG. CALARCO:

Right here.

MR. ZWIRN:

Right.

LEG. CALARCO:

So -- but it's the request of the Board of Trustees of those individuals who serve with her on the Board now to have her restored to her position?

MR. ZWIRN:

They voted to do that. I was not in the Executive Session, so I don't know what the conversation was, but the vote --

LEG. CALARCO:

But they took a vote and they --

MR. ZWIRN:

Correct.

LEG. CALARCO:

They gave her her absences, and they're requesting of us to restore her to this Board?

MR. ZWIRN:

That's correct.

LEG. CALARCO:

So it sounds to me that, you know, while yes, she had some absences, and I can appreciate the concerns of my colleagues regarding that, that she has, you know, the support and confidence of her colleagues serving on that Board. And for whatever reason that this error happened and that those absences weren't granted while she had notified the Administration, meaning the President's Office, that she was going to miss these meetings, and the excused absences weren't done at that time, it sounds to me like this -- the Board of Trustees are asking for her back. And I think that, you know, if they had a real problem with the matter that she missed these meetings, then they would probably have let us know that. So I'm supporting just returning Anne, getting her back to work, and so that she doesn't miss any more meetings.

P.O. GREGORY:

Okay. Legislator Spencer.

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LEG. SPENCER:

I will -- I have concerns that I expressed, but I also look at the Chair of the Committee, and just knowing her reputation, and if she has gone through the process, and I know how long my Health Committees can be, and she's coming out with the recommendation of the Chair of the Committee, that's good enough for me. I'll be supporting this.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

Thank you. I seconded the tabling motion. There's so many questions about this that I think it's fair to table it for one cycle and to get everyone's questions answered. I don't think that's unreasonable. And she seems to come highly recommended. On the other hand, she's got a responsibility that hasn't been met. So I don't think it's un -- I don't think it's that unusual to ask to have the questions answered.

P.O. GREGORY:

Okay. We have two motions. We have a tabling motion. The tabling motion goes first. Roll call.

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

LEG. BARRAGA:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SPENCER:

No to table.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MC CAFFREY:

No.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

No.

LEG. CILMI:

Pass.

LEG. MARTINEZ:

No.

LEG. LINDSAY:

No.

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LEG. CALARCO:

No.

LEG. ANKER:

No.

LEG. HAHN:

No.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

D.P.O. SCHNEIDERMAN:

No to table.

P.O. GREGORY:

No.

LEG. CILMI:

No.

MR. LAUBE:

Three.

P.O. GREGORY:

Motion to approve. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

P.O. GREGORY:

Did you want to say something?

LEG. KRUPSKI:

I'll abstain.

P.O. GREGORY:

Abstentions? Oh, okay.

MR. LAUBE:

Abstain? Sixteen.

P.O. GREGORY:

Okay.

LEG. ANKER:

Thank you. Thank you, guys.

ENVIRONMENT, PLANNING & AGRICULTURE

P.O. GREGORY:

All right. *I.R. 1493 - Authorizing the inclusion of New Parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0300-166.00-04.00-001.004) - Darryl Glennon (Sponsor: County Executive).*

LEG. KRUPSKI:

So moved.

P.O. GREGORY:

Motion to approve by Legislator Krupski, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1494 - Authorizing the inclusion of New Parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (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 and Heather Forest) (Sponsor: County Executive). Same motion, same second. Did I say something wrong?

LEG. HAHN:

Foglia.

P.O. GREGORY:

Foglia? Foglia, okay. I'm messing up my Italian.

MR. NOLAN:

The G is somewhat silent.

P.O. GREGORY:

G is -- yes. All that Italian food as a bachelor, I guess it wore off. We have a motion. Oh, same second -- same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. *1496 - Authorizing the inclusion of New Parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0600-098.00-01.00-016.005) - Edward Partridge (Sponsor: County Executive).*

LEG. BROWNING:

Motion.

P.O. GREGORY:

Same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1497 --

LEG. KRUPSKI:

Cosponsor, Tim.

MR. LAUBE:

Got it.

P.O. GREGORY:

I.R. 1497 - Authorizing the inclusion of New Parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0900-051.00-02.00-005.010) - Channing Daughters Winery LLC (Sponsor: County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

D.P.O. SCHNEIDERMAN:

Tim, cosponsor.

MR. LAUBE:

Got it.

P.O. GREGORY:

I.R. 1498 - Authorizing the inclusion of one 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 existing Certified Agricultural District(s) in the County of Suffolk – 2014 (Sponsor: County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. KRUPSKI:

Cosponsor.

P.O. GREGORY:

I.R. 1500 - Authorizing the disapproval of a New Parcel for inclusion into an existing Certified Agricultural District(s) in the County of Suffolk – 2014 (SCTM No. 0600-021.00-01.00-003.000) - MF & LK Holdings LLC (Sponsor: County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1535 - Authorizing an appraisal for the purchase of Development Rights of Farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Dream Come True Farm property – Town of Brookhaven (SCTM No. 0200-593.00-02.00-005.001 p/o) (Sponsor: County Executive).

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LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning.

LEG. CALARCO:

Second.

P.O. GREGORY:

Second by Legislator Calarco. All in favor?

LEG. D'AMARO:

Hold on. On the motion, please.

P.O. GREGORY:

Oh, I'm sorry. Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. This is a development rights, I guess the appraisal process, right, that we're authorizing here?

P.O. GREGORY:

Yes.

LEG. D'AMARO:

I just wanted to get a little background on where this -- where this property is located.

LEG. BROWNING:

It's in Jay's District.

LEG. D'AMARO:

And the size of it.

P.O. GREGORY:

It's your District, Jay?

LEG. D'AMARO:

And why it's up for appraisal at this time.

P.O. GREGORY:

Director Lansdale, can you --

DIRECTOR LANSDALE:

Sure. Thank you. The parcel is located in the Hamlet of Manorville. It is part of the annual review process. It was nominated back in January and it's made its way through the Farmland Committee, the EPA Committee, and now is before you tonight. The proposed acquisition is for approximately 25 acres out of 27 acres. The agricultural use of the property is a commercial horse boarding operation and commercial equine operation.

LEG. HAHN:

Did you read the map?

LEG. D'AMARO:

No, I don't think so, unless you want to show me the cutout.

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LEG. HAHN:

I could.

LEG. KRUPSKI:

You should take a look at it.

LEG. D'AMARO:

Director Lansdale, thank you. Oh, I wanted to ask you -- thank you. You said this is a horse breeding use right now, or horses.

DIRECTOR LANSDALE:

Yes, it's a commercial horse boarding and commercial equine operation.

LEG. D'AMARO:

Equine operation. And is it -- it's actively in use right now?

DIRECTOR LANSDALE:

Yes.

LEG. D'AMARO:

Okay. And just more of a general question. What guarantee do we have? I know we changed the law recently concerning it when we purchased the farmland development rights. What does the law provide as far as making sure that that use continues after the County purchases the development rights?

DIRECTOR LANSDALE:

Sure. So we conduct an annual -- Real Estate conducts an annual inspection of properties in our inventory of farmland. So under the new Chapter 8, properties cannot be fallow for more than two years.

LEG. D'AMARO:

Right. And if they are, what was the ramifications of that? I just don't recall?

DIRECTOR LANSDALE:

Then we would pursue legal action through the remedies outlined in Chapter 8, and then work with organizations like the Farm Bureau and others to make sure that the property would be restored and back into commercial use.

LEG. D'AMARO:

Okay. And the retained parcel here looks like a dwelling?

DIRECTOR LANSDALE:

It is. It's a proposed two-acre exclusion. And the entire property is actually zoned Horse Farm Residence, with a minimum lot size of 10 acres. And the Town coding -- Town zoning code states that one principal single-family dwelling be located on the subject premises, which shall be the full-time residence of the owner of the property, the full-time operator of the business conducted on the premises, or the full-time residence of a watchman, caretaker, or other employee.

LEG. D'AMARO:

Okay. So that's tying the house to the use.

DIRECTOR LANSDALE:

That's right.

LEG. D'AMARO:

Oh, that's excellent. That's very good. So that's actually binding on the owner of the underlying parcel.

DIRECTOR LANSDALE:

That is, yes, the zoning.

LEG. D'AMARO:

That's excellent work. Thank you. Okay. Thank you very much.

P.O. GREGORY:

All right. Thank you. We have a motion and a second, Mr. Clerk?

MR. LAUBE:

Yes, you do.

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

P.O. GREGORY:

Okay. I.R. 1409 we're going to address as a CN. So I.R. 1487 we did address as a CN?

MR. NOLAN:

1487, we did.

P.O. GREGORY:

Oh, 1487, we did. I'm sorry. ***I.R. 1540 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the purchase of a Countywide Licensing Program for the Department of Labor, Licensing and Consumer Affairs (CP 1819) (Sponsor: County Executive).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. Second?

LEG. KENNEDY:

I'm going to make a motion to table on this, Mr. Chair.

P.O. GREGORY:

Motion to table by Mr. Kennedy.

LEG. TROTTA:

(Raised hand).

LEG. MURATORE:

(Raised hand).

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P.O. GREGORY:

Second by Legislator Trotta. Any questions?

LEG. D'AMARO:

Yeah, on the motion.

P.O. GREGORY:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

But I would refer to Legislator Kennedy, since you made a tabling motion. Go ahead.

LEG. KENNEDY:

Yes. Yes, Legislator D'Amaro. Thank you very much. And the reason that I do this is we'll get into the debate on the Taxi and Limousine Commission and I want to make a point, that I specifically thank Mr. Vaughn and the Administration for taking some of the suggestions that I made, and, in fact, that is the impetus with the CN that we have before us. I very much feel and believe that our constituents are going to be benefitted by the implementation of the Taxi and Limousine Commission.

I have some grave concerns, though, about the software, and did some work today. I actually obtained a copy of the RFP, which was first offered in December of last year, looked at the submitters. And, as a matter of fact, I've sent to each one of you a copy of the score sheet. You'll be able to see the six entities that submitted. You will also be able to see the committee, as a matter of fact, that was involved.

The thing that I would say is most striking about the selection process to obtain this software is the fact that the now current IT Commissioner that we have had no involvement whatsoever in the vetting process. Having lived through implementation of software and what was a completely paper-driven process just out on the other side of this building, I can tell you that it can -- it is genuinely torturous if you don't get the right vendor. And this company reminds me, unfortunately, of who the original selected bidder was, Xerox, for the implementation of the County Clerk's Office, because, apparently, it is a seller's practice to use third-party integrators to actually develop and to put forward whatever the particular application is.

And in speaking with Supervisor Romaine today, his statement to me was that a seller has been an abject failure in the Town of Brookhaven, so much so that they are looking to jettison it.

So I very much am in favor and support of the implementing of the Taxi and Limousine Commission, but I have grave concerns about this software selection, so much so, that I've still yet been able to reconcile how we have a bond for 300,000 before us for the Taxi and Limousine component. But, if you look at the score sheet, you'll see that a seller submitted a 1.6 million dollar price tag associated with implementation of the whole of Consumer Affairs.

There are far too many unanswered questions in my mind, and, therefore, I am genuinely looking for a time to table, not simply to delay or impede implementation, but to try to get some more answers. That's the sum and substance of it.

P.O. GREGORY:

Okay. Anyone else? Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Well, you know, we did vet this out in the committee, and we had extensive testimony about this software. But, I don't -- has our IT or Acting IT Commissioner had a chance to look at this before we move forward with Accela. That's the first I'm hearing from Legislator Kennedy that Brookhaven Town uses the product and is unhappy with it. I think that's an important piece of information that I certainly haven't been aware of before

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we go forward. And this -- it was presented that, yes, this would be for the Taxi and Limousine Commission, but it would also be for multiple other functions.

I don't know. Can I invite our Acting Commissioner up to ask that question? I hate to put Doug on the spot, but, Mr. Miller, just a simple question is are you familiar with this company? Have you reviewed their product? Is it going to integrate well with our current systems?

ACTING COMMISSIONER MILLER:

It's a commercially available product. I mean, I've seen it online as far as that goes. I have not seen it in practice in Brookhaven Town, as you had mentioned. I would have to bow to the committee that reviewed it. I was not on that RFP at the time, I was in a different job function. So it is a pretty common program.

D.P.O. SCHNEIDERMAN:

Okay. But you haven't had time to review it or the other perspective products that were submitted for this function?

ACTING COMMISSIONER MILLER:

The section for this particular software, as I said, I was in a different job function at the time, so I wasn't involved with that.

D.P.O. SCHNEIDERMAN:

Right, I understand. I have to look at this in terms of not just the Taxi and Limousine Commission, but a much broader application. If you go down the road, you know, I've seen this before with other companies like Govern, and there's so many different products out there. Some have turned out well, some have been abysmal failures and very expensive. I'm going to support the tabling at this point.

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

P.O. GREGORY:

Okay. Legislator Browning.

LEG. BROWNING:

Yeah. Actually, it's funny, John, that you mention having spoken with the Supervisor, because I did send him an e-mail, or a text asking him if he was using Accella Communications. He said, *We're using it, but it has its limitations and problems.* Now, obviously we want to get this done, but what's -- you know, what recourse do we have if we use Accella and it turns out to be a complete failure?

P.O. GREGORY:

Mr. Vaughn?

MR. VAUGHN:

Thank you very much, Mr. Presiding Officer. So I think that there are a couple of issues here, and I would say that the first one is the fact that this \$300,000 component is just that, it's a \$300,000 component that is a standalone component. And Mr. Mastellon can correct me on anything that I say that may be incorrect, but it's a \$300,000 component. So if we find in a year -- and the plan was always to implement this in phases, which is why the original bid was whatever Legislator Kennedy said it was. And when that bid came and when Accella was, for lack of a better term, chosen, even though that selection process will not be final until with the blessing of this Legislature, the resolution before you is adopted. Mr. Mastellon went back and negotiated with them to have \$300,000 be brought in for this part and then another phase. There's no commitment to do the other phase unless this phase works. And I would say that if we come back in a year and it is determined that the product is not working and it remains that it's supposedly working, then we wouldn't go forward with the second phase. So I would say that that's certainly the recourse.

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LEG. BROWNING:

Yeah. I mean, I did ask him, you know, what exactly they were using Accella for, which I didn't get a response back from him. But again, if we're going to spend \$300,000, I get it; that if it's not working, then we're not going to move forward. But, you know, do we have a recourse of recouping some of that 300,000 if it turns out to be a disaster?

MR. VAUGHN:

Legislator Browning --

LEG. BROWNING:

We'll get a refund(*laughter*).

MR. VAUGHN:

I have no idea if the program comes with a money-back guarantee, but I would say is this. We have had no shortage of challenges in trying to get technology projects adopted. We have attempted to do this in a slightly different way, and the way that we've attempted to do this in this case is to do the RFP without the funding connected to it. A request that we've heard repeatedly from this body is exactly -- so we know exactly what this is going to cost. That is why I think that we've been able to present what I feel at this point in time is the best information available. I didn't sit on the RFP committee, but I know that an independent RFP committee did do the process. They chose Accella as the top -- as the top program based on all the information available to them at that time.

It was -- as I said, it was vetted. Even if Commissioner Rodgers, and he did sit on that committee, if you would remove Commissioner Rodgers' score from the score sheet, Accella still comes out as the top scorer in the program, through the RFP process. So, you know, we did this to try and present the best information possible to this body, and that's where we're at this point in time.

LEG. BROWNING:

And I see we have a couple of attorneys in the room, so maybe they could respond more on the issue with -- obviously we're going to appropriate the money and the contract has to be signed. Is there anything that we're going -- is there any language going to be in there to basically protect us from losing our shorts?

MR. BROWN:

Shirts? (*Laughter*). If I may respond to your question, sure. Ordinarily, typically in a contract with a consultant as well -- in this case it would be goods and services, the computer program, the software, as well as the delivery of the technology services. So typically there would be milestones that have to be accomplished and paying us to accompany the mile -- accompany those milestones. So if as the project unfolded the deliverables weren't met, the department certainly has within its power and ability and discretion to withhold payment on those deliverables pending satisfaction or rectification of any of the problems that might be associated with the start- up of a program. Any program, any new program involving setting up a completely new system to operate a business practice of something like this, there are going to be bugs and fixes that will have to be worked out going forward.

LEG. BROWNING:

Okay. I just want to know that we would have language in the contract --

MR. BROWN:

Yes.

LEG. BROWNING:

-- that would protect us.

MR. BROWN:

Yes.

LEG. BROWNING:

That's it. Okay.

P.O. GREGORY:

Okay, Legislator Calarco.

LEG. CALARCO:

Thank you. And I think it's important to realize that -- and I think Tom made the point, that this is -- in essence, we're getting an opportunity to give this program a trial run in the TLC in an entity that we are looking to get started, we'll be voting on later this afternoon. And without some sort of program in place, some sort of software in place to do that, we won't be able to get that entity up and running any time soon. And this is giving us an opportunity to try the program in a new agency, in a new usage, and I think to see if it will actually accomplish all the things that we've have been told by Accella they're going to be able to accomplish. You know, I don't want to speak for the Town of Brookhaven, and I know that they've had some difficulty within their Building Department and that they use it for promoting purposes -- not quite the same thing, but close. But I also understand they're actually looking to roll it out into their Clerk's Office soon. So, you know, I guess they're having some internal debate of their own over there.

But I think that -- during committee we vetted this out quite a bit and there was the question to be able to have us see the product before we actually had to vote on this today and I think they set up a meeting yesterday, and unfortunately I wasn't able to be there, but I know a number of -- I think a number of Legislators were able to attend.

LEG. BROWNING:

A small number was there.

LEG. CALARCO:

A small number? (*Laughter*). And perhaps see what the product actually was offering and see if it was actually doing the things that we were looking for it to do. So, you know, I think this is something we need to move forward, if we want to move forward with the TLC. And unfortunately, the two are tied together because we need to have some sort of software program to make that department be able to get up and running without having to add a whole lot of extra personnel to handle those calls.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So when was this program, this Accella chosen? What's the timeline here? Who initiated it and when was it chosen?

COMMISSIONER CHU:

Let me.

MR. VAUGHN:

Sure.

COMMISSIONER CHU:

So this was covered in committee. Good evening, everybody. This was covered, we discussed this in committee that this was not necessarily the typical process that would happen, you know, typically, and I hope we leave this debate for another day. Typically, an appropriation would be made and then the RFP process

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would happen.

I mean, we've been having a conversation about the TLC since even before the consolidation between the Labor Department and the Consumer Affairs Department became active as of January 1st of 2013. There are some Legislators here that were quite interested in seeing that up and running, including Legislator Calarco, Legislator Stern. I've had personal meetings with -- at the request of Legislator Cilmi. After evaluating it quite closely, it was my determination, with the input as the department head, with the advice of not only my own staff, but Performance Management and other departments, that to most effectively do this, we would need to have a technology improvement.

And to echo Legislator Calarco's sentiments, to do this, to add a manual process to the department would certainly, you know, require this to be -- look more like, you know, Nassau County's operation which has dedicated five full-time employees. The fact that we're -- you know, I made the decision to go forward with, the direction I would like to see, is that we incorporate the TLC function into our existing licensing unit, which makes sense for a number of reasons. You know, just in the short time that, you know, I've been a department head overseeing Consumer Affairs functions, you know, we've been asked to incorporate a number of new functions, enforcement functions, including new requirements for swimming pool installations. We worked with Legislator D'Amaro, we worked with Legislator D'Amaro to implement new procedures that allow consumers to have more access to information. Just today there was a public announcement about Legislator Schneiderman's initiative -- which we supported, you know, and we look forward to enforcing -- to enforce pet stores.

With that in mind, for us to add manual process would require a lot more staff. And, you know, we've already -- you know, we already have taken on a lot of new functions. So by doing this, by adding a technology improvement, this allows us to essentially set up a structure or a system which will allow us to serve consumers better, to serve our industry that we regulate better, and our own staff better, make our own staff more effective and more efficient to serve their purpose, and it also makes us -- better enables us to incorporate new functions.

So understanding that, you know, rather than, you know, guessing about what that might look like, you know, it was my decision, my urging, you know, although there was no funding appropriated -- listen, I don't want to fly in the dark. I don't know how much this is going to cost, I don't know what this is going to entail, what the feasibility of this is going to be, you know, how we could expect to pay for it over time, that we go out to RFP to get an idea. That process began first by going to the people who know this best. This started with Joan Taylor, who I think quite a few of you know and interact with, who has been handling licensing and the Licensing Unit of the Consumer Affairs Department for many years, and certainly knows more about this than I do and I think anyone else in the County. And we had a process with our team, our Consumer Affairs team, in conjunction with Performance Management, to list out their needs; you know, what would be their -- the things that they require in software. And that informed the RFP that essentially led to the process that resulted after scoring, you know, with Accella.

I don't have the exact date. I think we do have -- what's the -- so that process initiated was -- so I guess that ended and resulted in Accella being notified on February 10th of 2014 that they were -- that they were the best respondent for our needs. And that's how -- I apologize for being verbose, but I want -- I do want to make the point that this is not something that we've done in darkness. These are -- this is the result of many conversations that, you know, I've had with many of you. Certainly those that have been either currently serving or have previously served on the Government Operations Committee. And I think we have, every time we've been asked, we've answered questions that were posed to us.

As for the concerns of Supervisor Romaine, I respectfully point out Supervisor Romaine is not here. You know, Legislator Kennedy, you and I had a conversation a few weeks ago, or two or three weeks ago about this, I certainly wish you would have shared your concerns with me earlier. But I can tell you this much, our Licensing Unit is confident that this will help them do their jobs better, and you, know I am -- I as the department head

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take responsibility. So to Legislator Browning's question, I think in your interactions, this body's interactions with the department, and this department has served this County very well, I think, under my tenure, I hold responsibility for making sure Accella is doing their job. That's my job; I'm the department head and I take that job responsibility seriously.

LEG. KRUPSKI:

Thank you. So you're -- our options would be not to do this, or to do this. Are there any other options?

COMMISSIONER CHU:

Well, you know, if we're going to want a technology improvement, you know, we could do this or we cannot do this. I think that's probably -- that sounds about right.

LEG. KRUPSKI:

All right. So how many -- with this new system, are you going to add additional people? Are you going to add, like a director or a Commissioner, or is it going to be more infrastructure, more personnel needed to do this?

COMMISSIONER CHU:

The TLC is expected to add more capacity, you know, we're expected to add more volume, certainly, to the daily work. So as budgeted, as budgeted, it will be two additional full-time employees. Whereas, in contrast, the TLC function alone in Nassau County accounts for five full-time employees, including director-level positions. This would be rank and file positions that would fall under -- you know, fall into the responsibilities of our current director of our Licensing Unit, without adding another director-level position.

LEG. KRUPSKI:

I'm sorry, one more question, Mr. Presiding Officer; okay?

P.O. GREGORY:

Yeah, sure.

LEG. KRUPSKI:

There was mention of a trial period if this doesn't work, we'll abandon it?

COMMISSIONER CHU:

I think it's --

LEG. KRUPSKI:

What would be -- what do you think that time period would be?

COMMISSIONER CHU:

I think the trial period that's being alluded to is kind of -- is making -- alluding to the fact that this component, this \$300,000 component will fund implementation of the software first on the TLC function. You know, considering that the TLC function is a brand new function, it made sense to get the system up and running with this, which allowed us to not only implement the TLC function in the County, you know, quicker, but also give us -- gives us an opportunity to see Accella in action. So I think that's a trial period that's being alluded to. There's no -- I don't think there's a contractual trial period. But also, the important thing to point out, which we also -- which I also pointed out at committee, was that this body -- this body approves the additional phases, the other two phases of this implementation in the Capital Program, but, you know, we're still -- you're still going to get the opportunity to appropriate funds for those phases. So I fully expect that, you know, come the turn of the year or when we're coming forward to ask for the additional appropriations for this project, that you're going to ask, I have no doubt that someone is going to be curious as to how it's currently performing and you'll have an opportunity to see how successful we've been in implementing it and using it to serve its function.

LEG. KRUPSKI:

So we're going to vote on this before we vote on establishing the TLC?

COMMISSIONER CHU:

That's not my prerogative, Legislator.

LEG. KRUPSKI:

Do we have a -- can anyone answer that? Mr. Vaughn?

COMMISSIONER CHU:

If that's how its worded on the agenda, I mean, I think I can answer -- I think if the Legislature wishes to take those motions out of order, I think that's the prerogative of --

LEG. KENNEDY:

I made a motion to table (*laughter*).

LEG. KRUPSKI:

I won't ask you then.

(**Laughter**)

COMMISSIONER CHU:

We're going to make it work.

P.O. GREGORY:

Okay. Anything else? Okay, Legislator Cilmi.

LEG. CILMI:

So I appreciate the fact that the Exec's Office set up an opportunity for us to sort of walk through with reps from the Accella the way the software works yesterday. I wasn't able to be at the Department of Labor office myself, but as you both know, I think, I was able to participate through a webinar, which I appreciate them going to -- making the effort to get that done for me.

Initially, when we discussed this product here at the Legislature, I was supportive of it. I saw sort of the greater vision. And knowing a little bit about IT, I had visions of what this could potentially do for the County. And that was -- those ideas that I had were sort of -- I won't say brought to life, but confirmed in yesterday's presentation. Although I did have to leave early, what I saw was, in many ways, exactly what I had hoped and expected to see from the software. That said, the folks from Accella are obviously salespeople, and so they're going to show us, you know, a nice shiny -- a nice shiny piece of product. And who knows? You know, until you start to get in there and use it, whether or not it performs to the level that you expect it to perform.

In that regard, I am concerned to learn that the Town of Brookhaven is not as happy as -- with the product as we would hope. But I haven't had an opportunity to personally speak with the Town of Brookhaven. And for that matter, Accella, when they made their presentation to us yesterday, listed a number of other clients, among which were the State of New York and several other municipalities, several counties throughout the country, several cities, including New York City, and so nor have I had the opportunity to speak with any of those governments as to how this -- how they believe the software is performing. So certainly there is a question. But I am reassured to some extent by Dennis Brown's testimony that there will be some degree of -- well, first of all, this will be phased in. So we spend the \$300,000, we get to see how the company interacts with the County, we get to see how the software works, and so we have sort of a trial phased in that respect. But in addition to that, apparently, based on what Dennis Brown said, as we install the software and begin to interact with Accella, there is an opportunity for us to -- if things don't seem to be working out, if the back and forth isn't mutual, we do have the opportunity to step away from our payments

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and from, therefore, our contract. So I'm reassured to some extent by that as well.

I had asked a question, Tom, before I stepped out of the conversation yesterday with respect to the County's commitment to training, because that was a concern of mine when we debated the Microsoft Enterprise Agreement. You know, we could have the fastest car in the world, but if we're not prepared to press on the gas, then it does us no good. So what is the County's commitment to ensuring that the employees that are going to be utilizing this software will be trained properly and that we have a commitment to sacrificing their work time for training purposes? Because that could be a huge sacrifice.

COMMISSIONER CHU:

Well, I believe wholeheartedly in training, again, as the department head. And we have -- you know, I have introduced staff training back to the department for the first time in a number of years, and I agree with you that that's a critical component to making sure that this is effective.

I can tell you that I think that the enthus -- you know, training, one of the most important parts of any type of training is the levels of enthusiasm when our employees are participating. And I think that, you know -- I think that we went a long way to providing for that enthusiastic environment and having the employees approaching it enthusiastically by including them from the first day that we even proposed putting a technology requirement. So I can tell you training is -- you know, whatever is in the contract, we will hold them accountable to providing the training. And I will -- as we do -- as we manage our other functions, you know, it's my responsibility to make sure that proper time is being made to allow for the training.

So, you know, I respect the question about commitment to training. And again, that falls -- I think that falls squarely on my shoulders as the department head to make sure that that's handled properly.

LEG. CILMI:

Um --

COMMISSIONER CHU:

Both by the vendor and by our own staff.

LEG. CILMI:

Okay. Let me ask you this. In reviewing Xela's proposal, were you aware of all these different clients that Accella had and did you make any effort to reach out to any of them to see how satisfied or dissatisfied they were with their company and with their product?

COMMISSIONER CHU:

Well, I was not on the selection committee. I'm going to ask Scott to answer that.

MR. VAUGHN:

Legislator Cilmi, just so that you know. In any RFP process, one of the most important components is the background check, and it's right there in the RFP. And as a matter of fact, we have a policy that unless the references that are provided are not verified, we don't go forward with the RFP. But I think that Scott Mastellon from Performance Management could really address that a little bit better than I could.

MR. MASTELLON:

Hello. Good morning. Good afternoon. Yes, there were a number of references that were identified with regard to their submission and we went ahead and reached out to those identified as references and spoke to them specifically, spoke to the IT Manager at Oklahoma City and the Business Project Manager at Charlotte County, Florida, both of which were implementing various components of the Accella platform.

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In addition to that, I also reached out to the Town of Brookhaven, the IT Director at the time, excuse me, Gary {Kresman}, and asked his opinion, even though they were not specifically identified as a reference in their submittal, and he had indicated that they did have some problems with Accella, however, they were working them out. And he felt confident that -- at the time of our discussion, that they were moving forward in a positive direction. And when I explained to him what we were looking to accomplish with regard to the TLC as far as the first phase was concerned, you know, he was confident that the platform that Accella has would be sufficient and they would be able to accommodate our specific needs.

LEG. CILMI:

Okay. Let me ask this. Does -- was Mr. Miller part of the presentation yesterday?

MR. MASTELLON:

No, he was not.

LEG. CILMI:

Was he there? Why?

MR. MASTELLON:

That was an error on my behalf. I did not -- I neglected to invite him at that; that was my error.

LEG. CILMI:

So we have --

MR. MASTELLON:

However, I would like to indicate the fact that I have had numerous discussions with Doug, and I'm sure he can attest to this, with regard to the overall application, the RFP response. I forwarded him much of the information. We've had discussions and I believe -- and again, please correct me if I'm wrong, Doug -- but we're both in agreement that, you know, this is an effective platform moving forward, that we're confident it will meet the needs of the County.

LEG. CILMI:

Okay. So, but he's the Acting IT Commissioner, so I'd love to hear that from him. And I ask that because, you know, we implemented a Federated model of IT under our previous Commissioner who is no longer with us. And -- you know, so it's important that you have buy-in to this, even though it's being utilized in one of our departments.

ACTING COMMISSIONER MILLER:

Yes. We did implement the Federated IT; we call it unified now. But basically, I'm confident that the IT staff can --

LEG. CILMI:

So we changed Federated to Unified?

ACTING COMMISSIONER MILLER:

I'm calling it unified. It's actually still Federated

LEG. CILMI:

Okay. Well, everyone has to put their own stamp on things. Go ahead.

*(*Laughter*)*

I would want to distance myself from things that the previous Commissioner did anyway.

ACTING COMMISSIONER MILLER:

I'm confident that IT staff can integrate, implement any off-the-shelf software for the County that's presented to us, and we have in the past with many other platforms. So regardless of what's chosen, we definitely will work to make sure that it does the best it can for the County.

LEG. CILMI:

Well, but that's really not the right answer. I mean, you know, to say regardless of what's purchased you'll do your best to implement it in the best way possible for the County; that's not -- doing things that way is not wise from a planning point of view.

ACTING COMMISSIONER MILLER:

I guess -- the question was whether we can integrate Accella; is that the question?

LEG. CILMI:

Well, the question is really how you feel about this company and the software itself. And it's unfortunate that you didn't have an opportunity to sort of test drive it at all, or see the video presentation, which I found informative yesterday. But as the Acting IT Commissioner, I would have expected that you would have had, you know, an active hand in promoting this product. I mean, it's ultimately -- although we're only spending -- we're only -- they're only asking us to bond \$300,000 today, ultimately it's 1.3 million. So we could look at the 300,000 as sort of a down payment, and we certainly don't want to throw \$300,000 away.

So back to the question, and maybe it's rhetorical. I'm concerned that you weren't there, but I need a reassurance from you that you're fully supportive of this product and that it fits into our grand plan in terms of being able to connect all of our IT needs throughout the County. And if you're not, I understand that, and we'll act accordingly.

So the next question is the selection process. And I enjoyed your choice of words, Commissioner Chu, in terms of -- you didn't use the word *select*, that you notified them that they were selected, but you notified Accella that they were -- that -- I forget exactly how you put it, but you put it in a much better way than the presentation put it. In any event, was our previous Commissioner involved in that selection process?

MR. VAUGHN:

Yes, our previous Commissioner was involved in that selection process.

LEG. CILMI:

Does that raise any questions?

MR. VAUGHN:

As I said, if you take the previous Commissioner's scores out of the -- out of the score sheet, the score for Accella actually goes up. Look, the previous Commissioner had a job to do. What his status is is what his status is right now, and that's unfortunate, but I don't think that -- I don't think that just because he worked on a project means that the project should not go forward.

LEG. CILMI:

I'm just asking a question.

MR. VAUGHN:

I'm just giving an answer, with all due respect.

LEG. CILMI:

(*Laughter*). All right. Well, listen, I appreciate the answers. I remain committed to making this investment. But as a result of some of the conversation today, there are questions in my mind that didn't exist yesterday,

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unfortunately. I'll leave it at that. Hopefully those questions will be answered.

P.O. GREGORY:

Okay. Legislator Kennedy.

LEG. KENNEDY:

Yes, Mr. Chair. We started this whole process about half an hour ago, I guess, when I expressed some concerns and I still have those concerns. And I want to go back to what I -- my very first comment which was that I am absolutely committed to seeing the Taxi & Limousine Commission implemented. And I appreciate the Administration making the requested changes associated with the governing board; I think that it will make it a stronger entity, and ultimately it's going to enure to the benefit of all of our constituents. It's going to be safety, it's going to be regularity. There's industry buy-in, I think it reflected the industry buy-in by adding new members from the Taxi & Limousine Commission. And on all points, I commend you for the amount of time that you took and the work that you did with the industry in threading some fairly complex legal issues and service issues. Mr. {Carson} did a great job. You've got the reciprocity issues addressed. And quite frankly, when the CN gets here, my prediction is it's going to be a walk in the park; no question there whatsoever.

But back to this, as to this particular piece of software, Commissioner, what I'm going say to you is, like you, I was in a position where I was tasked with implementing, overseeing and delivering service on a day-to-day basis to the public at large, and one of the largest revenue raisers that we have in the County of Suffolk. What I know specifically about computer operations, you could probably fit in a thimble. I don't know much about it at all. I'll close property for you, I'll get you disability, but I can't do much when that box doesn't work. But what I do know is that when you get a vendor who's committed to operations through a third party integrator, unless you know who that integrator is, your project can go very well or can go very bad.

COMMISSIONER CHU:

Legislator -- I'm sorry, are you finished?

LEG. KENNEDY:

Well, what I want to get to is the reliance aspect of the former Commissioner on this score sheet, purportedly he was the IT expert. He was the one who brought that expertise to the process about the computer aspect of it. The program aspect you had covered, the budgetary aspect you had covered, but the guy that was supposed to be able to speak specifically to the best product out there in the world at large that submitted to us, you can't get away from it, he's tainted. So here we are at this point now being asked to nevertheless turn a blind eye to that. And I had the conversation with the Supervisor today. Hey, is it short term? Absolutely, Commissioner. I'll tell you, I picked this up, the RFP, at 9:10 this morning when the Commissioner made it available for me, and I've read it as best I can to try to understand the process from the legal end of it. We all know who we are. So my request to table is really to go ahead and get my arms around it and understand a little bit better about Accella and maybe do some of the calls that Mr. Mastellon took to them.

COMMISSIONER CHU:

Are you finished now, Legislator?

LEG. KENNEDY:

Yes, I am.

COMMISSIONER CHU:

You have my cell phone number, right, Legislator? You do, right?

LEG. KENNEDY:

Could be in here.

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COMMISSIONER CHU:

Could you look it up and check to see if you have my cell phone number? Please?

LEG. BARRAGA:

No, no.

COMMISSIONER CHU:

Okay. I digress.

LEG. BARRAGA:

Wait a minute.

COMMISSIONER CHU:

Legislator, have you ever been shy to address concerns with myself or anyone on my staff?

LEG. KENNEDY:

No. And we share --

COMMISSIONER CHU:

We share an office.

LEG. KENNEDY:

We share common space. As a matter of fact, every day, Sam, I'm talking to folks every day.

COMMISSIONER CHU:

And are we responsive when you have concerns or questions?

LEG. KENNEDY:

Absolutely.

COMMISSIONER CHU:

So you had concerns that you addressed to me about industry representation and we worked as a team, and I appreciate the compliments that you provided as to how we addressed them and we're glad to work with those suggestions and make sure that we're implementing something that works best for the industry.

LEG. KENNEDY:

I think it works best for all, to be candid with you.

COMMISSIONER CHU:

You and I had a conversation a couple of weeks ago, in a parking lot, I believe; right?

LEG. KENNEDY:

Could be, Sam? I honestly --

COMMISSIONER CHU:

We had a conversation in the parking lot.

LEG. KENNEDY:

Yes.

COMMISSIONER CHU:

I'm just curious as to why, you know, you didn't reach out to me earlier to address some of these concerns that you might have had, and some of these questions. You know, it went through committee last week.

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LEG. KENNEDY:

Let me be very clear with you. There in no way, shape or form am I intending to attempt to blind side you or to go ahead and take some advantage of the late hour. What I'm raising to you today is what I've been able to basically cull up on my own in about the last 16 to 18 hours. Going back before that, Accella, you know, what do I know? I know there's Oracle, I know there's a bunch of things out there. I don't know much about Accella.

I will tell you I went on the SCC filings; now I know the company was formed in 2004. It did a 4.6 million initial IPO. Last October it did a 46 million IPO. I'm a little concerned about that one, too. But you and I haven't seen each other, Sam, since today or last night. Had I seen those, I would have done the same thing with you in the parking lot. But I'm here now and this is before me and that's what I'm sharing with you.

COMMISSIONER CHU:

I remember the conversation we did have in the parking lot and I offered to provide any information that you felt you needed. So that's my remembrance of the conversation, but I'll leave it at that.

LEG. KENNEDY:

No, I'm not saying that we didn't. Yes, we did, as a matter of fact, speak in general terms. But as to some of the specifics coming up today, absolutely not. That score sheet today, where I see Don Rodgers was one of the committee, I got it, I'll show you on my e-mail from Malanga at about 2 PM. I couldn't have had that beforehand, Sam.

COMMISSIONER CHU:

Legislator, I'm just going to take -- if you would please indulge me.

LEG. KENNEDY:

Sure.

COMMISSIONER CHU:

You know, again, we went through a process of identifying how to best implement not only this TLC function, but also to take the functions of the Consumer Affairs function of the County into the modern error and to allow the employees to do their jobs more effectively to serve industry and the residents. And through that process, you know, we determined that an overall comprehensive technology solution was the answer. And this process was a competitively procured process, it followed all of the protocols of the County when it comes to selecting an appropriate vendor. And I'm confident, I will say I am confident that this will not only serve the County department well, but will serve, you know, the people that it's designed to serve well. So, I'll leave it at that. Thank you for allowing me that.

P.O. GREGORY:

All right.

MR. VAUGHN:

Legislator, I would just like to add as well, on Friday the 13th, there was an invitation that had three attachments to it and the Accella RFP and their response to our RFP was sent out as part of that, and it was specifically sent to *Legislators All*. So we did make an attempt to make sure that every Legislator who was sitting on this board had as much information as possible in order to go forward.

LEG. KENNEDY:

You know, listen, fellas, we can go back and forth all you want. Every one of us leads real busy lives. And I'm telling you, so you guys made some info available at that point, I'll go back through my e-mail, I don't recall seeing it.

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I think the point is that here today we're talking about now, in some sense you're talking about, I guess, the need to have the tool to go forward with the TLC. The \$1.6 million offer that Accella submitted was for the comprehensive solution that the RFP sought that was the multiple licenses out of Consumer Affairs. We're now having a discussion about one subset, and Dennis Brown and I have talked a little bit about that because I'm still a little unsure how we went from 1.6 as a total bid to now we have 300 grand before us where we're shopping with some subset. That's a little fuzzy to me. You know, maybe Dennis says that it's okay, I'm not sure, but that's not exactly what you see in a normal RFP process.

COMMISSIONER CHU:

Well, first of all, it was 1.3 million was the submission, not 1.6, from Accella. And the way we structured the RFP was specifically that, was that it was phased. We always anticipated the initial to be a smaller implementation that included the TLC, whereas the second phase would include the larger and give us the --

LEG. KENNEDY:

I got through the first 20 pages; all I see is the verbiage associated with a total solution. If there's multiple phases in here, I'm not quite sure. But, you know, Dennis is the one that I want to hear weigh in on that.

MR. BROWN:

Well, thank you, Legislator Kennedy. And I did want to weigh in because we did talk about it this afternoon.

LEG. KENNEDY:

We did.

MR. BROWN:

And I believe that what was stated here today by Scott, by Sammi and by others was that there's nothing unusual about an RFP going out and having multiple phases. And the fact that it was a global RFP and the proposal was global doesn't necessarily mean, ipso facto, that the contract will automatically have all three phases. There's not even an appropriation, as we discussed earlier, for this. And if there was -- if an appropriation --

LEG. KENNEDY:

Well, let's just stop there. That's another process, Dennis, that really kind of brings us to the point where we are now, because we've gotten tremendous commitment as far as staff time and what's gone on with the industry. But we're here.

MR. BROWN:

All I wanted to say was if there were an appropriation for this, it would be completely 100% normal for the department to issue an RFP, it could be done in phases and then it could be implemented in phases. Or if the RFP reserved to itself the ability to award one phase and not all the phases, it could do that, and then the contract would be funded accordingly subject to appropriations.

And the fact of the matter is, and I mean this with all -- without -- with all due respect, we wouldn't even be having this conversation if the funding was in place. The contract would be executed in due course, signed by the County Executive, a copy would be filed with the Legislature and it would be a contract for \$300,000 for this phase of the program.

LEG. KENNEDY:

No doubt about it, Dennis. We are here at this point because of some different choices. And I don't fault, as a matter of fact, having been in there, I know firsthand how desperately those folks do need a technological solution and an upgrade, and especially some portability with what they do, too.

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Look, I'll just restate my concern one more time. I don't want to hold everybody up here. But I can tell you from my simple due diligence on the Accella side, it doesn't look like it passes the sniff test for me yet. That's why I made the motion to table.

MR. MASTELLON:

And if I can simply just indicate, if you refer to page 26 of the RFP, Section CI references *Phase I, the implementation of a Taxi & Limosune Commission; Phase II, Convert Legacy Business Licensing Data and implement general business licensing program functionality*, and then furthermore --

LEG. KENNEDY:

Okay. I'm scanning through now.

MR. MASTELLON:

And furthermore, on page 32 of 66, it specifies the breakdown of costs with regard to their submission to include *Phase I for Higher Licensing Implementation; Phase II, Business License Implementation*. So, obviously you were only on page 20, so it's possible you didn't get to this.

LEG. KENNEDY:

Scott, I do see that and I'm looking through it and, look, I know you guys put in a lot of time. I'm -- all I can tell you is I'm raising some of the concerns that I have as an elected, and somewhat of a layman. But nevertheless, we're going to represent that this is the preferred piece of software. You go to an industry review of them, they only rank number four back in 2012 by the Waters Commission, I think it was.

You know, maybe to you guys in your world, they're, you know, the best thing since sliced bread; I'm not sure of that. I don't see it yet.

P.O. GREGORY:

All right.

LEG. KENNEDY:

I'll yield, Mr. Chair.

P.O. GREGORY:

Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. And Commissioner Chu, I want to thank you for addressing the concerns I had about the TLC and taking care of that, and when I left the Government Ops meeting, I was, you know, very supportive of the TLC, which I still am. And I was excited about moving the whole licensing into that next generation of a web-based automated system. But I think it's great, I think you gave a good example of how it will work for the County.

The only concern I have now is the one that was brought up about Brookhaven. I asked about the different references and they were from Kansas, Oklahoma and things like that, and they didn't mention Brookhaven which seemed odd because they're right next to us, and that is a big concern of mine. And the only reason I would want to delay this is to find out, is Brookhaven a problem that would be different than ours, do they have a different system? That's what my real concern is, is over the Brookhaven issue right now.

MR. MASTELLON:

I believe the reason why Brookhaven was not included was because of the way they were using the system. They were using a module called Land Management, which is supporting their building permitting. What we're looking to do is to go ahead and procure the licensing and case management module, and what was provided was references of individual municipalities that were utilizing that particular software, that particular component. As it is, a seller has a multitude of products and modules that are available across various

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government agencies and departments. So I believe that the submission with regard to references was specific to those individuals that were utilizing that specific functionality, as similar to what we would intend to use it for.

LEG. McCAFFREY:

Okay. So the use that Brookhaven has and apparently may or may not be satisfied with is different than the use for which we're going to use it, the module is different, a different piece of software?

MR. MASTELLON:

Building permitting is what they're using it for; we're using it for business licensing.

LEG. McCAFFREY:

Okay. The cost for this module, because we're buying a better module, correct, for the TLC first, is that right? That's the 300,000?

MR. MASTELLON:

That's correct.

LEG. McCAFFREY:

Okay. Now, if we were to use the -- if we bought the TLC software and we decided not to go forward with the licensing of the other software, because for some reason we found that, you know, maybe it wasn't just Brookhaven, maybe it's somebody else. And for some reason we didn't want to go forward with the seller for the rest of the implementation of the Consumer Affairs and the licensing, etcetera. Would it be a problem interacting if we decide to go with a different vendor, would that cause a problem? Maybe I could ask the Acting Commissioner of IT if that would be an issue? I'm sorry to keep bringing him up and down.

ACTING COMMISSIONER MILLER:

I'm sorry, could you restate that?

LEG. McCAFFREY:

Sure.

ACTING COMMISSIONER MILLER:

I didn't catch the question.

LEG. McCAFFREY:

All right. If we went forward with Accella for the TLC, to move that along to get that started, if we decide, okay, we like Accella for that, but we look further into some of the issues that Brookhaven may be having or some other vendors or some other municipalities that may not think that this is the best fit for us and we decide -- we have a couple of bumps in the road with the seller for the TLC and we said, *You know what? This may not be where we want to go*, but we already own that software. If we were to go to a different vendor for the licensing, for the Consumer Affairs, would that be a problem with using those two different modules or the two different vendors for the different software, different uses?

ACTING COMMISSIONER MILLER:

It really depends on the scenario there. But if you're asking if you can take the data to another system if need be down the road, of course you could. Was that sort of what you're --

LEG. McCAFFREY:

It would be different -- I mean, the licensing, what we're talking about for the business licenses and all the other things that we do, that would be different, or it's basically the same type of platform, same module that we'll be using for the TLC and we'll just be expanding it to the other?

ACTING COMMISSIONER MILLER:

Yeah. No, I think that is how that works, yes.

LEG. McCAFFREY:

Commissioner, what would be the -- what would be the problem if we waited till the next cycle to get this going? I just have a concern about this Brookhaven thing, and that's my only issue here. I mean, what if we were to put it off and we find out that it's a different module, different system, we don't have those kinds of issues that they did and it's not really a concern of ours; what would be the problem if we held off to the next cycle.

COMMISSIONER CHU:

Well, the one immediate issue is that it would delay the implementation of the TLC. That's the most immediate issue. I think the other issue is what's the mechanism to, you know -- I mean, I'm not sure what the suggestion. You know, we went through a competitive process. You know, Brookhaven -- you know, the second party references -- Brookhaven Supervisor's concerns aside, I'm not sure, you know, what the suggestion is. Would it be to redo the -- redo the procurement?

LEG. McCAFFREY:

I don't know. There had to be a second place guy there. Say Brookhaven says, *Hey, they're irresponsible, we don't like them, they didn't return our calls, they're not somebody you want to do business with.*

COMMISSIONER CHU:

That's not what -- I didn't hear that. But the most immediate impact departmentally, and I think in terms of the industry which we've been working closely with is further delaying, you know, the implementation of getting the TLC function in the County; that's the most immediate impact.

LEG. McCAFFREY:

Right.

COMMISSIONER CHU:

And of course, the secondary impact of that is delaying technology improvements to the rest of the County.

LEG. McCAFFREY:

And I am all for that. I think it's a great idea, I'm supportive of it. I just want to make sure that this was a blip on the radar and it's -- meaning the Brookhaven issue, if it is an issue, and that if we could move on from there, I'm okay with it. I think it's important that we did it. You guys did a good job on that presentation that you gave us, unfortunately I couldn't be there for the Monday run-through for the software, but I was impressed by how much time and effort that got put into this. I'm just concerned about the issue of Brookhaven, if I work through this. If we approve this tonight, what would your time frame be? Right now we say, *Okay, you got everything you need, what would happen? How would you roll this out?*

COMMISSIONER CHU:

I believe the discussion we had was about a 90-day --

MR. MASTELLON:

Three months.

COMMISSIONER CHU:

Yeah, about 90 day, three months.

LEG. McCAFFREY:

When's our next cycle, two weeks?

LEG. TROTTA:

July 29th.

LEG. McCAFFREY:

July 29th? Okay, thanks.

P.O. GREGORY:

Okay. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Thank you. We've spent considerable time discussing the \$300,000 appropriation for software for a Taxi & Limousine Commission that we haven't actually voted to form yet (*laughter*). I'm assuming we're going to form it.

You know, I'd rather this bill out of committee. I certainly support the Taxi & Limousine Commission. I support the software solution that Commissioner Chu talked about. I believe it's the right way to go. I have no problem with this particular expense, and I don't have a problem with the RFP process; Scott, and it seems like everybody did a really good job. It's tough, though, for me to ignore the testimony from Legislator Kennedy about Brookhaven Town getting ready to scrap this thing; that is a concern to me, though there's been some conflicting testimony.

What is also a little troubling to me is the fact that our IT Commissioner, or at least Acting IT Commissioner hasn't fully reviewed this and made a recommendation. So when this was presented in the committee, A, I didn't know the issue with Brookhaven. I also approached this as a roll out, that this is going to -- this 300,000 is the beginning of what looks like really -- to me, it looks like a great product. It looks like -- you know, it's very impressive. The stuff on-line looks great, it looks like it's tied in with, you know, phone applications and things, very user friendly, it looks great. But I have a concern about rushing it without either having Doug say, *Hey, I've taken a look at it. You know, Brookhaven's issues are different.* It was, I think, Scott, you said you believed it had to do with a different module, and there's the Land Management System in Brookhaven. You know, I'm assuming that's like a GIS type of function, but when we roll this out, that's one of the things we're going to try to incorporate, that functionality of this Accella system.

So I'm just looking for greater comfort level. You know, to me, look, we've never had a Taxi & Limousine Commission. If we have to wait a month and a half before you have the software to implement it, to me that's not the end of the world. It's the end of the world if you -- well, it's still not the end of the world, but if we spent \$300,000 on something we have to scrap later and we can't expand that, that is a problem.

COMMISSIONER CHU:

If I may make a suggestion.

D.P.O. SCHNEIDERMAN:

Yes.

COMMISSIONER CHU:

Typically, this -- typically this vote, you know, would be an appropriation before the RFP process even happens. So it sounds to me, after listening to the body, that we have general support for the concept and for the principle. So it sounds like, you know, we're suffering a little bit because we -- and at my direction, I asked for the RFP to happen, so we had more direction and more clarity as to what actually we're getting, so a better plan for implementation that would be of great impact to the entire department. But -- so one, there's the appropriation matter, which is really what this is about tonight. But I think I would like to make a suggestion, I hope it's something that could be considered in this debate, that we have -- there is no contract yet. We haven't gone to contract, nothing has been signed committing anything to Accella. I would suggest and I would invite anyone -- and, you know, Legislator Kennedy and I have had many meetings together and I think we had

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quite a productive -- quite productive meetings and a quite productive relationship. I would suggest that we go meet, and whoever else would be interested, go meet with the Brookhaven Town Supervisor and their team, and I think that they would certainly -- I hate to say speak for the Supervisor, but I think that they would certainly accommodate that request before we even consider going to contract. And I think anyone who wants to go on that field trip, I think Brookhaven would welcome us to show us what they're doing there.

D.P.O. SCHNEIDERMAN:

(Inaudible).

MR. NOLAN:

They're not approving the contract.

P.O. GREGORY:

Let's go. Come on, guys.

D.P.O. SCHNEIDERMAN:

The expense I don't have a -- you know, I'm okay with the expense, whether it's to this company or another company. I just want to make sure the product that we're purchasing is a good one. So if there's time to further vet it and get some information or a review by our Acting IT Commissioner and to vet those issues with Brookhaven, yeah, I have a problem with that.

COMMISSIONER CHU:

I would suggest there's an opportunity to go forward with the vote for the appropriation now, and you have my commitment that we will reach out, I'll even CC everyone on the e-mail requesting the Brookhaven Supervisor allow us to come and see how their system is in operation before we go to contract.

P.O. GREGORY:

Okay. We've been on this for an hour.

LEG. KENNEDY:

One more.

P.O. GREGORY:

Come on, John. I mean, it's been an hour already.

LEG. KENNEDY:

One more. One more.

D.P.O. SCHNEIDERMAN:

It's important. I mean, he's the one who raised the concerns.

LEG. KENNEDY:

Commissioner, this one would be for --

COMMISSIONER CHU:

I do listen to you, Legislator.

LEG. KENNEDY:

Yeah. No, I know that. No, no, no, I know you are. It would be for -- well, maybe you know. Who does Accella use for their third party integrator?

COMMISSIONER CHU:

That's something I do not know.

LEG. KENNEDY:

Ah. So, see? I was trying to save that. Does anybody know?

MR. MASTELLON:

Red Mark Technologies is their third party integrator that was --

LEG. KENNEDY:

Say that again, Scott?

MR. MASTELLON:

Red Mark Technologies is --

LEG. KENNEDY:

Red Mark?

MR. MASTELLON:

Yes.

LEG. KENNEDY:

-- Technologies?

MR. MASTELLON:

They are identified as a subconsultant in the RFP submission.

LEG. KENNEDY:

And what do we know about them, Scott?

MR. MASTELLON:

Well, we've had discussions with them, you know, after the award letter, or the subsequent selection letter was sent out. And again, there were positive discussions regarding their knowledge associated with the overall product itself and their ability to implement the solution.

LEG. KENNEDY:

Are they a local-based outfit, or what --

MR. MASTELLON:

No, they are not.

LEG. KENNEDY:

Red Mark Technologies?

MR. MASTELLON:

Again, it's listed in the submission of their response. You should have a copy of that.

LEG. KENNEDY:

I have the RFP. No, I don't have the response.

MR. MASTELLON:

They're located in Florida.

LEG. KENNEDY:

They're in Florida?

MR. MASTELLON:

That is correct.

LEG. D'AMARO:

Let's go on a field trip.

LEG. KENNEDY:

Yeah, let's go on a field trip (*Laughter*). You know what? Look, we've been beating it for a long time. I'll let it go. The Commissioner has made some representations, I appreciate that. I'm probably going to vote -- you know, I'll abstain or vote no or whatever, but the body is going to do whatever it's going to do. It will go from there wherever.

P.O. GREGORY:

All right. Mr. Clerk, what do we have?

D.P.O. SCHNEIDERMAN:

Do you have a tabling motion?

MR. LAUBE:

You have a tabling motion with a motion and a second, and then you have a motion to approve but no second.

D.P.O. SCHNEIDERMAN:

I'll withdraw the second on the tabling, in light of the Commissioner's personal commitment to not go into contract until he's answered -- these questions are fully answered.

MR. LAUBE:

I had Legislator Kennedy on the motion and Trotta on the second, for the tabling motion.

D.P.O. SCHNEIDERMAN:

Okay, fine.

P.O. GREGORY:

All right. So tabling motion goes first.

LEG. CALARCO:

Mr. Clerk, did you have -- who did you have on the motion to approve?

MR. LAUBE:

I just had yourself.

LEG. CALARCO:

Just myself. You don't have a second?

P.O. GREGORY:

I thought I made the second.

MR. LAUBE:

I didn't hear it. When we were going through it, you went right to the tabling motion.

P.O. GREGORY:

Yeah, I know, it was a while ago. All right. So, tabling motion goes first. Roll call.

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(*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. McCaffrey:

No.

LEG. BARRAGA:

No.

LEG. CILMI:

No.

LEG. MARTINEZ:

No.

LEG. LINDSAY:

Recuse.

LEG. CALARCO:

No.

LEG. ANKER:

No.

LEG. HAHN:

No.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

LEG. KRUPSKI:

No.

D.P.O. SCHNEIDERMAN:

No to table.

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P.O. GREGORY:

No to table.

MR. LAUBE:

Two.

P.O. GREGORY:

Okay. Motion to approve. All in favor? Opposed? Abstentions?

LEG. KENNEDY:

Opposed.

LEG. LINDSAY:

Recuse.

MR. LAUBE:

Sixteen (Opposed: Legislator Kennedy - Recused: Legislator Lindsay).

P.O. GREGORY:

All right, let's move on. All right, *IR 1548(-14)*, a Bonding Resolution (*Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ronald F. Gaines and Terri J. Gaines, his wife (SCTM No. 0300-165.00-01.00-002.000)*), same motion, same second. Roll call.

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

LEG. CALARCO:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yeah -- no, no.

LEG. BARRAGA:

Yes.

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LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Recuse.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Fifteen (Opposed: Legislators Trotta & Kennedy - Recused: Legislator Lindsay).

LEG. SPENCER:

Mr. Presiding Officer, the Administration made a request. Before we go to the next page, there's a C of N on the taxi, they asked if we could take that out of order.

P.O. GREGORY:

Why?

LEG. D'AMARO:

I'll second.

MR. VAUGHN:

Our thought process would just be we just spent a very long time --

P.O. GREGORY:

Is there any reason?

MR. VAUGHN:

No, just that we just adopted the bond and the bill to do the technology part. The two go hand in hand. We would appreciate it if you would consider taking this out of order at this time; if not, it's your call.

P.O. GREGORY:

I would like to try to get to the agenda. We just spent an hour on this thing, but okay. What is it? I'm sorry.

MR. NOLAN:

Take it out of order.

P.O. GREGORY:

Motion to take -- go ahead, Legislator Spencer.

MR. NOLAN:

1409.

P.O. GREGORY:

Oh, okay. *IR 1409-14 - Adopting Local Law No. 17 -2014, A Local Law to establish the Suffolk County Taxi and Limousine Commission and to provide for the registration of for-hire vehicles (County Executive)*. Motion by Legislator Spencer. Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

Recuse.

MR. LAUBE:

Seventeen (Recused: Legislator Lindsay).

P.O. GREGORY:

Same motion, same second on the approval.

LEG. TROTTA:

On the motion.

P.O. GREGORY:

On the motion, Legislator Trotta.

LEG. TROTTA:

Yeah, just for the record. I talked to the president/owner of Lindsay's Taxi and he expressed to me that he wanted to give the County \$10,000 for every taxi he has, which is 400 of them, for a medallion type bond. Now, he's one taxi company with 400 taxis, that's \$4 million he wanted to give. He said that other taxi companies would be willing to do the same thing; sort of like in the city, so there's some value to them. I just wanted to make it known that that was brought up to me. I called the Commissioner and asked him on it and he sort of said that, you know, we'll discuss that in the future.

P.O. GREGORY:

Okay.

LEG. TROTTA:

My opinion is it should be discussed in this bill now. Why do something not fully? You know what I'm saying.

P.O. GREGORY:

Right.

LEG. TROTTA:

Do it right the first time.

P.O. GREGORY:

Okay. Commissioner, Director of Operations, and whatever other title you have, what's your response?

COMMISSIONER CHU:

If I may. Legislator, our conversation, I also iterated to you that the enabling legislation -- there's enabling State legislation that allows, gives us the authority to establish the TLC. You know, it gives us no such authority to do that, to limit the -- it explicitly gives that authority to other jurisdictions in that legislation. So we've been advised by Counsel that we just don't have -- under the enabling legislation, we do not have that authority to limit the number of licenses and registrations that we will issue.

P.O. GREGORY:

It sounds like a great idea. We're just limited by the enabling legislation, so.

LEG. TROTTA:

That was the whole point; let's get the legislation to enable it.

P.O. GREGORY:

Well, considering that the State's last day is tomorrow -- no, Thursday, you know, they're not going to get it passed. Maybe next year. Okay?

LEG. CALARCO:

Motion.

P.O. GREGORY:

Good job. Make some money. All right, so we've got a motion, a second. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

Recuse.

MR. LAUBE:

Seventeen (Recused: Legislator Lindsay).

P.O. GREGORY:

Okay, back to the agenda, page nine, Health:

1512-14 - Amending the 2014 Adopted Operating Budget to reassign funding from the New York State Office of Mental Health to Federation of Organizations, Inc. For the Non-Client Service Dollar Program (County Executive). Motion by Legislator Spencer. I'll second. Explanation?

MR. NOLAN:

Yeah, I think there's approximately \$19,000 in the Operating Budget for a group to deliver this particular service. They no longer are providing that service, and so the money is being transferred to the Federal -- a different provider to provide, I believe it's mental health services.

P.O. GREGORY:

Is this pass-thru monies?

MR. NOLAN:

Yeah, but it's State monies.

P.O. GREGORY:

Okay. All right. Anybody else? Legislator Hahn.

LEG. HAHN:

No further questions.

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P.O. GREGORY:

You said no questions?

MR. NOLAN:

No questions.

P.O. GREGORY:

Okay. All right, we have a motion, we have a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1538-14 - Establishing a County webpage dedicated to the promotion of Narcan Training Programs in Suffolk County (Cilmi). Motion to approve by Legislator Cilmi.

LEG. HAHN:

Second.

P.O. GREGORY:

Second by Legislator Hahn. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

1581 we did.

IR 1002-14 - Authorizing an amendment to Cedar Island Lighthouse license agreement (Schneiderman). Motion by Legislator Schneiderman. Second by Legislator Trotta. Questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1505-14 - Authorizing fundraising at Smith Point County Park for the purpose of maintaining the TWA Flight 800 Memorial (Calarco). Motion by Legislator Calarco.

LEG. BROWNING:

Second.

P.O. GREGORY:

Seconded by Legislator Browning. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1551-14 - Authorizing use of the Long Island Maritime Museum by the Cystic Fibrosis Foundation for their annual "Sayville Run/Walk & Barbeque" Fundraiser (County Executive). Motion by Legislator Lindsay. Second by?

LEG. BROWNING:

I'll second.

P.O. GREGORY:

Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

LEG. LINDSAY:

Tim, cosponsor.

MR. LAUBE:

Got it.

P.O. GREGORY:

IR 1537-14 - Adopting the 2014 Suffolk County Multi-Jurisdictional Pre-Disaster Hazard Mitigation Plan approved by FEMA on May 12, 2014 pending local adoption, which was prepared in conjunction with a FY2012 Pre-Disaster Mitigation Planning (PDMC) Grant (County Executive).

LEG. CALARCO:

Motion.

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. Second by Legislator Krupski.

LEG. CALARCO:

(Laughter).

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1568-14 - Approving the reappointment of Rabbi Dr. Steven A. Moss as chair of the Suffolk County Human Rights Commission (County Executive).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

I'll second the motion. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Cosponsor.

LEG. STERN:

Tim?

P.O. GREGORY:

IR 1569-14 - Approving the reappointment of Michele T. Del Monte to the Suffolk County Human Rights Commission (County Executive).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1570-14 - Approving the reappointment of Michele T. Del Monte to the Suffolk County Human Rights Commission (County Executive).

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

LEG. KRUPSKI:

Cosponsor.

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1571-14 - Approving the reappointment of Rabbi Dr. Steven Moss to the Suffolk County Human Rights Commission (County Executive).

LEG. LINDSAY:

Motion.

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P.O. GREGORY:

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

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1572-14 - Approving the reappointment of Lynda Perdomo-Ayala to the Suffolk County Human Rights Commission (County Executive).

LEG. CALARCO:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen (Not present: Legislator McCaffrey).

P.O. GREGORY:

IR 1582-14 - Directing the Police Department to study the feasibility of utilizing Next Generation 911 Technology (Hahn). Motion by Legislator Hahn. Second by Legislator --

LEG. CALARCO:

Motion.

P.O. GREGORY:

-- Anker. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator McCaffrey).

P.O. GREGORY:

IR 1453-14 - Establishing a LIPA Legislative Oversight Committee (Muratore).

LEG. MURATORE:

Motion.

P.O. GREGORY:

Motion by Legislator Muratore. Second by Legislator Krupski. On the motion, Legislator Hahn. Oh, I thought you had something to say.

LEG. HAHN:

I have to recuse.

LEG. D'AMARO:

On the motion?

P.O. GREGORY:

Oh, I'm sorry.

LEG. D'AMARO:

DuWayne?

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P.O. GREGORY:

Who was on -- who said that? Oh, Legislator D'Amaro?

LEG. D'AMARO:

Yeah. Also, I recuse; note for the record.

P.O. GREGORY:

Okay. Anybody --

LEG. BROWNING:

I'm an abstention.

P.O. GREGORY:

Okay.

D.P.O. SCHNEIDERMAN:

Explanation.

P.O. GREGORY:

I will state that I was contacted and I spoke to Legislator Muratore. This is an initial step, I think there's an ability here to expand the oversight function to all utilities, not just to LIPA or PSEG, and the sponsor stated that he would have an interest in doing that in the future but wanted to move forward with this bill today. Legislator Browning?

LEG. BROWNING:

Yeah. I don't know if BRO can give us the answer, but there was a LIPA Oversight Board. And I'm wondering, whatever happened to the report on that? Did we ever get a report?

MR. LIPP:

I'm not aware, I'd have to check.

LEG. BROWNING:

Okay. If you could get back to us and --

MR. LIPP:

It did expire, though, obviously, that oversight board.

LEG. BROWNING:

Yeah. I don't remember us ever getting a report, so.

MR. LIPP:

Neither do I.

LEG. BROWNING:

Okay. So maybe you could shoot out an e-mail to everybody and let us know if there is one; and if there is --

MR. LIPP:

Sure, will do.

LEG. BROWNING:

Appreciate it.

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P.O. GREGORY:

Okay. Any other questions?

D.P.O. SCHNEIDERMAN:

I mean, I'm not sure this is a question. I mean, the whole -- the way PSE&G came in, you know, we really don't have any oversight. The way we had LIPA, we had some oversight, but then our shell corporation, and now we've got PSE&G, they're a utility the way Cablevision is and Verizon. I just don't know to what degree we have any oversight over them. I wish we did. What's -- Tom, what's your plans with this commission? Because there's lots of utilities out there. What are you hoping to accomplish here?

LEG. MURATORE:

Well, just like it says, to be oversight, to watch over things and call them in when we have questions. I'm sure they won't say no to us, to come in and speak with us.

D.P.O. SCHNEIDERMAN:

I'd be most comfortable with just a utility oversight commission, not --

LEG. MURATORE:

So then vote no on this, Jay, and you can move on. You know, we'll do something else.

D.P.O. SCHNEIDERMAN:

I just --

LEG. MURATORE:

I plan to do that.

D.P.O. SCHNEIDERMAN:

I don't want to get to a process that suddenly we're going to be able to tell PSEG -- because I have lots of problems with PSEG right now with these giant telephone poles they put through these quiet little neighborhoods, you know?

LEG. MURATORE:

We should call them in and say, *Well, why are you putting these giant telephone poles in my town?*

D.P.O. SCHNEIDERMAN:

I'm sorry?

LEG. MURATORE:

That will be our place, to call them in and say, *Why are you putting these gigantic telephone poles, or lighting poles in my town,* and they're going to have to be accountable and answer up.

D.P.O. SCHNEIDERMAN:

Well, they have that in the Public Service Commission, there is some oversight. But we don't have the authority, that's the problem. I don't like the way the whole thing happened in the sense that we've lost all oversight over, you know, what was a public utility.

LEG. MURATORE:

So maybe this can be a way of getting it back, little by little.

D.P.O. SCHNEIDERMAN:

Whatever.

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P.O. GREGORY:

Okay, we have a motion and a second. Any other questions? All in favor? Opposed? Abstentions?

LEG. HAHN:

Recuse.

LEG. BROWNING:

Abstain.

LEG. D'AMARO:

Recuse.

P.O. GREGORY:

Two recusals. Legislator D'Amaro is a recusal.

MR. LAUBE:

So it's fifteen (*Abstention: Legislator Browning - Recused: Legislators Hahn & D'Amaro*).

P.O. GREGORY:

Okay, page ten, ***IR 1460-14 - Appropriating funds in connection with the construction of Compressed Natural Gas (CNG) Fueling Facilities (CP 5603, PIN 0T2516) (County Executive)***.

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. ANKER:

Second.

P.O. GREGORY:

Second by Legislator Anker. Any questions? All in favor? Opposed? Abstentions?

LEG. CILMI:

Opposed.

MR. LAUBE:

Seventeen (Opposed: Legislator Cilmi).

P.O. GREGORY:

Okay, Bonding Resolution, ***IR 1460A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance \$300,000 Bonds to finance the cost of planning construction of Compressed Natural Gas (CNG) fueling facilities (CP 5603.111)***, same motion, same second. Roll call.

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

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

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LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

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:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Sixteen (Opposed: Legislators Trotta & Cilmi).

P.O. GREGORY:

IR 1501-14 - Adopting Local Law No. 18 -2014, A Local Law to bar environmental polluters from

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conducting business with Suffolk County (Martinez). Motion by Legislator Martinez, second by Legislator Lindsay. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1524-14 - Appropriating funds in connection with improvements to CR 99, Woodside Avenue, Town of Brookhaven (CP 5175) (County Executive).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. ANKER:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Bonding Resolution ***IR 1524A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$250,000 Bonds to finance planning costs in connection with proposed improvements to CR 99, Woodside Avenue, Town of Brookhaven (CP 5175.111), same motion, same second. Roll call.***

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

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Is this 1577?

P.O. GREGORY:

1524A.

LEG. D'AMARO:

1524; yes.

LEG. STERN:

Yes.

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LEG. McCAFFREY:

Hold on, just finding my place.

P.O. GREGORY:

Page ten.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

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:

Seventeen (Opposed: Legislator Trotta).

P.O. GREGORY:

IR 1577-14 - Appropriating funds in connection with improvements to CR 13, Clinton Avenue/Fifth Avenue/Crooked Hill Road (CP 5538)(County Executive).

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LEG. BROWNING:

Tim, cosponsor the last one.

LEG. STERN:

Motion.

P.O. GREGORY:

Motion by Legislator Stern.

LEG. MARTINEZ:

Second.

P.O. GREGORY:

Second by Legislator Martinez. Any questions? All in favor? Opposed? Abstentions?

LEG. KENNEDY:

Opposed.

LEG. BROWNING:

Opposed.

MR. LAUBE:

Legislator Muratore, you're opposed?

LEG. MURATORE:

Yes.

MR. LAUBE:

15.

P.O. GREGORY:

No, you've got four.

MS. MAHONEY:

Trotta.

MR. LAUBE:

Oh, I didn't see Legislator Trotta; sorry. *Fourteen (Opposed: Legislators Kennedy, Browning, Muratore & Trotta).*

P.O. GREGORY:

Okay, Bonding Resolution, ***IR 1577A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,000,000 Bonds to finance the cost of improvements to CR 13, Clinton Avenue/Fifth Avenue/Crooked Hill Road (CP 5538.311), same motion, same second.***

Roll call.

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

LEG. STERN:

Yes.

LEG. MARTINEZ:

Yes.

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LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No, no to the bond.

LEG. BROWNING:

No.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Fourteen (Opposed: Legislators Trotta, Kennedy, Muratore & Browning).

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P.O. GREGORY:

1578-14 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the County share for reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510, PIN 075656)(County Executive). Motion by Legislator D'Amaro. I will second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1578A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$13,000,000 Bonds to finance the cost of the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510.311), same motion, same second. Roll call.

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

LEG. D'AMARO:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

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. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Eighteen.

P.O. GREGORY:

1579-14 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with dredging of County waters at North Haven and South Ferry Terminal Basins (CP 5200) (County Executive). Motion by Legislator Krupski. Second by Legislator Schneiderman. Any questions? All in favor? Opposed? Abstentions?

LEG. KRUPSKI:

Cosponsor, Tim.

D.P.O. SCHNEIDERMAN:

Cosponsor.

P.O. GREGORY:

IR 1579A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$2,048,500 Bonds to finance the cost of dredging of County waters at North Haven and South Ferry terminal basins (CP 5200.450), same motion, same second. Roll call.

MR. LAUBE:

Eighteen on 1579.

P.O. GREGORY:

Okay. 1579A, roll call.

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

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

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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. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1580-14 - Appropriating funds in connection with interchange improvements for CR 111 at the L.I.E. Service Roads (CP 5123). (County Executive). Motion by Legislator Martinez; is that your district?

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LEG. BROWNING:

Over here. It's his district.

P.O. GREGORY:

Oh, I'm sorry. Legislator Krupski.

LEG. BROWNING:

And I'll second it.

P.O. GREGORY:

Is that yours, Al?

LEG. BROWNING:

It's Al's district.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1580A, Bond Resolution (***Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$6,000,000 Bonds to finance the interchange improvements for CR 111 At Long Island Expressway Service Roads (CP 5123)***), same motion, same second. Roll call.

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

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

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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:

Eighteen.

P.O. GREGORY:

IR 1506-14 - Establishing December 15th as "Silver Star Medal Day" in Suffolk County (Muratore).

Motion by Legislator Muratore.

LEG. LINDSAY:

Second.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by -- who was that? Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1515-14 - Sale of County owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-162.00-04.00-008.001)(County Executive).

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LEG. ANKER:

Motion.

P.O. GREGORY:

Motion by Legislator Anker. Second by Brookhaven, someone from Brookhaven? I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. HAHN:

Cosponsor.

P.O. GREGORY:

IR 1516-14 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-162.00-04.00-009.001) (County Executive). Motion by Legislator Anker. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

LEG. HAHN:

Cosponsor.

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1517-14 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-944.00-06.00-027.000) (County Executive). Motion by Legislator Muratore. Second by Legislator Hahn. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1560-14 - Accepting and appropriating a grant in the amount of \$2,106,258 from the New York State Office of Indigent Legal Services, to provide enhanced defense representation for cases assigned to the Legal Aid Society of Suffolk County and the Suffolk County Bar Association Indigent Defense with 100% support (County Executive).

LEG. MURATORE:

Motion.

P.O. GREGORY:

Motion by Legislator Muratore. I will second. Mr. Vaughn?

MR. NOLAN:

Yeah. Just note, please, there's an amended version, it was amended yesterday, it's in the manilla folder. It's, despite the late amendments, eligible to be voted on because it's a 100% grant.

P.O. GREGORY:

Is that what you wanted to say?

MR. VAUGHN:

Yes.

P.O. GREGORY:

Okay. All right, any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Please list me as a cosponsor.

Okay, in the ***manilla folder***: ***IR 1608-14 - Accepting and appropriating funding in the amount of \$40,000 from the U.S. Department of Justice, Federal Bureau of Investigation, for the express purpose of roof repair to an ammunitions bunker located at the Suffolk County Police Department Firearms Range Complex at Westhampton, Suffolk County, New York with 100% support (County Executive)***. Motion by Legislator Schneiderman.

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

LEG. HAHN:

We got some good grant money.

P.O. GREGORY:

Ir 1623-14 - Accepting and appropriating grant funds received from the New York State Division of Criminal Justice Services to the Suffolk County District Attorney's Office, under the Crimes Against Revenue Program (County Executive).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. BROWNING:

Second.

P.O. GREGORY:

Second by Legislator Browning. Was it Browning or Hahn?

MR. NOLAN:

Browning.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay, the red folder (CN's):

We did IR 1409. We did IR 1313.

LEG. CALARCO:

No.

MR. NOLAN:

No, we didn't do that.

P.O. GREGORY:

Didn't we?

MR. NOLAN:

We did the other ferry.

P.O. GREGORY:

Oh, I'm sorry.

IR 1313-14 - Authorizing alteration of rates for Davis Park Ferry Co., Inc. (Presiding Officer Gregory).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. BARRAGA:

Second.

P.O. GREGORY:

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

LEG. LINDSAY:

Abstention.

MR. LAUBE:

Seventeen (Abstention: Legislator Lindsay).

P.O. GREGORY:

Okay 1485 we did.

IR 1606-14 - Accepting the donation of a 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, from the National Insurance Crime Bureau for use by the Suffolk County District Attorney's Office (County Executive).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

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LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

IR 1607-14 - Accepting and appropriating a grant in the amount of \$1,116,067 from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) program with 91.84% support (County Executive).

LEG. HAHN:

(Raised hand).

LEG. HAHN:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

List me as a cosponsor.

Okay, **Late Starters:**

I make a motion to waive the rules and lay the following resolutions on the table:

IR 1621, EPA; IR 1622, Human Services; IR 1624, EPA; IR 1625, Public Works; IR 1627, EPA; IR 1628, Public Works; IR 1629, Public Works; IR 1630, Ways & Means; IR 1631, Health; IR 1632, Ways & Means; IR 1633, Parks; IR 1634, Ways & Means; IR 1635, Public Works; IR 1636, Ways & Means, Public Hearing to be held July 29th, 2:30 PM in Hauppauge; IR 1637, Government Ops, set the following Public Hearing on July 29th, 2:30 PM in Hauppauge.

Do I have a second.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

That is our agenda. We stand adjourned. Thank you.

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(*The meeting was adjourned at 9:57 P.M. *)

{ } - Denotes Spelled Phonetically