

**SUFFOLK COUNTY LEGISLATURE**

***GENERAL MEETING***

**TWELFTH DAY**

**October 7th, 2014**

***Verbatim Transcript***

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

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

**725 VETERANS MEMORIAL HIGHWAY**

**SMITHTOWN, NEW YORK**

**Minutes Taken By:**

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

**Minutes Transcribed By:**

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

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*(\*The meeting was called to order at 9:31 A.M. \*)*

**P.O. GREGORY:**

Good morning, everyone. Good morning, Mr. Clerk.

**MR. LAUBE:**

Good morning, Mr. Presiding Officer.

**P.O. GREGORY:**

Okay. If you could do a roll call.

**MR. LAUBE:**

Will do.

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

**LEG. KRUPSKI:**

Here.

**LEG. BROWNING:**

Here.

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

*(Not present).*

**LEG. ANKER:**

*(Not present).*

**LEG. CALARCO:**

Present.

**LEG. LINDSAY:**

*(Not Present).*

**LEG. MARTINEZ:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

*(Not Present).*

**LEG. TROTTA:**

Here.

**LEG. McCAFFREY:**

Here.

**LEG. STERN:**

*(Not Present).*

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

*(Not present).*

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

Here.

**P.O. GREGORY:**

Here.

**LEG. KENNEDY:**

Here, Mr. Clerk.

**MR. LAUBE:**

*Thirteen (Not Present: Legislators Hahn, Anker, Lindsay, Stern & Spencer).*

**P.O. GREGORY:**

Okay. If we would all rise, we'll have the salute to the flag led by Legislator Spencer.

### ***Salutation***

Today's ***invocation*** will be given by **Reverend Chuck Van Houten, Pastor of the Stony Brook Community Church**, guest of Legislator William Spencer who he will introduce.

**LEG. SPENCER:**

Good morning. I'm really honored this morning to be able to introduce, first of all, a great friend, but also a great community leader and a pastor that has touched a lot of lives in the 18th Legislative District, and now he's doing the same thing out here in Stony Brook.

A native of Long Island, Pastor Chuck began his seminary career at New Brunswick Theological Seminary and ultimately graduated Cum Laude in 1999 from the Theological School at Drew University with a Master's in Divinity. In July, 2013, he became the pastor of the Stony Brook Community Church, after serving 12 years as the Senior Pastor at Centerport Methodist Church. Prior to Centerport, Pastor Chuck was the Associate Pastor in Mamaroneck, New York, and a Student Pastor in Port Washington.

He's an avid musician, and while at Mamaroneck he was a member of the faith-inspired rock and roll band and helped to lead a once a month rock and roll service. This passion led him to be a founding member of Centerport's Leap of Faith Worship Band. An enthusiastic leader of small group studies, Pastor Chuck is credited with the spiritual development of the congregation at each of his pastoral assignments. It gives me great pride and pleasure to introduce my former constituent and friend, Pastor Chuck Van Houten to deliver today's invocation. Thank you.

***Applause***

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### **PASTOR VAN HOUTEN:**

Now that you all have learned an awful lot more about me than you care to know, I'd like to invite you all to please bow your heads with me and join me in an attitude of prayer.

Gracious and loving God, we begin this session today thanking you for creating us, for the many gifts that you give us every day that we often take for granted, and for all that surrounds us we give you thanks. You have made us in your image and entrusted us to be your stewards in this time and place and elected by the people of Suffolk County to manage the property, finances and affairs of the citizens here on this great Island of need and opportunity. As we gather today, the concerns are many; education, environment, crime, corruption, housing for all, as well as health care and hospitals, local jails and their personnel budget and bureaucracy and agenda that goes on and on, oh, God, you know what it is.

So remind us why each person here first ran for office. Tap us on the hearts as well as the shoulder, oh God. Help us to be your servants in this place, and to be reminded of what it takes to be good stewards and not to take your goodness and grace for granted. Give us all the strength and vision needed to serve you faithfully. Help us to both have passion and compassion as we take time to discuss the business of your world in this place.

You know we all mean well, oh God, for you know it is on our hearts. So help everyone here today to live and to listen and to learn and to work together, and to vote as good stewards so that when we hear that last gavel or come to our final adjournment, we may hear you say, *Well done, good and faithful servants*. All this, we ask and pray in your goodness and strength and in the name of our one creator, God. Amen.

*Amen* said in unison

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

If you would all please remain standing for a moment of silence. It is with great sadness that we announce the passing of retired Supreme Court Justice, Donald R. Blydenburgh. Donald also served as Presiding Officer of the Legislature from 1990 to 1996, and Legislator of the 12th District from May 6th, 1986 to December 31st, 1996.

Also in memory of Tom Cutinella, a Junior at Shoreham-Wading River High School and guard linebacker for the football team who died tragically after suffering a head injury at a game. His Dad is a Suffolk County Police officer in the 6th Precinct, Crime Control Unit.

Also in memory of Mary Kelly, Mother of Mary Jean Kelly in Counsel's Office; Margaret Cavanagh, Mother of Legislative Aide Michael Cavanagh; and Donald Boyd, Father of Kathleen Cuttone in the Riverhead Clerk's Office. We extend our heartfelt sympathy and prayers to all these families.

Let us also remember all those men and women who put themselves in harm's way every day to protect our country. And if you all would keep in prayer Terry Pearsall. My Chief of staff and the Chief of staff for the past three Presiding Officers has retired effective October 3rd. He is happy, well and we'll see him. He's been the right-hand to many in this Legislature, he will sorely be missed. And also, if we could keep in our prayers Police Officer Nicholas Guerrero, a member of Legislator Stern's District who was injured in the line of duty in Commack.

### ***Moment of Silence Observed***

Okay, this morning we have several **proclamations**. First we have Legislator Anker who will

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present a proclamation to the Rocky Point Fire Department for their contribution of raising funds to build a 911 Memorial Project.

Okay, Legislator Anker is going to present a proclamation to Deborah Longo as Coordinator for "The Addict's Mom", New York State Chapter.

**LEG. ANKER:**

I'm very proud to have you and honored to have you here today at the Legislature. You are here for me to give you a proclamation from recognition and the wonderful work that you've done. You've had your share of challenges. You lost your son with drug addiction and you continue to advocate for moms and dads and family members to create awareness about what we can do in support of drug addiction. And through, it's called The Addict's Mom, TAM, and I invite members of Legislature and guests here today and people listening to please go on-line and look more into the -- it's a not-for-profit, it's the New York State Chapter, and you're the coordinator for the New York State Chapter. And I recently attended Port Jefferson, that's Dori Davenport's Dance Foundation. And I don't know if you know Dori, she runs Save-A-Pet, a very important, wonderful constituent in Suffolk County. But also working with the drug addiction issue. We need to do more, and Debbie is doing just that. So it is my honor to have you here. Would you mind saying just a few words about your organization?

**MS. LONGO:**

Sure. I belong to The Addict's Mom and it's a group on Facebook of parents who can share without shame. As you know, we have a huge epidemic going on on Long Island and throughout New York State. We're losing children left and right. I'm a big advocate for education. I was a nurse for 25 years out here and right now I have gotten ten schools to have programs come in from K to 12, age appropriate to discuss the epidemic of drugs and how to scare them straight -- and that's the name of the program, it's called Scared Straight -- and to bring awareness to parents, signs and signals, what to look for. I do a lot of speaking in schools, too, with critical care nurses. Just in Mather Memorial Hospital last week, they told me that there were 250 drug overdoses in Mather Hospital since last April; this is unacceptable.

So I want to bring awareness to the schools, I think it's prominent that we have education in the schools and try to stop this epidemic. So if anybody is suffering in silence, come on The Addict's Mom and we have resources of drug rehabilitations, counseling, grieving services, and you'll meet the most compassionate women and men that are facing this horrible epidemic. So I thank Sarah Anker for acknowledging what we do.

**LEG. ANKER:**

And I thank Debbie Longo. So thank you so much, we appreciate it.

***Applause***

Is Terry McCarrick in the house right now? Oh, here he is. Okay. Terry, come on up.

**P.O. GREGORY:**

If Police Officers Christopher D'Amico and Joseph Cascone are here from the 5th Precinct, Legislator Lindsay is going to present a proclamation to these officers who rescued a baby girl found floating in a pool on July 22nd.

**LEG. ANKER:**

I'm sorry. My second proclamation people are here today.

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**P.O. GREGORY:**

Oh, they're here?

**LEG. ANKER:**

Yep.

**P.O. GREGORY:**

Okay. All right, we'll hold off on Legislator Lindsay.

**LEG. ANKER:**

I'm sorry. Okay, so my second group here, it's to honor the Rocky Point Community 911 Memorial Project Committee members, and I have Terry McCarrick here today and Commissioner Temulty. I appreciate you coming out here.

Basically what happened, you know, of course, after 9/11, many of the fire departments were able to -- were given pieces of the steel from the 9/11 buildings and they created a beautiful memorial. This memorial is located on the border of Rocky Point/Shoreham by the Tesla Museum next to the Shoreham Firehouse and in invite everyone here today to go visit that location. It's absolutely beautiful. There was so much work and time and effort and I'm just very honored to be able to present proclamations to you and to your committee, but in addition, to try to help. Again, if you have volunteers to contribute, there's a few more things that need to be done, but I think we may have some contributions on its way.

So it is with great honor that I present you proclamations to both Terry McCarrick, as the Chief Fire Department Commissioner, and also to the committee, the 9/11 Committee for all the work that you've done. So would you mind coming up and just let us know briefly what inspired you and your comrades to put this monument together.

**CHIEF McCARRICK:**

Okay. My name is Terry McCarrick, I'm Chief of the Rocky Point Fire Department. This is Steve Temulty, he's one of the Commissioners, Fire Commissioners. It's been a long time at work with this committee and project, but we're almost complete with it. We have all the names on the wall of the people who were killed at 9/11, Shanksville and also the Pentagon. We have a granite wall and it's in stainless, all the names are in stainless on the wall. It's a special thing for me because I'm a retired New York City Police Officer, I was at 9/11, Commissioner Temulty, he's a retired New York City Firefighter, he was also at 9/11. I just want to thank Sarah for all the help she has given us for this project. Thank you.

**LEG. ANKER:**

Thank you.

*Applause*

**P.O. GREGORY:**

Okay. We'll now recognize Legislator Lindsay who will make a proclamation or a presentation.

**LEG. LINDSAY:**

Good morning to my fellow Legislators and those in attendance here this morning. If I could ask Officers Joe Cascone and Christopher D'Amico to join me here at the podium?

Earlier this summer, on July 22nd, these two fine officers unfortunately had to respond to a call, which has got to be one of the most difficult calls that any officer or any first responder has to

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respond to, with a -- they responded to the scene where there was an 18-month old baby who was not responsive that was found in the pool. Both of the officers performed CPR on the little girl and she was -- she did survive. And I want to thank them on behalf of all the people of Suffolk County for following their training and having the courage to answer the call when it came to one of the most difficult situations I think anybody would ever have to face. And that little girl's name was Lainey Metz, and Lainey, as I understand, is doing well today and it's all because of the fine work of these two officers. So on behalf of the 1.5 million residents in Suffolk County and all the members of the Legislature, I just want to thank you for your courage and your fine service and want to present you with these two proclamations. Thank you.

***Applause***

***(Photograph Taken)***

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

Okay. If we can have one more round of applause for these fine officers.

***Applause***

In 2001, this body passed Resolution 339. It established a Volunteer Recognition Program for firefighters and EMS personnel. Each Legislator has the opportunity to formerly nominate one person in his or her district for their outstanding service to the community as a firefighter or EMS worker. At today's meeting, we will read into the record the names and a brief description of each district's designated volunteer. Any presentation of proclamations will be done in each individual district, but if any of the recipients are in the audience, we ask that they please stand to be recognized when it comes time for that Legislator to announce them. So we're going to start with Legislator Krupski and the Presiding Officer will read the award recipient into the record.

**P.O. GREGORY:**

**First Legislative District, (Legislator) Krupski, Richard Ligon**. Richard Ligon has been an active member of the Riverhead Fire Department since first joining in 1977. He has served the department as a Company Captain for the Red Bird Hook and Ladder Company as Riverhead Fire District Commissioner and as Captain of the RFD's drill team, the Ironmen. Also, Rich served as President of the North Fork Volunteer Firefighters Association and served as a representative of the Suffolk County Drill Team Captains Association as an official from New York State. Rich continues to serve as an active member of the Riverhead Fire Department serving on numerous committees.

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

Okay. I represent **District No. 2**, and the individual I have recognized is **Michael DeNicolo**. Michael DeNicolo of the Flanders Fire Department has been a dedicated and active firefighter. Michael joined the Fire Department in 1949, the year after it was founded. He is the longest serving member of the department. Mr. DeNicolo served as a Lieutenant and a Chaplain and went on to become Captain and served as Chief from 1963 to 1965. He served as Fire Commissioner from 1965 to 1992. Michael selflessly still gives of his time, knowledge and energy to the Flanders Fire Department. He is a man truly worthy of today's honor and the admiration and gratitude of Suffolk County.

**P.O. GREGORY:**

From **Legislator Browning's district, Karen Lambert**. Karen Lambert has been an EMS Shirley volunteer for many years. At this time, Karen has been battling cancer, and even through this battle, Karen never falters from her dedication as an EMS volunteer. She works tirelessly with her

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fellow EMS brothers and sisters, and always with a positive outlook.

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

Okay, Legislator Muratore has recognized Robert McConville. Legislator Muratore would like to honor Robert McConville as the volunteer of the year. Robert is an active member of the Selden Fire Department since 1982. Robert was previously a member of the St. James Fire Department from 1968 to 1981. He's a past President of the SC Volunteer Firemen's Association and past President of the Southern New York Volunteer Firemen's Association. He currently serves as Captain of Dixon engine Company No. 3, is a New York State Emergency Medical Technician. Most recently, Robert was elected by his peers as the President of the Firemen's Association of the State of New York, and he is the first President to come from the great Town of Brookhaven.

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

Legislator Anker recognizes Terrence McCormick. Terrence McCormick, currently the Chief of the Rocky Point Fire Department, has served as a member for 39 years. He is currently the Chief in charge of the Rocky Point Fire Department Community 9/11 Memorial Project. Terrence is a retired Police Officer of the NYPD and he is a 30-year member of the Friends of St. Patrick. He is a lifelong resident of Shoreham, married to Vickie for 32 years and has two sons, Ryan and Sean, who are also members of the Rocky Point Fire Department.

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

Legislator Calarco is honoring John Rocco. John Rocco is from the Patchogue Ambulance Company and he's been serving the Greater Patchogue community for years. John has been a member of the company since 1973 and has been President and Chief Driver. He is currently Chairman of the Board.

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

Okay. Legislator Lindsay recognizes Chris Heinssen. Chris joined the department in 1988 and was assigned to Sunvet Engine Company 127. In that company, he matured into an aggressive and knowledgeable Firefighter/Emergency Medical Technician, eventually rising to the ranks of Lieutenant and Captain. Chris was elected to the Chief's Office as a 2nd Assistant Chief in 2000 and rose through the ranks to become Chief of the Department. As Chief, Chris emphasized the need for current and aggressive Fire and EMS training. After serving as the Chief, Chris went back to the rank of Lieutenant and Captain of the Sunvet Engine Company 127 and was installed as the 2nd Assistant Chief in January 2, 2012.

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

Legislator Martinez is honoring Ray Mayo. Ray Mayo is a member of the Brentwood Legion Ambulance for 19 years and has served as a Board of Director and Captain for six years. He is an active EMT Driver with countless CPR saves over the years. He built the first computer room for the agency incorporating backup systems, security upgrades and CCTV and secures grants for the Corps on a frequent basis. Ray continually recruits new EMT volunteers in the 9th Legislative District.

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

Legislator Cilmj recognizes Christopher Hirsch. Mr. Hirsch is a member of the Hauppauge Fire Department and has been a member since 1954. He is the owner of Hirsch Fuel and is currently a Commissioner for the Hauppauge Fire District and President of the Hauppauge Fire Department Benevolent Association. He was made Honorary Chief earlier this year in honor of his 60 years of service to the department and his community.

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

Legislator Kennedy is honoring Patricia Colombraro. Patricia Colombraro has been a member of the Nesconset Fire Department since 1981 and became the first female to join the ranks of the

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department. For the past 31 years, Patricia has been in charge of fire prevention and education through the Nesconset Fire Department as a cardiopulmonary resuscitation instructor and has certified an enormous amount of civilians in CPR. Patricia runs a popular babysitter safety course. In addition, Patricia is still actively involved in fighting fires and responding to EMS emergencies and she has helped organize a successful bone marrow drive for a local boy and a fund-raiser concert for another boy. She serves her community well.

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

Legislator Trotta chooses to recognize Andrea Fagan. Mr. Fagan joined the Kings Park Fire Department in 2008 and is a member of Company 5.

### **LEG. TROTTA:**

Andrea.

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

Andrea, excuse me. She became a New York State Certified EMT in 2009, and in 2011 received her EMT Critical Care Certificate. Andrea is currently Captain of Company 5 and was the Lieutenant in 2012 and '13, and in 2013 she responded to 586 ambulance and 131 fire calls. This year she was on medical leave for three months and was still able to respond to 184 ambulances and 30 fire calls. She received EMT of the Year for Kings Park at the Department's Installation Dinner in 2014.

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

Legislator McCaffrey is honoring Joseph Tusa. Joseph Tusa is of the West Babylon Fire Department. He is a Lieutenant in a rescue company who responds to a higher percentage of calls than any other member of the department. He actively recruits new members and helps retain current members. He spends a lot of time helping volunteers train to pass the necessary tests. Joseph goes above and beyond his duties and is a credit to the West Babylon Fire Department and the entire West Babylon community.

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

Okay, in the 15th Legislative District, I choose to recognize Frank Schivone. I'm proud to announce Frank Schivone from the East Farmingdale Fire Department as my nominee for the Volunteer Firefighter of the Year from the 15th Legislative District. I'm honoring him for his commitment to excellent in training, mentoring and education in the fire service. Frank has been a member of the department for five years and his dedication to counseling and guidance of new members is truly worthy of recognition.

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

Legislator Stern is honoring Dean Schneckenburger. Legislator -- Dean Schneckenburger is of the Commack Fire Department and Volunteer Firefighter of the Year from the 16th Legislative District. Dean has been a volunteer firefighter for ten years and serves with great commitment, valor, bravery and dedication. He has responded to hundreds of calls and exemplifies what our volunteer firefighters and EMTs personify. He has served as department secretary, runs the entire fund-raising operation and assists in the day-to-day operations.

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

Legislator D'Amaro chooses to recognize Thomas O'Leary. Legislator D'Amaro is proud to select Thomas O'Leary from the Huntington Community First Aid Squad as EMS Worker of the Year for Legislative District 17. Thomas joined the squad in 2007 and quickly passed the required course in first aid and CPR, and then passing his dispatch training and ambulance orientation. He became a Certified EMT in 2008. He has completed the CEVO3 Ambulance Training Course and earned the Emergency Vehicle Operation Certification. Currently he serves on the Board of Directors assisting in the daily operations of the squad, and he has been instrumental in the critical function of

recruiting and retaining members.

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

Lastly, Legislator Spencer is honoring Ryan Sammis. He is of the Halesite Fire Department and he is getting the recognition award. On May 19th, 2014, Ryan saved the life of a man whose SUV accidentally went into Huntington Harbor. Ryan, in his street clothes and without any thought for his own well-being, immediately dove into 50 degree water to save the man who had dislodged himself; however, the man was in shock. Unable to determine if the man in there -- if there were any other passengers in the vehicle, Ryan dove back into the water a second time to see for himself; fortunately, no other people were occupying the vehicle. After the incident was over, Ryan was taken to Huntington Hospital where he was treated for exposure to cold water.

**P.O. GREGORY:**

Let's please give all these volunteers recognition.

***Applause***

Now we will recognize Legislator Browning who will present a proclamation.

**LEG. BROWNING:**

My apologies, we were waiting for one officer. I have here today Police Officer John Klein, Sergeant Ryan Sefton and Sergeant Christopher Prokesch. And I'd like to introduce you to them because they were nominated by Governor Cuomo this year for the 2014 New York State Police Officers of the Year Award. And the reason they received it was on the evening of June 28, 2013, officers responded to a 911 call of reported shots fired on Carleton Avenue in Carleton -- sorry, Carleton Drive East in Shirley.

After speaking with neighbors, officers attempted to peer into the windows and knocked on the back door identifying themselves as police officers. The resident emerged from the home with shotgun and open fire on the officers. Police Officer Klein, I know he's in the middle, Police Officer Klein was hit with gunfire and, lucky enough, only hit his holster, which I shouldn't say only; thank God for your holster. Sergeant Prokesch told the officers to take cover, conducted a head count, led an evacuation of the neighbors and set up a perimeter. Ten rounds were fired through the front door, Sergeant Prokesch and Sergeant Sefton. The face-off led to a ten-minute stand off that ended with the death of the gunman. All three officers went above and beyond demonstrating exceptional valor and service to the people of Suffolk County and are true heroes. So I'd like to say a special thank you and congratulations on their honor. And again, I have to say, 7th Precinct, I can never say enough about the 7th Precinct and the hard work that they do for my constituents. So again, I have proclamations from all 18 Legislators to say congratulations and thank you.

And, you know, one thing I have to say when Police Officers go out. And I'm sure Rob and Tom, having been Police Officers, you know that probably the most dangerous things that you do as Police Officers is car stops and domestic violence calls. So, you know, people just don't always realize when we hear the things that are being said about Police Officers at times and the negative comments, you know, you don't know what you're going to face every day that you walk out that door and what your family might hear when you get home. So again, I can't say enough thank-yous and congratulations for your heroism.

***Applause & Standing Ovation***

***(Photograph Taken)***

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**P.O. GREGORY:**

Also, I have an announcement that at 2pm today, Legislator Stern's Office has arranged for a presentation on veteran culture given by Roger Leathers who is the Outreach Coordinator for Supportive Services for Veteran Families. This presentation will go over proper military terms Legislators and their staff members should be using when discussing veteran issues and challenges such as deployment, financial burdens, marital issues and mental health. Everyone is invited to attend.

At this point, we're going to take Procedural Motion No. 27 out of order. I make a motion.

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

Second.

**P.O. GREGORY:**

Second by Legislator Schneiderman.

With the retirement of my Chief of Staff, Terry Pearsall, I selected Lora Gellerstein to become my Chief of Staff who was the Deputy, Chief Deputy Clerk of the Legislature. So that created a vacancy, so I put forth the name of Jason Richberg as her replacement to be appointed as Chief Deputy Clerk, and that is the purpose of the resolution. So ***Procedural Resolution No. 27(-2014), To appoint Chief Deputy Clerk of the County Legislature (Jason Richberg) (Presiding Officer Gregory).***

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

Take it out of order first.

**P.O. GREGORY:**

To take out of order. We have a motion, we have a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay, the motion is before us. I make a motion to approve.

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

Second.

**P.O. GREGORY:**

Second by Legislator Schneiderman. Any discussion? Okay. All in favor? Opposed? Abstention?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Congratulations.

***Applause***

***Oath of Office Administered to  
Jason Richberg, Chief Deputy Clerk  
Suffolk County Legislature.***

***(Photograph Taken)***

***Applause***

Okay. Next on our agenda, we have **Statements and Presentations of Village, Town, State or Federal Elected Officials**. It's my understanding that we have Supervisor Cantwell in the audience who would like to make a statement.

**SUPERVISOR CANTWELL:**

Thank you for the opportunity to be with you today.

**P.O. GREGORY:**

Good morning, Supervisor.

**SUPERVISOR CANTWELL:**

This winter, the Army Corps of Engineers is to begin a critical emergency erosion protection project in downtown Montauk, providing a geo-textile reinforced sand dune and beach replenishment. It's an \$8 million project. It's 100% Federally funded, but its local sponsorship needs to be decided.

On your agenda today is an intermunicipal agreement between the Town of East Hampton and Suffolk County as presented by the County Executive's Office. This agreement will support the Town's acceptance and responsibility as the local sponsor for this project and provide that the Town and the County become 50/50 partners for the maintenance of the project for a limited period of time. I urge your support for this agreement based on Montauk's economic and financial importance to the County, the basic issue of fairness on a County-wide basis and what is expected to be a limited duration commitment on your part.

Downtown Montauk is an economic and financial engine. It has hundreds of millions of dollars in businesses. Many of them are Mom and Pop operations, they generate tens of millions of dollars in sales tax and motel and hotel tax revenue to the County. In addition to creating thousands of jobs, Montauk is a tourism icon for the entire State of New York and it's the home to major Suffolk County improvements in parks and in facilities. However, it's vulnerable. And as you are -- as you all know, the Fire Island project is about a \$200 million project and just as important. And in that case, the County of Suffolk is going to be the local sponsor. You're going to assume the responsibility for the administration, for the indemnification, for the ongoing maintenance, and for many other administrative end costs for the Fire Island project. In our case, we're willing to accept those local sponsorship agreements and responsibilities and costs, but we would like to have you as a partner at least for the ongoing maintenance of the Montauk project over a period of time.

The good news is that's likely to be a relatively short duration, because when the Fire Island to Montauk Point project begins, probably in 2017 -- and that, by the way -- that project, by the way, is already funded by Congress, the funds have been appropriated and it's about an \$800 million project along the south shore. When that project is completed, there will be new sponsorship agreements and at that point the Army Corps of Engineers will become a 60% partner in the ongoing maintenance for any of the projects that are the result of FIMP.

So I'm here to -- and just one other point that I'd like to make. Timing is important here. This project is scheduled to begin this winter. There are specific deadlines that the Army Corps and the State have set forth here. This local sponsorship decision has to be made. I'm hoping you will support the IMA so that this project can begin this winter before next summer's season. This project cannot be under construction along the beaches in Montauk during the summer season. So timing is really critical and I would hope that you will support this IMA today. That you very much.

**P.O. GREGORY:**

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Thank you, Supervisor. Will you be present later today when we debate the bill?

**SUPERVISOR CANTWELL:**

Yes, I will.

**P.O. GREGORY:**

Okay, great.

**SUPERVISOR CANTWELL:**

If you have any questions, I'd be happy to answer them then.

**P.O. GREGORY:**

All right. Anybody have any questions?

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

We can save it till we debate the bill.

**SUPERVISOR CANTWELL:**

Thank you.

**MR. NOLAN:**

It's not public portion.

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

When we're done with -- I would say take it out of order now, but I do know there's several speakers here today who want to be heard prior to us voting. So I would say we can take it out of order when public portion is done, and that will allow the Supervisor to be able to be here. I think he's available until around noon, so if we could take it before noon, that would be helpful.

**P.O. GREGORY:**

Okay. All right. Thank you, Mr. Supervisor.

**SUPERVISOR CANTWELL:**

Thank you.

**P.O. GREGORY:**

Okay. We're going to go to -- is there any other elected officials, village officials, town officials? No? Okay.

We're going to go to the **Public Portion**. We have many cards, first being Colleen Merlo. You have three minutes.

**MS. MERLO:**

Good morning. Thank you. My name is Colleen Merlo and I am the Executive Director of the Suffolk County Coalition Against Domestic Violence. I represent my organization and the hundreds of survivors of domestic violence that we shelter every year. I am speaking today to express our support of the reestablishment of the Save Pet and Family Program, Resolution No. 1655.

Since 1976, our Safe Harbor Shelter has been a safe haven for victims of domestic violence and their children within the County. As you are aware, domestic violence takes on many forms, and quite often the family pet is in grave danger. Pets are often used as a means of power and coercion in domestic violence situations, and sadly our organization has seen victims' beloved pets gravely

injured and even killed by the partner when the person is seeking safe shelter.

Without an adequate plan for the family pet, victims of domestic violence are often reluctant to seek shelter. Research clearly shows that offenders of domestic violence often have a pattern of abuse involving all members of the household, including pets. When victims of domestic violence seek to escape their abusive homes, they have to consider options for themselves, their kids and their family pets. Unfortunately, many shelters do not have means to take in animals and many victims are left facing the difficult decision to either leave the pet behind or remain in an abusive environment.

Equally disturbing, animals that are left behind face escalating violence, as I have indicated, has been our experience at the Suffolk County Coalition Against Domestic Violence. The Safe Pets and Family Programs will help alleviate this concern, as it will provide viable, safe, temporary housing at no cost to the County for the pet while the victim resides in a domestic violence shelter. The program proved to be an invaluable resource to us in the past. And while we have at times been successful in placing pets in Safe House after the program ended, having Safe Pets and Family Programs inactive once again will make accessing needed services swifter and less cumbersome when time and safety concerns are of the utmost importance. I thank Jay Schneiderman for his leadership on this issue and the entire Legislature for their attention to this very important resolution. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you. We have Patricia Wood; and on deck, Bob DeLuca.

**MS. WOOD:**

Thank you very much. My name is Patricia Wood. I'm a visiting scholar at Adelphi University. I'm teaching in the School of Nursing and Public Health. I'm also the Executive Director of Grassroots Environmental Education which is a science-based environmental health non-profit with a mission to inform the public about the health risks of common environmental exposures. We strive to accomplish this using science-driven arguments for clean air, clean water and a safe food supply, and for stricter regulation of chemical toxins. I'm here to speak briefly about Resolution 1394 which is a Local Law to warn consumers of the dangers of liquid nicotine.

E-cigarettes were created in China in 2004, also called electronic nicotine delivery systems or personal vaporizers. They are battery-powered vaporizers which stimulate or simulate tobacco smoking by producing an aerosol that resembles smoke. A heating element vaporizes a liquid solution known as e-liquid or liquid nicotine that is poured into a refill cartridge. Liquid nicotine typically contains a mixture of nicotine, propylene glycol, vegetable glycerine and chemical flavorings. If the vaporizer is actually heated to a high enough temperature, toxic carbonyls can form from the liquid nicotine. The carbonyls include formaldehyde, acetaldehyde, acetone and butanol. Propylene glycol-based liquid nicotine solutions generate higher levels of carbonyls. Formaldehyde levels have been detected in the range seen in regular tobacco smoke.

In an article published in EHP, which is Environmental Health Perspectives, the Journal of the National Institutes of Environmental Health Sciences, it was noted that at this point physicians are most concerned about acute nicotine toxicity from accidental ingestion or skin absorption of liquid nicotine, causing symptoms of agitation, rapid heart beat, seizures, nausea and vomiting. A case report reported by EHP of nicotine poisoning in an infant calls on doctors to educate parents about the hazard posed to children by liquid nicotine solutions. They point out that liquid nicotine used at a strength used in some refill cartridges can be lethal if ingested.

In 2009, about two years after e-cigarettes reached the US, the Food & Drug Administration tried to

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ban them as unapproved drug device combination products. But the manufacturers, the industry, filed suit and the courts overturned the ban. This past April the FDA reclassified e-cigarettes as tobacco products since the nicotine in them is derived from the tobacco plant. They also proposed regulations including restrictions on sales to minors and the addition of health warnings on packaging. Health advocates say those regulations don't go far enough and are calling for restrictions on advertising and marketing and the banning of candy-like flavors that critics say are clearly aimed at adolescents. Such flavorings such as gummy bears, cotton candy and bubble gum are not intended for your average adult user. USDA also says the perceived safety of vaping, the term used for this habit, could lead to more young people to take up e-cigarettes and get them addicted to nicotine.

The Centers for Disease Control also recently reported that 260,000 middle and high school children had tried e-cigarettes in 2013, which represents a three-fold increase from just two years earlier. And the Journal of the American Medical Association of Pediatrics reported that youths who tried e-cigarettes were six times more likely to take up smoking than those who didn't. They also noted that nicotine is highly toxic and there is increasing evidence of its adverse effects on developing brains.

This proposed legislation brought before you to require labeling of liquid nicotine refills and point of purchase warning signs, which is proposed by Legislator Anker, is an excellent opportunity for local governments to protect the health of its most vulnerable citizens long before the slow moving wheels of regulation turn in Washington. Thank you.

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

Thank you, Ms. Wood.

### ***Applause***

Bob DeLuca; and on deck, Dick Amper.

### **MR. DELUCA:**

Good morning, Presiding Officer Gregory 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 morning to express our opposition to the passage of IR 1830, the pipeline debt bill.

To be clear, we have no quarrel with the County's desire to close out open Capital Budget lines for completed, reimbursable or formerly terminated projects, and to repay any debt linked to existing cash balances or bonding authorizations that are no longer necessary. Our opposition lives in the bill's proposed elimination of \$30 million in land protection authorization, a full 40% of the bill's total authorization cuts, from the County's legacy and Multi-faceted Land Protection Programs.

As the Legislature's well aware, these land protection authorizations reflect long-standing and substantive policy commitments and years of direct engagement by the Legislature in implementing the County's renowned Land Preservation Program. Such authorizations differ markedly from traditional departmental capital budget items such as road improvement or heavy equipment purchases or building renovations. As the Legislature is aware, land protection funds are only obligated in response to final commitments by the County, and in the end they're completely voluntary.

It's also important to keep in mind that such land protection opportunities are also sporadic in nature and each potential purchase is subject to many layers of public and departmental scrutiny and input before ever being obligated. This system of real-time assessment assures that each and every land protection investment is fully open to public input, debate and financial conditions at the

time of bonding obligation.

At a time when the County has recognized the critical need for water quality restoration protection and investment and promoted the need for diverse strategies including land protection to confront this challenge, the proposal to eliminate existing authorizations for some \$30 million in future land preservation funding should be inconceivable to anyone who understands the critical and cost effective need that land protection plays in the preservation and restoration of water quality.

Finally, we understand that some have argued that proposed cuts to land protection authorizations should be acceptable because of assurances that there will be forthcoming funding in authorizations to the Drinking Water Protection Program. This position's inaccurate for the very reason that any funding increases in the Drinking Water Protection Program can only happen with the approval of the electorate; they are not guaranteed by the Legislature. At this time, there is no approved resolution where the Legislature can assure repayment of the Drinking Water Protection Fund if the ballot referendum does not succeed. IR 1746 seeks to address this issue, but it remains tabled and inactive before the Legislature.

In closing, we suggest that at a minimum the Legislature table IR 1830 and reconsider the importance of including existing land preservation authorizations as part of its overall pipeline debt legislation. If that cannot be achieved, we strongly urge you to vote no on IR 1830. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you, Bob. On deck, Dick Amper, and then Councilwoman Trish Bergen.

**MR. AMPER:**

My name is Richard Amper, I'm Executive Director of the Long Island Pine Barrens Society. I'm here to speak in favor of IR 1746. We support this measure because what it would do, as you well know, is authorize the County Executive to sign the stipulation that we have worked so hard with you and with Presiding Officer and with the County Executive staff to put past differences behind us and make certain that we are moving constructively, not just talking about doing something about clean water but doing something about it. It is important for all of you to understand that the cleanest water on Long Island is beneath the Pine Barrens because this Legislature, over an extended period of time, took due care to protect that resource, if we were doing more that would be fine.

There are others who have said that, *Well, somehow or other this proposition would harm sewers*, and that's not the truth. The fact of the matter is very, very simply that what we put into the ground goes into our water, individual septic systems are a problem. But the fact is there are three separate components of the Drinking Water Protection Program, so supporting land preservation does not detract from the money set aside for sewers. We need to do both. We're all trying to solve the same problem; it's water and it's open space.

I brought a photograph for all of you, but particularly Mr. Krupski. This is a photograph. Most of you are not as old as I am, you may not recognize the characters here, but this is Presiding Officer at the time -- County Executive at the time John V.N. Klein and he signed the first land preservation deal that this Legislature ever entered with a family, a farm family named Talmage. Mr. Krupski, in his defense, was in elementary school at the time and he cannot either be blamed for any shortcomings thereafter or receive any credit for having gotten a thing done. But in all fairness, we've been doing a good job, this Legislature and many administrations have been doing a good job. And so we hope that you will move 1746. It's been tabled a couple of times and we think that it would be very, very important for you to move that along so we can get some of our past

differences behind us.

You also have 1830 to which Mr. DeLuca referred. That's a problem because it's very, very significant to us that we not take away money from open space even as you're restoring it. If it's good to do, we should do it. This bill that is being proposed that suggests that we're doing better economically, I think we are doing better economically, but I think that we're sort of hurting ourselves when we also run the risk of the public deciding that they're being asked to vote to promote more money for the Drinking Water Protection Program, and at the same time that same amount of money is being taken away from these programs. Hasn't been active but should be. Legislator Hahn has said repeatedly, we can't just depend on one pool of money, we need all. We shouldn't be taking money from one place at the very time that we are telling the voters that we're prepared to give them more for something as important as water protection.

So we're suggesting that everybody support proposal 5, that we alter or defeat 1830. Your bond agencies don't need that extra money that is in there to suggest that you're doing a good job restricting expenditures. So yes to 1746, no to 1830. Thank you.

**P.O. GREGORY:**

Thank you.

*Applause*

Councilwoman?

**COUNCILWOMAN BERGEN:**

Hello, and thank you very much for having me here today. My name is Trish Bergen, I'm a Councilwoman in the Town of Islip. I'm here today to ask you to please reconsider your distribution of funding as it pertains to the Ronkonkoma Hub and the infrastructure around it. It seems to me that the lion's share of funding is going to the Town of Brookhaven and none of the funding is going to the Town of Islip.

The folks who are going to access the Ronkonkoma Hub project on the development there are not just coming in by way of Brookhaven streets, they're also coming in by way of Islip streets. And so please, for the consideration of the people who live in and around Ronkonkoma, kindly consider possibly splitting the money in half, giving half to Brookhaven and half to Islip. I think that would only be fair for the residents of Islip. Thank you.

*Applause*

**P.O. GREGORY:**

Thank you, Councilwoman. If I may take a point of personal privilege. We have two students who have to get back to class, I'm going to ask them to come forward because I think it's important that we encourage our young people to be a part of the process. So if we can have Julie Heittleband and Jane Fasullo.

**MS. HEITTELEBAND:**

My name is Julie Heittleband and I am here advocating on behalf of Suffolk County Community College as per the two resolutions they were trying to have passed. I actually am a student primarily in the Brentwood campus, but due to scheduling issues I've actually been forced to take some classes in the Selden campus. The Selden campus actually has a lot of traffic during the day that makes parking quite difficult at times to find, so I've actually found myself leaving an extra hour, a half-hour to an hour earlier than I would normally have to if I was going to the other campus. Many of the parking lots are actually full by the time that we reach -- by the time that I

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get to campus.

Also, there are many parking lots that have dead-ends to them, so if you drive into that parking lot looking for a space, you actually have to do a series of tight maneuvers to come out of those parking lots and then you actually -- you have to be really careful coming out of those because you have a lot of people coming and flying into those parking lots thinking that they're going to get a spot that you left but there really isn't a spot. So there is a lot of parking that really needs to be added to that campus. I've also been informed that the enrollment on the Ammerman campus is a lot higher than it has been in previous years, and also compared to the other campuses, there's not as many.

The traffic circle also that they're trying to have constructed on our campus I think would be very beneficial because of the fact that a lot of our drivers on campus are between the ages of like 17 and 21 at the more busy times of the day. And a lot of them, they're inexperienced, they're not really sure like who has the right-of-way, they're still learning, they're still getting used to it; I know I was when I had a class when I was that age. And I feel like that would actually speed things up a little bit and help get people to where they have to be on campus, help them get off campus. I actually waited on a long line for about 20 minutes getting out in that intersection over there because like some people were trying to either make a left out of there or some people were trying to make a right and some of them weren't using their signals, so it's like you don't know which way they're turning, if they're coming straight, if they're coming at you. I've actually witnessed a lot of like near-miss accidents in that corner and I think a traffic circle would help reduce the problems that occur at that intersection.

I've also experienced on other entrances of the campus, there's like parking fields 4 and 5 that's actually near the area that they're adding the traffic circle into, there's a lot of people coming out of that parking lot, so that's a little bit of overflow.

*(Beeper sounded)*

Is that my -- yeah. Right?

**P.O. GREGORY:**

Okay. Can you just wrap up, Julie?

**MS. HEITTLBAND:**

I'm good.

**P.O. GREGORY:**

Okay.

*(\*Laughter\*)*

All right. You're good, I'm good.

***Applause***

**MS. FASULLO:**

Good morning, Ladies and Gentlemen. I would like to introduce myself. I am Jill Franke, I live in Southold, I'm the wife of a New York City Fireman, we have two teenage children. I lost my job in 2010. I only had a high school diploma, I found it next to impossible to obtain a decent paying employment. I decided that I would pursue my life dream of going to college to become a paralegal and possibly an attorney. I found that Suffolk County Community College was the best college; I would receive the best quality education, close to home and offered many opportunities to obtain a

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scholarship to reach my goals.

It's very gratifying to know that so many students go to Suffolk and attend the Ammerman campus, however it's nearly impossible to park. I did not realize that such a wonderful college would have terrible parking problems and dangerous intersections. I studied at the Ammerman campus where most of the legal classes are held and I found myself so stressed out before I got to the classroom due to parking and intersection problems that I could barely focus. I found that I had to arrive at college approximately 45 minutes early prior to class to find a parking space. Almost every time when you drive down an aisle to park it's full and you cannot park there. Then there's no exit, so you have to practically do like a ten-point turn to get out of the parking lot, and then you find yourself sitting another five to 20 minutes waiting to exit to try to get into another parking lot, and sometimes students park on the grass because there are no parking areas.

The conditions are even worse during the winter months. I have had my husband drive me to college on his days off and drop me off as close to the building as he could get. He goes shopping and comes back for me. One time in a storm he had to drop me off in the furthest parking lot, it took me 15 minutes to walk from that parking lot to the building and then I had missed my class. When I came back out from the parking lot, I found him shoveling and pushing cars. I don't think it's unreasonable for students to expect to be safe and have reasonable parking.

In regards to the intersection, I have sat at the main intersection wasting time and being in numerous near-miss accidents. Students -- studies indicate that the traffic circles are positive, they force the traffic to slow down, be courteous, and they also help facilitate the ease of movement. They also prevent people from doing u-turns and would take away a lot of near misses and, God forbid, a fatality.

Recently they built a new science building which will add to the enrollment at this wonderful institution, but it also adds to the congestion of traffic and even more parking issues. The money is already committed by the State and I feel that it should also be committed by the County to allow for the possible life-saving improvements of the traffic circle and the stress-relieving parking issues. So I'm asking that you please take this seriously when you vote, and I would also like to take the opportunity to thank you all for your time.

### ***Applause***

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

Thank you. John Ryan; and then on deck, Kevin McAllister.

#### **MR. RYAN:**

Good morning. Thank you. My name is John Ryan. I have 65 years as an ocean lifeguard, a lifeguard trainer, and I'm here to talk about water safety.

I am a director and founder, along with my son John who is the Chief of Lifeguards for the Town of East Hampton, of the Hampton Lifeguard Association which is an advocate for water safety. In the following areas we've created, with the cooperation of the town and village, five very, very unique and ambitious programs. Our East Hampton Lifeguard Training Program presently trains over 300 lifeguards, we have trained about a hundred a year, both ocean, still water and pool positions. We have an East Hampton Junior Lifeguard Program that trains every year, about 300 in our summer program. We spent four months of Sundays in April, May, June and July challenging these kids to become good swimmers, because you don't teach swimming in the ocean, you teach -- you need good swimmers, so we go to our Y pool and we train them to be in our program and then we bring

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them to the -- ages 9 through 15, we bring them to the ocean and we make them ocean safe.

We have an Ocean Rescue Program, volunteers, 80+ certified ocean lifeguards that are 24/7 throughout the whole year protecting our unprotected beaches. We have 26 miles of ocean beach in the Town of East Hampton with -- you know, about ten town and village protected beaches and three other protected beaches. And my concern is that lack of -- we have many, many swimmers that cannot get to protected beaches. And I have here John McGeehan, Assistant Chief of Lifeguards for the Town of East Hampton who will talk about the specific problem of that, but I'll just go on and explain. I'll just mention that our Y is the heart of our YMCA, it has a 50-meter -- a 25-meter pool. It's the heart of our training program.

I'll make this explanation. At a pool you could put a fence around it, you could allow no one under the age of 18 in there and the kids are relatively safe under those circumstances; at the ocean you can't do that. There are many, many beach-goers, and especially the kids that swim in our wonderful, wonderful, pristine ocean which is cold and rough, but their parents who bring their kids, and those kids must challenge that environment, they must go in the water, they must learn how to deal with it. Parents cannot, cannot protect their children, all right? And I thank you for your attention. And I'm proud of what I do, but I am concerned about the water safety on the south fork of Long Island. Thank you.

### *Applause*

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

Thank you, Mr. Ryan.

#### **MR. RYAN:**

Oh, one more point. A lovely lady named Magdelaina Schneiderman just became a wonderful certified ocean lifeguard and is working with us. And thanks to Jay for a good kid, and I've never met a bad lifeguard, but that's because we get good kids.

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

All right. Thank you, sir. All right. Kevin McAllister; and then on deck, John McGeehan.

#### **MR. McCALLISTER:**

Good morning. My name's Kevin McAllister, I serve as President of Defend H2O, a non-profit organization dedicated to clean water and healthy shorelines.

I'm here to speak about the Montauk Stabilization Project. But before I get into some of the details, I'd like to provide my credentials. I'm a marine scientist by training with nearly 30 years of professional experience in coastal zone management. And I think specific to this subject at hand, a great deal of experience in South Florida working on beach nourishment and dune restoration projects in a very large scale.

I am here to urge you not to enter into the intermunicipal agreement with the Town of East Hampton. This project as formatted and specified, ultimately 3100 linear feet of what is was being represented as dune restoration or reinforced dune. The real problem here is the material that's internal to this structure, internal to the sand which is the geo-textile material, over 4,000 bags weighing in at 1.7 tons, that's enormous. This is shoreline hardening and that is fact, and the science certainly demonstrates that.

There is no difference here than a vertical seawall, rock revetment, bulk heads; they all have the same impacts over time and that is reflection of wave energy that will cause the loss and gradual erosion, in some cases very drastic, sudden erosion of the near shore. Mr. Cantwell eloquently spoke about the need for the project, but he represented the economic engine, I guess, relative to

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the businesses. And I'm here to speak about the beaches and what they mean for obviously Long Island's economy in general.

This is substantial. The bags themselves will unravel quite quickly. All we need is one or two storm events and the wave energy will, in fact, uncover these bags, and I'd argue it's just a small veneer of sand over the top. We will lose the fronting beach, that will happen with certainty; how soon that happens remains to be seen.

The maintenance obligations, the Corps is requiring to maintain that veneer of sand over the top. This is going to be quite costly, I believe, as well as a maintenance headache. And again, over time -- you know, and I encourage the Town of East Hampton and Long Island communities in general. This sets a very poor precedent, very dangerous. And in fact, that we move into a direction of coastal armory, armoring in the long term will be our downfall to our natural shorelines and Long Island's economy as it relates to ocean beaches.

So I strongly encourage Suffolk County, as I watch relative to FIMS project and some of the actions relative to the heels of Sandy, that we start to be thinking seriously about retreat, that is the prudent thing to do. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you. Okay, John McGeehan; and then on deck, Reverend Coverdale.

**MR. McGEEHAN:**

I have copies of my presentation. May I give them to --

**P.O. GREGORY:**

Sure, just hand it over to the Clerk.

**MR. McGEEHAN:**

Thank you. Unfortunately, I only made 13. But if they get around to a few folks and you can copy them, they might make it a little bit easier to follow. Am I am on running time?

**P.O. GREGORY:**

You're running.

**MR. McGEEHAN:**

All right. It seems to be a theme here, business and beaches, and I'm here to talk about actually both of them. My name is John McGeehan, I'm the Water Safety Chairman of the Hampton Lifeguards Association, which and John and Ryan identified a moment ago. And the specific issue I bring to your attention is in Montauk, and that is ocean-side businesses, specifically motels directly on the ocean, not being required to provide water safety.

For those of you that do get this, my list of exhibits right there, you'll notice on the very last page, there is a photograph taken this summer of the ocean beaches in Montauk along what we call motel row. Interestingly enough, in Montauk, the Town of East Hampton has established two town beaches; one is at {Kirk} Park on the west side, the other being formerly known as Nicks or South Edison Beach to the east. But in between those beaches, there's a concentration of motels which run along the water front. These motels are directly on the ocean, have access to the ocean, have walkways to the ocean, provide lounge chairs out on the beaches. And pursuant to an agreement that was made in 1992 between the State Health Department and the Health Department of Suffolk County, in spite of existing law which stated -- and if you can bear with me for a moment, New York State regulations do state that, and I quote, "*When a bathing beach is part of a temporary*

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*residence, that being a motel or a campground, as defined in Part 7 of this title, the operator of that temporary residence must provide either Supervision I, that being a surf lifeguard; 2B or 4, aquatic supervision."* And it should also be noted that the New York State Department of Health Bathing Beach Safety Plan states that, and I quote, "*Supervision, Level I; Surf Lifeguards are required at all ocean surf beaches, designated beaches, including those associated with homeowner association and temporary residence*"; once again, that being defined in State Statute as a motel.

The agreement in 1992 that was made between the State of New York and Suffolk County indicated that they did not have to provide lifeguards, they could provide signage at the entrance to the beach. As my time goes short, let me just say, nearly 22 years ago Montauk, and I would say the entire East End, were an entirely different place. What we have right now is a concentration of people on the east end and, in particular, Montauk, which I believe Supervisor Cantwell referred to a moment ago as an icon of a resort. The concentration of people on those beaches pouring directly out of motels --

*(Beeper Sounded)*

-- charging premium prices for their rooms, providing access to the beach, and in some cases advertising the beach, contrary to State regulations, is presenting a situation that is a disaster waiting to happen.

**P.O. GREGORY:**

Sir, your time's expired.

**MR. McGEEHAN:**

May I just finish one sentence.

**P.O. GREGORY:**

Please, we have a lot of cards.

**MR. McGEEHAN:**

Town lifeguards are currently, from surrounding beaches, racing into these areas to pull people out of the water, depleting their resources at the beaches that they're legally responsible for and giving a false sense of security to the people along these beaches. It must be addressed, and whether this is through the County Health Department -- and I hope the Legislature, just for your information and education, is now aware of this problem. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you, sir. All right, Reverend Coverdale; and on deck, Patrick Young.

**REVEREND COVERDALE:**

I'm going to ask all those who are with me to stand at this time. I'm here on behalf of the Long Island Wins and the Long Island Jobs With Justice and the general faith community of Suffolk County. I'm here to speak for those who can't speak for themselves. I'm here to talk about the young immigrants who have come to Long Island for a temporary basis, who are not necessarily going to stay here, but need to be here until New York City and the Justice Department gives them their opportunity to present their case in court. These children are defenseless. They come from an area where violence has taken place. They come leaving their parents, not because they desire to leave their parents or their parents desire them to leave them, but they come for the preservation of the legacy of their family and life in general.

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This is a very serious situation, children fleeing harm. And somehow I would like to petition our County Legislature to do is not all individually become advocates themselves in the various districts they represent, but as a body speak to and address this situation to the overall State of Long Island. Children are important. We all claim to be children of God. I'm a clergyman, that means if National Geographic is right, we all dissent from the same mother to be here on Earth no matter what the shades of our complexions might be or the various cultures we represent. Therefore, children are an asset to all of us. They're the future, they are those who come under difficult circumstances.

I would hate America or our County to be looked upon in future history of adults that grow up of being a land that did not receive, accept or embrace those young children coming here under difficult circumstances. We need our Legislators to speak for the County in a unison kind of voice. Knowing that there's going to be people in different areas who are going to be operating out of a sense of fear and maybe some disheartedness about adult immigration issues; we're not addressing that. We're addressing youth, young people, from four, roughly, to 17 and we need this body to be a cheerleader squad for all those who cannot speak or stand for themselves. Jesus says, "*Suffer the little children that come on to us, for such is the kingdom of God.*" That biblical reference out of The New Testament was based on the fact that even his own disciples was keeping children back so only adults could speak and be seen as important in the community. {Navinskus} talks about the whole thing in the Jewish culture about entertaining strangers among you. We cannot afford not to entertain strangers, and certainly you're going to suffer the little children who come on to us for such is the kingdom of God.

### ***Applause***

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

Thank you, Reverend Coverdale. Patrick Young; and on deck, Maryann Sinclair Slutsky.

#### **MR. YOUNG:**

My name is Patrick Young, I'm the Program Director of the Central American Refugee Center, CARECEN in Brentwood. I'm also Special Professor of Immigration Law at Hofstra Law School and the Co-Director of the Immigration Clinic at Hofstra Law School. I'm also here to speak on the children.

The fact is we began seeing these children enter in larger numbers last year. CARECEN sent one of our staff members down to the border to interview the children. She spent ten weeks there under the auspices of the United Nations High Commissioner for Refugees and her findings were incorporated into a report that was released in June by the UNHCR, by the United Nations.

We also sent another staff member down there this summer to conduct similar interviews for two weeks with detained children. And what we wanted to know, which was a question that a lot of you have probably asked yourselves, why are they coming? They told our staff that they were coming because they had had imminent threats of violence against them, or that they themselves or family members had actually been targeted for violence and the violence was often of the most egregious sort; rape, murder, torture. Why has there been an upsurge in this? In recent years the drug cartels in Columbia have been pushed out of many years of Columbia and have moved to Central America. So essentially because of the United States' drug issue, outside drug cartels have moved into the area and enlisted what used to be street gangs into their services. Many, many children have fled the area, as we know, about 70,000 came to the United States in the last year.

Why are they coming to Long Island? You know, they're often referred to as unaccompanied children. But you should understand, they're not unaccompanied. They come to Long Island because Long Island has the fifth largest Central American community in the United States and they're coming here to be with their families. They're not being settled in shelters, they're being

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settled with their families here, with our fellow Long Islanders.

Suffolk County is the third largest recipient of these children of any County in the United States. However, the response in Suffolk County has been fairly tepid. In San Francisco, there's been an intergovernmental task force that's been established, \$1.2 million has been appropriated to help take care of the children. In New York City, Mayor DeBlasio and the City Council Speaker have worked together to create a \$1.9 million fund to work at integrating the children. And we don't want to talk about cities? Montgomery, Maryland, Montgomery County, Maryland -- which is equivalent to Suffolk County, it's a suburb of Washington -- has created an intergovernmental, intersectoral task force to put together services for the children.

*(Beeper Sounded)*

So we ask that Suffolk Legislators become advocates for the children because these are the children of your constituents, and we ask also that you speak out against hatred that exists in the communities. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you, Mr. Young. Mary Slutsky; and on deck, John Becker.

**MS. SLUTSKY:**

Good morning. My name is Maryann Sinclair Slutsky, Executive Director of Long Island Wins. Thank you for the opportunity to speak with you today.

Suffolk County has made remarkable strides in becoming a welcoming County for new Americans who have made Suffolk their home. From Suffolk now being the most language-accessible suburb in the country to the signing of historic amendments to the Human Rights Law and to the County's end to honoring ICE hold, Suffolk has turned the page to a new era of welcoming new Americans. The leadership and vision of these new policies will make a significant impact in building, trusting relationships with Suffolk's immigrant communities and will make Suffolk an even stronger and more viable County. It is important to show the same leadership now in welcoming newly arrived children from Central America who have come here seeking safety. America is still a country that the world looks to for compassion and rescue. As leaders of Suffolk County, it is important to remind your constituents that the moral compass of our nation resides right here in our own local communities. Being a welcoming community is consistent with our values as a nation, and that includes taking care of the welfare of all of the children in our communities.

As a local government, you as Legislators play an essential role in bringing our communities together to strengthen our ability to respond compassionately to these young children. Ninety percent of these children arriving here on Long Island are being reunited with their parents and family who already live here, right here in Suffolk County. The children were young, scared and need a trusted adult looking out their interests, whether as an interpreter, legal adequate or care provider. Non-profits and volunteers across Long Island are already stepping up to provide this help. We ask that Suffolk County Legislators do their part to support these efforts, as was as those of the faith community who are leading the call to help these children, and ask that you commit to treating the children with compassion and dignity.

Here are some suggestions that the County can consider instituting: Work with the legal community to set up a hotline for legal services; work with non-profits, like health care, education, mental health, legal advocates, non-profits that are providing services to offer whatever support you can;

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hold your own meetings on this issue to determine how you can be supportive so the solutions provided will work for all Suffolk County residents. Lashing out against these children violates our integrity as a nation and as people of faith. The solution does not lie in punishing the children but ensuring they receive the proper screening, protection and legal counsel that our laws demand. Thank you.

***Applause***

**P.O. GREGORY:**

Thank you. Okay, John Becker; and on deck, Artie Sanchez.

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

I'll make a motion to extend public portion.

**P.O. GREGORY:**

Second. Mr. Clerk, where are you.

**MR. LAUBE:**

Right here.

**P.O. GREGORY:**

Oh, there you are.

**MR. NOLAN:**

Did you catch the motion?

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

I made a motion to extend public portion.

**P.O. GREGORY:**

I seconded it.

**MR. LAUBE:**

Call the vote.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Trotta).*

**P.O. GREGORY:**

Okay. Mr. Becker?

**MR. BECKER:**

Good morning. First let me just say thank you for taking us out of order. Presiding Officer Gregory and members of the Legislature, my name is John Becker. As President of the Suffolk County Deputy Sheriffs PBA, we come before you today seeking your help. The members who I represent are beyond frustrated and would like to have a response to some very serious concerns.

Back in 2011, a Memorandum of Agreement between the DSPBA and the County of Suffolk was signed and our members agreed to defer \$4 million in retroactive pay in exchange for numerous job protections and to continue patrolling the Long Island Expressway and Sunrise Highway. However,

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effective upon ratification of the 2012 PBA contract, the Suffolk County Police Department resumed patrols on those highways which set in motion a very lengthy and costly court battle. The County did not return the \$4 million and to date has made no budgetary allocation to pay back that money. Instead, thousands and thousands of taxpayer dollars are spent litigating this agreement, which Judge Mayer has already ruled was a valid agreement. So the question remains why not simply negotiate the issue? When the appeals and the motions are settled and the case finally goes before an arbitrator, the cost to the County will no doubt be substantial.

Additionally, we are now approaching our fifth year with no contract, yet we see other unions enjoying the benefits of long-term deals and raises. My members do an outstanding job day-in and day-out --

***Applause***

-- and this is how they are treated by the County for which they serve.

***Applause***

We also see no plan for hiring new Deputy Sheriffs in the upcoming Police Academy. Our last hiring only allowed for two Deputy Sheriffs. And with a large number of retirees over the last two years, we see our numbers dwindling down. We need to make sure that there's a sufficient number of Deputy Sheriffs to perform the jobs so public safety isn't comprised.

In summary, I just want to thank all the Legislators who have taken the time to meet with me one-on-one to discuss the issues that we have going on. And in meeting with one of the Legislators, a statement was made and I think it's appropriate here. The DSPBA wants to send a message to the County and it's a four-letter word that starts with F, fair. That's all we ask for; treat us fairly, that's all we ask. Members of the Legislature, I thank you for your attention.

***Applause***

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

**P.O. GREGORY:**

All right. Artie Sanchez, and then on deck, Jay Levine.

**MR. SANCHEZ:**

Thank you. For the record, Arthur Sanchez, Recording Secretary to the Deputy Sheriff's Police Benevolent Association.

Good morning, Mr. Presiding Officer, and Honorable Members of the Suffolk County Legislature. I thank you for the opportunity to speak before you this morning.

First and foremost, I would like to recognize and thank all the members of the Deputy Sheriffs PBA, who perform their duty and service to our great County of Suffolk with the utmost professionalism, enthusiasm, and pride. We're always here to serve the residents of Suffolk with the utmost integrity and compassion, and we are always willing to work together alongside other lawyer enforcement agencies to provide continued public safety to the residents of this great County. We are just looking to be treated fairly, and with the same respect and dignity as other Police unions in our County.

While the other part of the Suffolk County P.D. contract had impacted our MOA negatively, we do

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not begrudge other union leaders who have settled contracts with the County, as they did their job in getting the best possible agreements for their members, and this is exactly what we need to do also. We need to be treated fairly, we deserve to be treated fairly.

In 2011, our members ratified an agreement with the County to defer half our entitled arbitrated salary increases in return for job security protections. How is it that on one hand the County can take part of our hard-earned pay, put it into the Operating Budget for the benefit of the County, and on the other hand just disregard our agreement? Our members perform all their duties with the utmost professionalism, including keeping two of Suffolk County's main roadways safe when we were assigned that task, so much so that our members received awards and honors from the International Association of Chiefs of Police and the New York State Sheriffs Office. One of our members was honored by the County Executive's Office, having the most DWI arrests in Suffolk County in a one-year period. We also have a Deputy who is a Drug recog -- recognition expert, excuse me, with the most evaluations in New York State in a one-year period. Yet, still, with these honors and the hard work and dedication of our members in all our commands, we were removed from the highways. Our Memorandum of Agreement with the County was violated, and our deferred salaries are still being held hostage and has not been returned.

With that being said, we implore you to make sure that the money we earned and are entitled to in the 2015 Operating Budget, which is payable at the end of 2015, we implore you to help us to make sure that it is in that budget. We need to see our retro pay in the 2015 Operating Budget. We have already met with some Legislators with reference to this matter and we appreciate your time and concern, and we look forward to meeting with all of you individually to discuss this further.

The DSPBA Board and its members will be at the public budget operating meetings and available to speak to this matter, although we are limited as to what we could say due to pending litigation, which has cost taxpayers, including myself and our members, who are taxpaying residents and constituents of this County and Legislature, upwards of \$100,000 and counting.

We thank you for your anticipated understanding and cooperation in this matter, and we look forward to addressing this further to see that our earned retro pay is accounted for and returned when it is due. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Artie. Mr. Levine, and then Rav Freidel.

**MR. LEVINE:**

Good morning. I'd like to speak with you for three minutes or less regarding selected financial and environmental topics related to the Army Corps of Engineers' Downtown Montauk Stabilization Project, as outlined for you earlier by Mr. Larry Cantwell. I'm going to be speaking from a letter that was written by Dr. Robert Young to the Army Corps of Engineers regarding this project. I'm going to be paraphrasing selected sections from it. And I have some copies, and I hope that additional copies can be made and distributed to the members of the group here. How do I get these copies into your hands?

**P.O. GREGORY:**

Give it to the Clerk right there, that would be fine.

**MR. LEVINE:**

Thank you. I'm going to read selected topics, sentences from Mr. -- Dr. Young's Letter. He's a coastal engineer, with over 25 years of experience, and extensive experience working on the

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beaches of Long Island. He's an academician, and a scientist, and a coastal engineer. He says in his letter, and I hope you'll take the time to read this, it's only three pages, he says that the project, as presented by the Army Corps, is ill-conceived. The berm will not last, and the geotextile tubes will be uncovered far before the design life of the project. This has significant financial implications for Suffolk County if you choose to enter into the agreement, as outlined by Mr. Cantwell, because you will be on the hook for a substantial portion of the maintenance costs that are anticipated by Dr. Young. He goes on further to say that the seawall is actually -- will actually cause a narrowing of the beach until it disappears through erosion, and there is a very high likelihood that the public beach will be lost.

As you consider the economic implications of the tourism business that Mr. Cantwell referenced earlier, please keep in mind that the tourists come to Montauk to a great extent because of the beaches.

Dr. Young goes on to say that in a significant storm, the bags will be scattered along the beach, buried further into the berm, and tossed landward. Removal of the debris could be quite difficult and have its own environmental consequences. He asks who will be responsible for the cleanup, and the answer is the Town of East Hampton and the County of Suffolk. Coastal storms have destroyed geotextile walls in other locations, leaving problematic messes.

I ask this body to please consider the financial implications of using tax revenue to finance an ongoing maintenance of a flawed design of highly questionable value to Montauk. Please avoid a financial and environmental mistake and do not enter into the Army Corps of Engineers' agreement with the Town of East Hampton. Thank you.

*(\*Applause\*)*

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

Thank you, sir. Rav Freidel, and then on deck, Deborah Rodriguez.

### **MR. FREIDEL:**

Thank you, everybody. Rav Freidel. I'm the Montauk representative on the Community Preservation Fund Committee for the Town of East Hampton. I've been on that committee since 1999. I've been reappointed by both Democratic and Republican Town Boards of East Hampton.

This project in downtown Montauk is not preservation, it's about protecting a couple of motels. One of the motel owners said to me he has \$75 million worth of property in Montauk. Let's mourn this guy's plate, he only has 75 million bucks. He wants money to protect his motel. He built on the beach, he built on the primary dune. You know, I don't speak Latin, but I do know caveat emptor, buyer beware. We have a guy who's asking everybody, and the Army Corps is willing, to come up with \$8 million to put bags on the Montauk beaches, and the Town Supervisor is here today to ask you to pay to help cover them. Spend your money on anything else you want, but don't spend your money throwing our tax dollars in the ocean, not people in Patchogue, not people in Selden. The coastlines are rising on the whole planet. We're going to spend money for everybody who's got water coming at their front door? Hey, we retreat now, we move back.

The people behind the primary dunes in Montauk have not been hurt. The IGA is behind the primary dune. That weathered the storm just fine. These geotubes are going to become uncovered, and my understanding is unless 100% of the sand is washed away, both the Town and the County are on the hook to pay to keep it covered. Army Corps has been working on a Fire Island-to-Montauk project since 1960 and they still don't have it, and our Supervisor says you're going to have it in two more years. B.S. is what I got to say. They still can't get it right.

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Orrin Pilkey, one of the most -- foremost beach scientist said if all engineers were like Army Corps engineers, it would be an adventure to cross a bridge. These people can't get it right, they couldn't get it right since 1960. And they're trying to give us a project right now that is guaranteed to fail just to protect a few motels. This will hasten the erosion of the beaches. If we were being -- if we were asking you to replenish sand on the beaches for all the people in Suffolk, I'd be with it. But just to protect a few motel owners, no, it's a bad deal. Wait until 2017, see what the Army Corps comes up with then, and, you know, we'll debate it at that time. There's no emergency.

After Sandy, the beach near me, there was no beach. You needed a ladder to get down the bluff. Now there's 100 yards of beach. The Army Corps didn't do that, Mother Nature did that, the ocean did that. The sands will come back. There's plenty of sand in front of these motels now. This is an ill-conceived project. Spend the taxpayers' dollars on anything else but this. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, sir. All right. Deborah Rodrigues, and then on deck, Thomas Bivona, or did he -- did he leave?

**MS. RODRIGUEZ:**

Good morning, and thank you for this opportunity to address you this morning. My name is Deborah Rodrigues and I am the Program Director of the Salvation Army Northport Veterans Residence, and my credentials is, is I'm a Licensed Clinical Social Worker.

The Salvation Army has opened its doors to Veterans on the grounds of the Northport V.A. in 1997 and we have been there for 18 years. I wanted to just bring some awareness to this committee with all of the veteran issues that are going on right now in our country. We bed down between 40 to 50 homeless men and women Veterans every single night, 365 days a year for the last 18 years.

We are experiencing some issues with new veterans returning to our country. They have unique problems and unique issues that need to be -- to be addressed. Excuse me. I just wanted to bring awareness to this committee of our issues with Veterans, and that these men and women Veterans that we are serving right now have some really unique issues. We're dealing with Veterans who have -- amputees. We're dealing with Veterans with mental illnesses and other issues that we are addressing with our relationship with the Northport Veterans Administration. The V.A. and our -- us have been partners for 18 years, and we would like to continue to get your support in the needs and the upcoming issues that Veterans are facing that are returning home. Thank you very much for your time.

**P.O. GREGORY:**

Thank you, Ms. Rodrigues.

*(\*Applause\*)*

Thomas Bivona, and then on deck, Dan Gulizio. Okay. Mr. Bivona left. Dan Gulizio.

**AUDIENCE MEMBER:**

He'll be in in a minute, he's right outside.

**P.O. GREGORY:**

Who's that?

**AUDIENCE MEMBER:**

Dan Gulizio should be --

**P.O. GREGORY:**

Okay. Mr. Coyne, Thomas Coyne.

**MR. COYNE:**

Good morning. My name is Thomas Coyne. I'm here on behalf of my mother, Colette Coyne, and the Colette Coyne Melanoma Awareness Foundation.

I'd like to start by thanking Legislator Hahn for introducing the resolution to establish new sun protection protocols for lifeguards at County parks. I'd also like to thank her fellow Legislators who are in support of this very important resolution, and appeal to those who are not and/or are still undecided regarding your support.

My own sister, Colette, died from melanoma skin cancer at the age of 30. Since then, many, many other Long Islanders, such as Mollie Bigane, Doug Gorman, Guy Antonacci, Mary Ann Eisner, Diana Shannon, Bill Schiela, Laura Jean Dunn, and Melissa Bambino, to name a few, have also lost their lives to melanoma. Melanoma is the deadliest form of skin cancer. Each year, more than 63,000 new cases are diagnosed, and nearly 9,000 people die from this disease. The rates of melanoma have increased more than 200% from 1973 to 2011. It is one of the most common types of cancers among U.S. teens and young adults. Over the last three decades, the number of Americans who have had skin cancer is estimated to be higher than the number of all other cancers combined.

Recently, the United States Surgeon General issued a call to action to prevent skin cancer, stating skin cancer is the most commonly diagnosed cancer in the United States. It is a major public health problem that requires immediate action. Let this resolution be one of the ways Suffolk County responds to this call to action, once again, demonstrating Suffolk County's leadership on Long Island and in New York State. I say that because Nassau County and New York State have not addressed this issue either.

The leadership would be not unlike when Suffolk County Legislators were among the first in the nation to pass a bill restricting the use of tanning salons. One would have thought that it wasn't necessary. I mean, it's common sense. Who wants to intentionally increase their cancer rate by baking in a tanning booth, yet many have and many continue to do so. If common sense were so common, we wouldn't have speed limits, speed cameras, DWI, and texting while driving laws to name a few. I think it's fair to say that common sense is really not so common.

I believe Suffolk County as an employer has the responsibility to provide a safer workplace and protect lifeguards from skin cancer-melanoma while they protect us as we enjoy the beaches and parks in Suffolk County. Our lifeguards serve as role models for everyone, especially to children that look up to them. The County and our lifeguards should set a good example for the children and all residents.

California and San Diego County protect their lifeguards; Hawaii protecting their lifeguards; Suffolk County protecting theirs. I'll pass these around if you'd like to see the difference.

Again, I'd just like to thank you for the opportunity and all the good work that you do, and hope that you will pass this resolution to protect the Suffolk County lifeguards. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

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Thank you, sir. Dan Gulizio?

**AUDIENCE MEMBER:**

He left.

**P.O. GREGORY:**

No? Okay. Carole Kelley, and then on deck, Jay Peltz.

**MS. KELLEY:**

Good morning. My name is Carole Kelley, I'm from Southampton. I thank you for the time to allow me to speak this morning to encourage passing Resolution 1561.

**P.O. GREGORY:**

Ma'am, excuse me. Can you pull the microphone closer to your mouth?

**MS. KELLEY:**

Is that better?

**P.O. GREGORY:**

A little bit better.

**MS. KELLEY:**

I am a Stage IV --

**P.O. GREGORY:**

Yes, that's good. Thank you.

**MS. KELLEY:**

-- melanoma survivor for 19 years, 13 years and 9 months after recurrence with lung and brain metastasis. I am one of the lucky ones.

My particular diagnosis was the result of three sunburns I had received as a -- had gotten as a teenager and young adult.

Melanoma is on the rise at alarming rates among young adults, and most recently in pediatric cases. Melanoma is the number one cancer among 25 to 29-year-old women. Melanoma is the second deadliest cancer in the United States, number one being pancreatic. One person dies of melanoma every hour of every day, and, sadly, a large percentage are the young people.

I encourage you to please pass Resolution 1561, to provide the necessary protection for our lifeguards. Applying sunscreen for normal activity is recommended, and for lifeguards, it should be applied more frequently due to the exposure to the sun at the highest peak of the day. In addition, supplying umbrellas or shade huts would be important.

I am not asking you, I am begging you to please pass Resolution 1561 to save many lives of our young on Long Island. Our beaches are our greatest gifts, and please give our lifeguards the gift of their life. Melanoma is not just skin cancer, melanoma kills. Won't you please help us in spreading the word about sun safety? We owe it to our lifeguards and to our community. Please help our lifeguards to be the role models our younger generation needs and to save the lives of those who dedicate their summers to saving others. Don't we owe it to them to save their lives.

I thank you for your time, and I'm begging you to please pass Resolution 1561. And don't forget, love the skin you're in, be sun safe. Thank you.

(\*Applause\*)

**P.O. GREGORY:**

Thank you, ma'am. Okay. Jay Peltz, and then on deck -- I have another card for Mr. Cantwell. He spoke earlier, though.

**MR. PELTZ:**

Thank you. My name is Jay Peltz and I'm the General Counsel and Vice President of Government Relations for the Food Industry Alliance of New York State. FIA is a nonprofit trade association that, among other things, promotes the interest of New York's 21,000 grocery stores statewide, as well as drug stores, convenience stores and discounters.

On May 23rd, August 5th and October 1 of this year, I wrote to elected officials and staff on behalf of FIA to express our opposition to Intro. Res. #1394-2014, a Local Law to warn consumers of the dangers of liquid nicotine. These memos have been submitted to the Clerk for inclusion in the public record. The measure would, among other things, require sellers of stand-alone bottles of liquid nicotine to disclose, either on signage or in a writing accompanying the product at the time of sale, the ingredients in the liquid nicotine, as well as other product information only possessed by the manufacturer. These provisions are commonly referred to as the, quote, labeling requirements of the legislation. I refer you to the memo before you, dated October 1, 2014, for a more detailed explanation of our position.

While the Local Law is intended in part to address the issue of consumption of liquid nicotine by minors, County Law and the State bill, that is highly likely to be signed by the Governor, address this issue. In addition, while the legislation is typically referred to as a, quote, labeling bill, it does not actually change the label of the product at all. It only assumes that when consumers purchase a product and they want to know what's in it, they will look for a sign on the wall, rather than at the product package itself. Moreover, language requiring retailers to obtain the product information from the manufacturer was stricken from the legislation, an implicit acknowledgement that retailers are unlikely to obtain the required product information from the only parties that had it.

In addition, assuming for the sake of argument that retailers can obtain the information from manufacturers, they would have no way of verifying the information. This is important, because a proposed local law requires retailers to make their own representations to the public. Accordingly, retailers will have two choices. One, decline to sell the product, which makes the legislation a de facto ban; or two, sell it while providing information to the public that cannot be verified, which would likely frustrate the bill's chief purpose of allowing consumers to make informed decisions based on accurate information, and would also expose retailers who have invested heavily in the County to millions of dollars of liability in the event that someone who relied on a retailer's representation on a sign, as opposed to a manufacturer's representation on a product label, is harmed after using the product.

Finally, since the law mandates that parties other than manufacturer, quote, label the product, it is all but certain that retailers will label the same product differently.

Another purpose of the legislation is to reduce black market sales of stand-alone bottles of liquid nicotine. However, since, in all likelihood, the, quote, labeling mandate will not be satisfied, licensed and regulated sellers of tobacco products will not be able to sell liquid nicotine bottles, thus leading the entire market to black market sellers. These sellers are unlicensed, unregulated, not inspected, and willing to sell to minors, which would perversely undermine state and local efforts to prevent sales of the product to them.

In light of our concerns, we respectfully request the proposed Local Law be amended to exempt

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businesses that are registered with the State to sell tobacco products. Black market sellers would still be regulated under the bill, and should be required to register with the County to sell products containing liquid nicotine.

In addition, we respectfully request that the legislation be amended to include the formation of a committee with representatives of manufacturers, retailers and government to study labeling standards that can be implemented countywide. That way consumers can make informed decisions based on accurate information provided by the only party that has and can provide that information, with the accurate information actually appearing on the label.

Thank you for your time and your careful consideration of the concerns of FIA and its members.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Okay. Dick O'Kane, and on deck, Mario Mattera.

**MR. O'KANE:**

Good morning. Thank you for allowing me to come in front of you this morning. I am in total, complete support of the hub in Brookhaven. There's some -- a lot of good things that are going to come from that job. Number one, Brookhaven provides an apprenticeship program and apprenticeship language that will put tens of -- by the way, I'm with the Nassau Suffolk Building Trades, representing 59,000 people, and thousands of those people live in Brookhaven, and a lot of those people right now, as we speak today, are not working, and we can't have that. The municipalities are suffering with tax revenue and things of that nature.

This project will provide housing for the people that are -- that need that in that area. It will provide them transportation to get back and forth to work. The jobs that the building trades have, they go from one end of Long Island to the other end, and they also comprise people having to work in the City. So the transportation that it will provide will be a tremendous asset.

Getting back to the apprenticeship language, these people are highly skilled and trained with certificates. They all have to go to school a minimum of three years and some have to go five years. That comes at a cost to the building trades, nobody else, a minimum of 35,000 to 50,000. So we think it's prudent to employ your constituents that live in the area.

I'd have to say that the lady that was looking to cut the funds, the Councilwoman, in half is -- they don't have an apprenticeship program. We've been trying to get that for years and years in Islip Town and they won't do it. They don't care about the constituents; can't through to them, they don't call you back. So the money that's going to come is going to be used properly and prudently to get this project off the ground. We've been talking about it for a couple of years. I'm actually surprised that it hasn't started yet. And another good thing about it is we've finally got a contractor that is from Long Island, lives on Long Island, and is going to do this project. So that is good, as opposed to people, you read in the paper all the time, Alabama, Mississippi, Kansas, a guy from Kansas standing there crying about his pay, he didn't get his money. That won't happen with this thing. This thing is committed, the company is committed to work with the building trades, and that's refreshing for a change.

We are sick and tired of out-of-town contractors coming here. Now we have a chance to employ one of our contractors here on this job, and not having to take care of the rest of the country. I don't want to bother enumerating all the people that we have to -- we support out of state and not our own.

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So I humbly request that you consider your constituents, put them to work. Let's get this job going, and let's stimulate the economy. Mr. Bellone needs the money for his treasury, he running short, and so the same thing, same scenario in Nassau County. We totally will appreciate this and let's get it done, because it's totally needed, and it's going to be a tremendous asset to Long Island. Thank you. And numerous other venues will benefit by looking at the success of this project. We will bring this, you know, job on time and under budget. So when other people see that working, they're going to jump and get in line to have to -- want to consider projects like this. So thank you very much for your time, I do appreciate it. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Dick. Mario Mattera, and on deck, Patricia Lenehan.

**MR. MATTERA:**

Good morning. Good morning, Mr. Presiding Officer and all Legislators. Thank you for letting me speak today on this very, very important topic, which is Resolution Number 1850.

My name is Mario Mattera. I'm the Business Agent with Plumbers Local 200. I represent approximately 1100 members, which 80% of the members live in Suffolk County, and I am one of them and very proud of that.

This Resolution 1850 is very, very important for our families, for our children, our middle-aged, and for our seniors. You know, a lot -- I hear it all the time that people say for our children. No, it's not just for our children. Projects like this is for our middle-aged and for our seniors, so we could keep our parents here, too, so they get to see our children grow.

This money is going to be used for infrastructure, small, soft infrastructure, which is needed, lighting, curbs, and everything, for the Town of Brookhaven. And, you know, I know that we had a Councilperson that actually spoke before, and I agree, that, in other words, Islip needs monies. But, please, we could put another resolution, and maybe it would be 1851, that would help the Town of Islip, but 1850 is for the Town of Brookhaven's soft infrastructure that's well needed.

This Ronkonkoma Hub project, like Mr. O'Kane just said, is located in the best spot, mass transit to go to Montauk and to go to our City. Right now, I'm going to tell you, I do not go with my family over to Ronkonkoma Train Station, especially if I'm going to go to see a show in the City. I'll drive in and pay the high parking, because I just do not like what Ronkonkoma Train Station looks like, to be personal -- to be honest.

Not just the construction jobs that this is going to be put, what about our permanent jobs that this -- what this is going to do for us? Remember something, the construction industry right now is hurting, and not for anything, without construction, this economy fails.

The developer, Tritec, I couldn't -- I'm going to tell you something, open-door policy. Twelve years as a business agent, I'm going to tell you, in the beginning, it was a little -- it was a little rough, because there was a lot of fighting going on. But I'm going to tell you, meeting up with the Coughlans and Rob Loscalzo, you could have an open-door policy, you could have a meeting with them at any time, any time, anyplace. And you know what, that means a lot, especially like a Business Agent that has to go on job sites with his pickup truck and jeans, and look like I'm a regular construction worker and ask for jobs, because I can't even go there and say that I'm a Business Agent. By the way, it's going to be -- the price tag is going to be too high. You know why the price tag is too high, is because there's cash being paid, that's why it is. Every bit of money that's going to the system is from the construction trades, from the unions. Every day Workmans

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Comp gets paid as soon as an hour gets put in. So that's why you'll see that union help is harder, but, you know what, we're going to do whatever we have to do. And Tritec, like I said, is a contractor that is professional, open-door policy, and it means a lot to me and means a lot to the building trades.

*(\*Timer Sounded\*)*

That cannot could not be three minutes. My goodness. I know I talk a lot.

*(\*Laughter\*)*

But, please, please pass Resolution 1850. We need it done today; very, very important. Town of Islip, make it 1851. Thank you so much. Appreciate it.

*(\*Applause\*)*

**P.O. GREGORY:**

Thanks, Mario. Okay. On deck, Patricia Lenehan. I'm sorry if I messed up your name. And then Roger Clayman. Is Roger still here? Okay, you are.

**MS. LENEHAN:**

Good morning. And it's good to be back to see all of you. First of all, my name is Patricia Lenehan. I live at 212 Westwood Drive in Brentwood.

I want to take this opportunity to thank all of you for the Sunday bus service. I have been hearing from a variety of different communities how much it has helped. Now I understand that you are going to be voting on new routes to be started. I was asked for you to consider the 60 and the 62. One goes into Port Jefferson Village, Stony Brook University, and into Lake Grove. The other one goes through the middle areas where we have a lot of shopping centers from Riverhead to Lake Grove. That would get a lot of unemployable people jobs, especially with the holidays and everything else, because there's still people that can't work.

Also, the -- we have one problem at Lake Grove on Saturdays with the buses. It seems like there is a lot of students using the buses to get back to the University, that our regular citizens are not getting home or getting to the mall. Standing room only on these buses, and it's also very unsafe, because they're taking more people than they should be taking. So I think you need to know that.

As far as something personal for me, I live on Westwood Drive next to Melody; it's a cross-section. There's a SUB in front of two houses away from me. There's a sign at that SUB that people painted over with black paint. It shows arrows going in each direction.

Back at the -- in September, when we had the rainstorm, a DWI came down the block, hit the guardrail and went into the sump. I have children at the elementary school there that actually are testing each other to see if they could walk on that guardrail that's still down. I have kids on bikes sliding to see who could get close to the area and not get into the water. And also skateboarders are having a really good time trying to play around there.

If you could please look into that situation, I think all the parents there would really appreciate it. And again, I want to thank you for everything that you've done for the public. Thanks.

**P.O. GREGORY:**

Thank you.

*(\*Applause\*)*

Roger Clayman, and then on deck, Debra Hagan. Where's Debbie.

**LEG. BROWNING:**

She's here.

**MR. CLAYMAN:**

Thank you. My name is Roger Clayman. I'm the Executive Director of the Long Island Federation of Labor. I'm addressing Resolution 1741, which relates to the extension of red light cameras, and gain some understanding of the issues. I'm not really here to address the red light cameras themselves, but some policies adopted by the County which are overly punitive in relation to the drivers who are represented by Local 252 of the Transport Workers Union. Debbie Hagan will be detailing those for you when she follows me.

We have a commitment from County officials to discuss this issue and to reach a fair resolution with the union on how to resolve these questions. For example, on a first red light violation by a Suffolk Transit driver, they would have a suspension of two days. That would be on top of any kind of punitive arrangements they may have in their own union contract. So that's really going way beyond, because that's -- two days is a lot for those employees to deal with, and I think many of you may know how easy it is to get a violation.

So, with the commitment of County officials to have that discussion, I'm very encouraged, so is the union, and it should have no impact on the revenue side, which you have to deal with going forward with 1741. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Roger. All right. Ms. Hagan, Debra Hagan, and then on deck, Andrea Spilia.

**MS. SPILKA:**

Spilka.

**P.O. GREGORY:**

Spilka. I'm sorry.

**MS. HAGAN:**

Yes, good morning. I'm Debra Hagan, President, TWU Local 252. As Roger was saying, I'm here to address the Red Light Camera Program. I'm not opposed to the program. I understand the County receives quite a bit of revenue from it, and that's not the issue that I personally, or my union, or my members have with the program. But I'm here to address the County-mandated discipline policy that's placed upon the transit and ADA members of TWU Local 252, these members of the bus drivers of Suffolk County Transit System. The Transit and ADA operators of County-owned vehicles have an unfair and unjust County policy in which they are penalized, not only with the payment of the \$80 fine, but also penalized with the loss of a minimum of two days pay, with a progression of five days, which is a week's pay, 14 days, which is almost three weeks pay, 30 days and 1 year, subsequent tickets. It's a County policy that's only applied to the Transit Operators of TWU Local 252. No other individuals operating County-owned vehicles, such as the County offices, DPW, and other groups within the County, are penalized with any loss of pay, they only have to pay the fine. This is putting an undue financial hardship on a class of employees already working on an average yearly wage of less than \$50,000. And its employer is already instituting and implementing disciplinary policies for any violations of moving violations or other such actions.

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I'm asking that this policy be amended to match that of other County employees operating County-owned vehicles. I just want the members of TWU Local 252 to be treated equal to that of other operators of County-owned vehicles.

Thank you for the time, and I appreciate that the County Executive's reached out to me last evening to set up a meeting so we could further discuss amending this policy. It was after I met with several of the Legislators yesterday who were in support of having this policy amended. They were not aware of a policy instituted against my members that is different than the County employees operating County vehicles. And I appreciate your time. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Debbie. Andrea, and then on deck, E. Kahl.

**MS. SPILKA:**

Good morning. I'm Andrea Spilka, and I'm President of the Southampton Town Civic Coalition, and I'm speaking today on behalf of my civics and their members, and I am urging all of you to please either table or vote no to I.R. 1830.

Frankly, I didn't really understand why this was even coming up. I would think that you and the County Executive read the same newspaper articles, listen to the same scientists that I do talking about the problems with our beaches and our bays, and the need to protect Long Island against the impact of climate change.

Land preservation should be a priority, and certainly not something to be eliminated. Preserving open space is an essential component to an overall strategy of both water protection and coastal resiliency, not to mention the important economic engine of keeping farmland protected for future generations. Sadly, we're in for many more damaging storms. We'll need to be strategic and nimble to safeguard our communities. If you eliminate the open space allocation, the County will not be able to take advantage of a willing seller for a significant land acquisition. Timing, as Supervisor Cantwell said, is always critical.

We're still paying for the damage left by Sandy and Irene. By eliminating the opportunity to use \$30 million to purchase more open space, you leave us more vulnerable for the next storm. And my question is where will the money come from to recover from that kind of catastrophe? You know, it's always more expensive to clean up after the damage is done, rather than to take the necessary protective steps beforehand. To me, what makes this legislation more questionable is the fact that you're not really putting anymore money into the County's budget. There's no gain and just a real loss.

Please, vote no on I.R. 1830, which I believe is a step backward in your commitment to your constituents. And I know that the Pastor this morning talked about being good stewards. Please, be good stewards and say no. Thank you very much.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. E. Kahl, and then on deck, Peter Florey.

**MS KAHL:**

Yes, the best for last. Thank you so much, and it's wonderful seeing all of you today. And, yes, I've

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been out on the East End of Long Island reaching out to our senior citizens, to our children, and to the overcrowded housing in Hampton Bays. We have many problems of illegal immigration out east. We are not against immigrants, we are for legal immigration.

I want Patrick Young to get me the paperwork on all those people he brought in here. All right? We're not bad people, we're honest people. We pay our taxes, we do not complain. But if you're going to sit here year after year, and many of you know me, all right, and still look at these problems and ignore them, where are we going as a community in Suffolk County? Are we going to respect the rules of law and the citizens that pay their taxes, or are we going to take care of the special interests and forget about the people that have lived here for 60 or more years who were born here?

I am here to plead with you to deal with the illegal immigration problem, overcrowded housing in Hampton Bays. They're screaming, okay? I have people coming to my home begging me to go to the schools, because they're scared to death of what's happening in there. We have major problems on the East End. I cannot resolve all of them. I will listen, I will give them advice, I will send them to you. You make and break the laws. I, for one, stand with the people. Thank you very much.

*(\*Applause\*)*

**P.O. GREGORY:**

Okay. Peter Florey, and then on deck, Frank Quevedo.

**MR. FLOREY:**

Presiding Officer Gregory, members of the Legislature, I'm Peter Florey, Principal with D & F Development. We are here today to speak in favor of Resolution 1847, authorizing planning steps for implementation of Suffolk County Workforce Housing Program. What this involves is finally addressing one of the greatest challenges facing Suffolk County, and, in particular, western Suffolk County, and that is the lack of workforce housing and affordable housing.

This project, known as Highland Green, has been in existence for -- under various names for approximately 15 years, and has been under various disputes and lawsuits, but those have now finally been resolved. And we have a project that is moving forward that will provide 117 units of workforce housing in the form of a limited equity co-op, and it will provide a unit mix that will be six three-bedroom units, 39 two-bedroom units, and 72 one-bedroom units. It will be on an acre campus on Ruland Road. It's going to be a fantastic community. It's going to generate over 100 new construction jobs, as well as four permanent jobs. It will also include a clubhouse and tennis courts, and it's going to be a fantastic community, so -- and it will finally bring some affordable housing, much needed affordable and workforce housing to this community, which, really, we haven't seen in the last several decades.

So I thank you very much, and I urge you to pass 1847. Thanks so much.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Frank Quevedo, and then on deck, John Rooney.

**MR. QUEVEDO:**

Good morning. My name is Frank Quevedo. I'm the Executive Director of the South Fork Natural History Museum. We're a not-for-profit nature organization providing information about our natural environment on the South Fork of Long Island. Our mission is to stimulate interest in, advance

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knowledge of, and foster appreciation for a natural environment, with special emphasis on the South Fork of Long Island.

We've been providing nature education for 25 years now.

I'd like to submit information to the Deputy Clerk in regards to our programming initiatives, the last three -- actually, the last 12 months of 2014.

So I'm basically here to ask for support for Resolution 1434 in approving the County budget for support to our organization, so that we can continue our mission and provide the resources necessary for the community to better understand, and to obtain the tools necessary to be caretakers of our natural world in the future. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, sir. Mr. Rooney, and then on it deck, Janene Gentile.

**MR. ROONEY:**

Thank you. My name is John Rooney from Southold. I'm on the Board of the North Fork Environmental Council. And speaking for the Board and the membership of NFEC, I want to express our support for I.R. 1746, which involves restoring water protection money that was improperly taken away, and opposing I.R. 1830, which would take away land protection money. It's an improper thing to do, it is totally improper.

The preservation of land is probably the most cost effective way of protecting our water. When you look yourself in the mirror tonight, or you look at your children, or some of you, like me, look at your grandchildren, ask yourself, "What am I doing," if you go ahead in taking this money away from land preservation.

And, also, while I'm up here, I have to invoke the name of Howard Meinke. You know him well, he's been here many times; well spoken, well thought. He was taken from us three weeks ago. He was killed by a car on County Road 48. He's one of several people who have been killed in that area. The County has been spending tremendous amounts of money on studying and planning a grandiose rerouting of 48 around the parking lot of the Soundview Restaurant, when simply putting speed bumps, and signs, and limiting the speed limit along that stretch probably would have saved Howard had that been done 5 and 6 and 7 years ago, as was first proposed. Instead, we're waiting, nothing has been done. Money is being spent unwisely on something that is way beyond what is really necessary.

So I invoke Howard's name, because he would have been up here speaking forthrightly in terms of land preservation. Legislator Krupski knows him well.

Saving the land also will save the production of food, not just protect our drinking water. Legislator Krupski actually raises food that we eat, he's a farmer. We need this for the future. It's time we stop short-term thinking, plugging the budget gaps here and there. I've got grandkids. I may not be around another decade or two from now, but my grandkids will, who live in Ridge. And you all have children and grandchildren. Please, Legislature, stop the short-term thinking, okay? Thank you very much.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, sir. Janene, and then on deck, Theodore Imbasciani.

**MS. GENTILE:**

Thank you. Thank you today. Thank you, Legislator Anker and all of our Legislators for always thinking the interest of our young people.

Today, I'm writing this letter and here to support I.R. 1394-2014, known as the warning signs of e-cigarettes. E-cigarettes were put forth to us to stop the addiction of cigarette smoking. Well, it's come to all our attention now that there's a poison in this e-cigarette, and if it touches children's skin, it poisons them. And right now, there's been lots of emergency -- emergencies about this natural -- this e-cigarette going on young children's skin and poisoning them.

Two, it's been enticing our pre-teens and teens to begin to use the cigarette, these e-cigarettes as a recreational drug. They're smoking it, they're getting it, and they're using it, and it tastes like bubble gum, it tastes like gummy bears.

So I'm here to support the bill that Legislator Anker has put forth, also to educate and make aware that these cigarettes are dangerous, these e-cigarettes are dangerous. Please review this once again. Thank you, Legislator Anker and Legislators.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Janene. Theodore -- I hope I didn't mess up your last name -- Imbasciani.

**MR. IMBASCIANI:**

Imbasciani. Thank you, sir.

**P.O. GREGORY:**

All right. And then Larry Farrell.

**MR. IMBASCIANI:**

Good morning. Well, good afternoon, Ladies and Gentlemen. Thank you for affording me the opportunity to address you. I am Theodore Imbasciani, President of the Ronkonkoma Civic Association, Town of Islip. This is in regards to I.R. 1850.

Recently, Suffolk County Executive Steve Bellone held a press conference at the railroad train station, proposing a grant to the Town of Brookhaven in the amount of \$2.3 million to fund infrastructure improvements to the area known as the Ronkonkoma Hub. The funding would be used for road widening and drainage work, according to County representatives. While we believe the area around the train station could use an improvement, considered blighted by some, is an affront to the residents who live nearby. That term conveys a meaning that the area is unsafe. We have reports from the Fourth and Fifth Precinct of the Suffolk County Police Department to corroborate exactly the opposite.

The project has been constantly referred to as a regional project, yet all studies have been limited to the Town of Brookhaven, with no regard to the residents beyond the border. We believe the type of work that is being proposed should be funded by the developer, and any County funding should be used on a broader scale to include the Town of Islip.

When this project was first proposed, it was heralded with great fanfare that this was a corroboration between the two towns. What has become of this, we don't know. We just wish that residents of Islip be included. Some suggestions we would like to propose with this funding are as follows:

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A traffic study, which we feel traffic at Johnson Avenue and County Road 93 will be seriously increased by this development. We would also like to see improvements to the commuter parking, specifically on the south side of the station. Commuters are losing close to 1,000 spots on the north side to development.

Building paid parking would only increase the tax on the commuter. To add another 80 to \$100 a month on top of their 3 to \$400 monthly tickets would not keep families on Long Island, but push them away. Also, making our area a walkable community with the addition of sidewalks to these new developments to butt up next to our beautification project at Johnson and County Road 93.

A traffic study improvement for our first responders, such as a traffic light in front of the Lakeland Fire Department on Johnson Avenue for our first responders coming to and from calls.

Thank you for your time and consideration on this matter.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Good to see you again. Larry Farrell, and then on deck, Sara Davison.

**MR. FARRELL:**

Good morning. My name is Larry Farrell and I am with the MacArthur Business Alliance. I'm a past Board of Director for the Ronkonkoma Civic Association, which Ted just spoke for. I am the editor of a local, hyperlocal newspaper called myronkonkoma.com. I also -- is one of the cofounders of the Ronkonkoma Hub Coalition, and I also worked with Mr. Kennedy on the Fourth Precinct with the Community Watch.

So the first thing I want to say is that Tom Cilmi has been a champion for Ronkonkoma, and everything that he's done for our town, I want to thank him for that.

Based on representing thousands of people in Ronkonkoma, there's no clear answer as to whether people want this project or not. If there's 2500 people, you're going to get 1,000 that want it and 1,000 that don't want the project. But one thing that is clear is that we need representation on the Islip side.

Now I spoke to Mr. Romaine in the Town of Brookhaven hearings and explained to him the need for the study on the Islip side, because this was a multi-jurisdictional project, of which we were rejected. We just don't feel that that's fair. So three years ago, the Ronkonkoma Civic Association Board came to me and said, "Can you help us with this fight on the Hub?" And we looked at this Hub and we said, "Well, there's Town level, there's County level, there's State level, and Federal level." On the Town level, Brookhaven's not helping us, so here I am today speaking on a County level so that we can have representation, because Islip is just as much of a Suffolk County area as Brookhaven is.

Ronkonkoma, Islip, is in the center of the center of the center of Long Island. Steve Bellone said, he called it the epicenter on the north side of the Hub, of Lake Ronkonkoma, where it's Smithtown, Brookhaven and Islip, but where we are is even worse. Congestion is -- we have school districts, we have traffic, we have so many problems. And to develop this project without looking at Islip to me is the cart before the horse. This is truly the cart before the horse. You can't -- how can you start building a complex without researching what the impact is going to be for the community, and the whole community? So Patchogue, you're in the middle of Patchogue. Huntington, you're in the middle of Huntington. Smithtown, you're in the middle of Smithtown. Ronkonkoma Hub is not, it's

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on the border of two towns. And I listened to the transcript, and Mr. Cilmi got the person that mentioned that it was within walking distance of the Islip side. And if you talk to the people who live on the Islip side, they're already impacted from the train station walking. Imagine what it would be with another 1450 units. Tritec came to the Islip and said, "We're having an apartment complex with 850 units." All of a sudden, it becomes 1450 units. How big will this go before we get the chance to have our impact shown?

Suffolk County has 1.1 million vehicles, registered vehicles in Suffolk County, and 1.2 million in Nassau County. New York City's five boroughs have another 2 million. So we have 4 million vehicles in a 50-mile radius. We are already too congested.

Thank you for your time.

**P.O. GREGORY:**

Thank you. Sara Davison, and then on deck, John Rago.

**MS. DAVISON:**

Hello. My name is Sarah Davison, and I'm the Executive Director of the Animal Rescue Fund of the Hamptons, located in Wainscott, East Hampton Town. Thank you for allowing me to speak to you today.

I'm here to support Resolution 1655, the Safe Pet and Families Program. Animal Rescue Fund of the Hamptons, also known as ARF, heartily endorses this program, and is eager and willing to work with the Suffolk County SPCA and victims of domestic abuse to care for their pets while they get their lives back together. I hope you will all support this program. And I want to thank Legislator Jay Schneiderman for all his support. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. John Rago. I'm sorry, but --

**MR. RAGO:**

Rago.

**P.O. GREGORY:**

Rago, okay. And then Mary Ann Johnston.

**MR. RAGO:**

Thank you. Let me be the first to wish you all a good afternoon. My name is John Rago, and I am the Outreach Coordinator for Suffolk County United Veterans, which is a division of the Association for Mental Health and Wellness, formerly known as Clubhouse of Suffolk.

The specific program that I am associated with is the Supported Services for Veteran Families, or SSVF for short. I am also a Navy Veteran, serving as a Sonar Tech aboard both Fleet Ballistic Missile Submarines and Fast Attack Nuclear Submarines.

The SSVF Program is a rapid rehousing and homeless prevention program funded by grants by the VA to community-based organizations using the Housing First model. This program plays a major part in the initiative to eliminate Veteran homelessness by 2015. Suffolk County United Veterans has partnered with the Economic Opportunity Council of Suffolk to help achieve this goal. We are one of three community-based organizations that have received grants from the VA for this program.

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The SSVF Program has only been in Suffolk County for a year. In that year, the EOC of Suffolk has enrolled close to 200 Veterans in the program who were either homeless or at the brink of homelessness. The four bills that make up the Housing Our Homeless Heros Act, some of which you'll be voting on today, would greatly enhance our capabilities to help many more Veterans in the next year and beyond.

We are in desperate need of more housing for our Veterans in the form of emergency shelters, transitional housing and permanent housing. Bill 1838, which you will vote on at a later date, would greatly improve our opportunity for these types of housing.

We also need to enhance our outreach capabilities to ensure that our Veterans know about the benefits that they are entitled to. I.R. 1836, which allows VSOs to be stationed at DSS locations, and I.R. 1837, which allows the creation of an informational portal on the County website, will do just that.

I sent most of you photos I took over the past year of encampments that we found right here in Suffolk County. I also sent a short video of a client that we helped house this past year. I apologize to those who did not receive it. Some of the emails were rejected by the server. But if you'd like, I have them with me, or you can see one of the other Legislators that did receive them, the videos and the photos.

I urge you to vote yes on these bills. Government cannot do this alone, and we cannot do this alone. But together, we can achieve our goal to end Veterans homelessness in Suffolk County. I'd like to thank Legislator Stern for your leadership and dedication to our Veterans, and to your entire Seniors and Veterans Committee. I thank you.

**P.O. GREGORY:**

Thank you, sir.

*(\*Applause\*)*

Okay. Mary Ann Johnston, and then Annette Kattan.

**MS. JOHNSTON:**

Good afternoon, I think almost. Thank you very much. My name is Mary Ann Johnston. I represent the Affiliated Brookhaven Civic Organizations, and as in most instances, when I address the Board, I have to cut my time between a number of different items.

Number one, 1830: I urge you to deny and not pass that resolution and that act, because this is a situation where the Legislature giveth and then the Legislature take it back. We, as the people of Suffolk County, have voted overwhelmingly time after time to save farmland and open space. It isn't your private piggybank. We're not going to support the borrowing and the raiding of this fund, either here or in any other agreement. We think there are good things in 1746, but in transparency, the State Law requires that when you're going to vote on a subject, all the documents related to that subject need to be put up on your website, and that includes the agreement and stipulation. If I was able to look at that agreement and stipulation, I might be able to make a more intelligent decision on 1746, but, unfortunately, that's not up there.

So the next thing I want to talk about is the Intermunicipal Agreement with East Hampton. A couple of weeks ago, I was at a BZA hearing in Islip -- in Brookhaven Town, actually, I get around, but in Brookhaven Town where the folks on Fire Island said, "In no time, we won't even need the sand. We're going to armor our homes. We're going to use those tools." No, we're not going to. It's not

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sustainable. It's not time to keep armoring our beaches. It is time to retreat from the shore. It is time to allow nature to do what it has done for hundreds of years, rebuild our barrier islands.

A couple of weeks ago someone pointed out, yes, Fire Island is a barrier island, and so is a wall, and that's why we need to be careful. You're not protecting a mainland. We're not a mainland, we're a barrier island. And I ask that you use common sense and stop doing corporate welfare. We cannot solve the problems of people who build at risk on the shore inappropriately in a time of sea level rise and climate change. It is time that all of us took a basic science course and said no. And after we say no, we take a basic economics course and ask ourselves, "How long with the taxpayers dole out this money?" The answer is not very long. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Annette Kattan. I'm sorry if I messed up your name.

**MS. KATTAU:**

Kattau, K-A-T-T-A-U.

**P.O. GREGORY:**

Oh, A-U? I couldn't tell if that was a U or N. And then Karen Lombri.

**MS. KATTAU:**

I cannot follow Mary Ann Johnston. I am port of ABCO. I am also speaking as a private citizen who lives in Patchogue, in an area that really has become a dumping ground. But, at any rate, I want to say I'm against Referendum 1746 for all the reasons cited here today. We need our open space preserved, and nothing taken away from it. No to I.R. 1830.

And also, I want to ask you, has anyone ever thought about saying the term "Let's raise the taxes," even 1% in Suffolk County? I'll bet you people wouldn't argue. When they go out to buy a pack of cigarettes and they're going to spend 8 or \$9 and they're up to 10, they buy them anyway. I think that we need to take a good look at what we're doing here in Suffolk County and make some changes, and it's not by borrowing and transferring. And we need to really take a look, and if we do, Suffolk County taxes are quite low, as far as I understand. And I think it's time for you guys to say the dirty word. Let's raise the taxes a little. Thank you.

**P.O. GREGORY:**

Okay. Thank you. All right. Karen Lombri, and then Jane Fasullo.

**MS. LOMBRI:**

Good afternoon. My name is Karen Lombri, and I'm the Director of Programs and Services at The Retreat. The Retreat would like to offer our support for the Suffolk County Safe Pets and Families Project, Resolution 1655.

The Retreat has been providing services to victims of domestic violence on the East End of Long Island since 1987. Abuse of pets is often found in situations of domestic violence, and threats to harm or actual harm of a pet is often used by an abuser to control a victim of domestic violence. In our experience, it is not out of the ordinary for a victim to stay in a dangerous and life-threatening situation rather than abandon a beloved pet, who is like a child to them, at the whims of an abuser. As The Retreat is unable to accept pets into our 18-bed domestic violence shelter, and does not have the funding to board pets privately, we rely on the generosity of our local animal shelters to provide a safe, secure, temporary home for the pets of victims of domestic violence when room is available. It brings great comfort to a victim of domestic violence to know that her pet is safe, as well as taken

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care of, which helps her to focus on her own healing.

I would like to thank Legislator Jay Schneiderman and the Suffolk County Legislature for your continued support of victims of domestic violence in Suffolk County. Working together, we can break the cycle of family violence. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Karen. Jane, and then on deck, Louise Harrison.

**MS. FASULLO:**

Good afternoon. Jane Fasullo. My claim to fame is I'm a field educator. One of the jobs I do for the Sierra Club is get people outdoors to experience what we have here that's so worthwhile protecting, and it's the reason that I, as a resident of Suffolk County all of my life, am happy to be here. And when I look at other places to move, I look and say, "They don't have what we have." In that regard, what we do have is a lot of people complaining about job loss.

One of the things we have lost in the way of jobs is those jobs that deal with the environment. Nationally, jobs are on the increase. We see reports that things are going better. But there are many Long Islanders here, probably some of you, in fact, who could at any time go out, if your family was hungry, with a clam rake, a fishing line, possibly a scallop net. You could not only bring home enough protein to feed yourself and your family, but you could bring in enough that you could probably sell some. And many college students put themselves through school, or at least supported some of the cost of school, by doing exactly that in the summer. We don't have that opportunity any longer. Our jobs now are very different. We need to reestablish the jobs that don't require a person to be hired, jobs that anyone can do without a degree, jobs that don't require training, and jobs that people cannot be laid off from. These are jobs with the environment. These are jobs that we can again reestablish here. But we have lost the jobs because through our pollution of our waters, our shellfish populations have plummeted.

We need also to look at cost cutting. One of the highest costs here and throughout the nation is health care. If we wish to keep health care costs under control, we have to look at what makes people healthy. Study after study throughout the world have shown that people must have clean air and clean water. Open land protects both these. It's our open land that filters our water to our drinking water table, that allows us to maintain the quality that we have now. Similarly, open land supports the plants that purify our air.

You have the ability to make sure that the clean water and clean air of Long Island stay that way. You must do everything you can to protect our land, not by taking money away. You know in your heart that no matter how much money you have, you cannot restore the damage that's done to the land by people polluting it on or near the surface. Please make sure that within Resolution 1830, you remove any means by which the land can be protected. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Louise Harrison, and then on deck, Kathleen Cunningham.

**MS. HARRISON:**

Good afternoon. Louise Harrison, Conservation and Natural Areas Planning from Setauket; I live in Peconic.

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I'm here today to address Introductory Resolution 1746 and 1830. I've already addressed you on 1746 at a previous session. Today, I'd just like to reemphasize that I would like you to take it off the table, vote on it and pass it.

I came back today because I'm very concerned about Introductory Resolution 1830. Please, Legislators, think about how this resolution may affect land preservation efforts in your own particular Legislative Districts. Closing out the legacy and Multifaceted Land Protection Programs may make it very difficult for each and any of you to protect properties that do not qualify for the Drinking Water Protection Program. They may not meet the requirements for funding under that program.

As some of you know, I've been working in land protection, land preservation for 34 years in Suffolk County. I was one of the founding staff members of the Office of Ecology, and I've been involved in many, many, many reviews of land protection projects. You need to understand and take note of any specific requirements in the Drinking Water Protection Program before you throw all Land Preservation Program -- all these projects into the same pot. By voting yes on 1830 today, or at any time in the future, you may be foreclosing on your ability to protect land in your own districts. So, please, table it for amendment. Anything that takes the \$30 million reduction of debt authorizations for land preservations, please take that out of 1830, and if you won't do that, then please vote no on it.

To this environmental voter, the component of 1830 that eliminates land protection debt authorization seems at best a hapless, and at worst, a cynical approach to environmental protection and land preservation in Suffolk County. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Kathleen Cunningham, and then Mary Eisenstein.

**MS. CUNNINGHAM:**

Good afternoon. My name is Kathleen Cunningham. I'm here today representing the over 400 members of the Village Preservation Society of East Hampton as their Executive Director. The mission of our organization is to preserve historic structures, neighborhood character and quality of life in the Village and Town of East Hampton.

I'm here today to ask you to support and vote yes on I.R. 1746. Our membership is extremely concerned with clean water. We know our sole source aquifer is threatened, and we know that development and nitrogen loading, as a result of poor habits on the part of our constituents, continue to threaten our clean water supply.

I also urge you to amend or defeat I.R. 1830, which would remove important land protection authorizations that are critical to clean water protection. We know that land preservation is one of the more successful strategies in the role of Water Quality Protection, and I would urge you to either amend or defeat 1830. Restore that \$30 million to its intended purpose. Clean water is our future -- is the future for our economy and for our community. Our health is dependent on it in every way, the health of our bodies and souls, the health of our economies, and the health of our fisheries and communities. Thank you.

**P.O. GREGORY:**

Thank you, ma'am. Mary Eisenstein, and then on deck, Lisa Votino-Tarrant.

**MS. EISENSTEIN:**

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Good afternoon. I am Mary Eisenstein; I live in the Township of Southold. I am here today as a private citizen. I'm not affiliated with any group. I am asking you to please use the \$30 million that has already been budgeted for land preservation to preserve the clean water. As you all know, clean water is critical to us as human beings. If we do not have clean water to drink, every other subject is irrelevant.

As leaders, you are entrusted with having the vision to make the decisions that are important. There is nothing more important than having the open space and the clean drinking water. So I'm asking you, please, do not politicize that decision, and make sure that that money is being made available for what it was intended.

Thank you very much for the opportunity to address you today.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you. Lisa? Are you here, Lisa? Okay. Diane Matter -- Mottola?

**MS. MOTTOLA:**

Good afternoon, everyone. I want to thank Tom Cilmi for inviting the Ronkonkoma community. My name is Diane Mottola. I'm from the Ronkonkoma Civic Association as Director, and Long Island Railroad Committee Chairperson. I know this is not part of the subject, but I'm going to incorporate some of the impacts with the Ronkonkoma Hub, is the Long Island Railroad, and the double-track project, and commuters, and our mobility around our area that has not still been addressed from the developer, or the Town, and County.

So, I mean, we were asking for a traffic study, which would be approximately about 10% of your \$2.3 million. From what I understand, it's about 250,000 for a traffic study that we think is important enough at this stage with developing the double-track and the development of the Hub. These matters need to be addressed.

So I'm asking you to please table your decision for this money right now and discuss further how you're going to develop something that's not planned correctly, okay? Thanks.

**P.O. GREGORY:**

Thank you, Diane. Ralph Fasano, then Thomas Ronayne on deck.

**MR. FASANO:**

Good afternoon. My name is Ralph Fasano. I'm the Executive Director of Concern for Independent Living, and I'm asking your support for Resolution 1849, which is an infrastructure grant that will help us to develop 123 units of housing in Middle Island.

I know a number of you were at our Liberty Village grand opening this past week, where we took 60 Veterans out of homelessness, out of shelters, out of cars, off of the streets, and they're now living in very dignified housing. And I want to thank you for your support for making that project possible. We just started construction on our Ronkonkoma project that will house 30 homeless Veterans, and in these 123 units, we hope to house as many Veterans as possible.

And I want to also voice support for 1836 and 1837, Legislator Stern's move to really put our County in a direction to be a leader in eliminating Veteran homelessness in our region. We're off to a good start. This legislation will really be a significant impact on our ability to move forward and end Veteran homelessness. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Ralph. Tom, Tom Ronayne.

**MR. RONAYNE:**

Good morning, Mr. Presiding Officer, Legislators. I'm here to speak strongly in support of Resolution 1836 and 1837, which I believe are both on your agenda for today. Both of these, both of these pieces of legislation are incorporated into the Housing Our Homeless Heros Act, which we have been discussing for some time. The impact of these two pieces of legislation on the ability of the Suffolk County Veterans Services Agency, and many of our partner agencies and entities throughout the County, would be significantly enhanced by allowing us to proceed forward with the details contained in these bills.

So, again, I strongly support -- I will be here this afternoon to speak in more depth, and certainly available to answer any questions that you may have. But I -- speaking professionally, these bills will go a long way toward enhancing and improving the level of service that we're providing to the Veterans in Suffolk County and their families. Thank you.

*(\*Applause\*)*

**P.O. GREGORY:**

Thank you, Tom. Again, I'll call Lisa Votino-Tarrant. Not in the audience. That's all the cards that we have. Is there anyone in the audience that didn't fill out a card that would like to speak? Okay. Oh, Dan, yes. I was told you weren't going to be here. All right.

**MR. FARRELL:**

I went to Hauppauge.

**P.O. GREGORY:**

All right.

**MR. FARRELL:**

Good afternoon. My name is Dan Farrell, President of AME. And I'd just like to correct one of the previous speakers who spoke on I.R. 1741, the red light issue. We've had an epidemic mostly of our DPW members driving Suffolk County vehicles and getting tickets, and we face the same challenges that they do. I know they said they'd like to be treated, you know, equally, but doesn't everybody? But our members are being asked to pay the tickets, as well as being disciplined as well. And multiple accounts are looking at suspensions, and even possible termination.

So I'm happy to report that we are working with the Administration to try and work out a uniform policy, but I just want to make everybody aware that we're facing those same issues with these red light cameras. And, as you know, our DPW guys and girls out there working work very hard, and a lot of times, you know, whether it's in a weather emergency, or whatever, they're out there trying to do their jobs the best they can. And for them to be getting tickets and being disciplined we don't think is right. But, again, we're working with the Administration to try and work this out. But I just wanted to correct that last speaker, that, you know, we're in the same boat. So, hopefully, we can come to a fair and equitable solution. Thank you.

**P.O. GREGORY:**

Okay. Thank you. All right. That is all the speakers that we have. I make a motion to close the Public Portion.

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

Second.

**LEG. BARRAGA:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. I'm going to make a motion to take I.R. 1727, on Page 7, out of the order. It's ***I.R. 1727 - A Local Law to prohibit the sale of powdered caffeine to minors in Suffolk County (Sponsor: DuWayne Gregory)***.

**LEG. MC CAFFREY:**

Second.

**P.O. GREGORY:**

Do I have a second?

**LEG. MC CAFFREY:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

I'd like to make a motion to approve.

**LEG. SPENCER:**

Second.

**P.O. GREGORY:**

Second by Legislator Spencer. On the motion? Spencer, would you --

**LEG. SPENCER:**

Briefly on the motion, we look at powdered caffeine and it's being sold on the internet, and as much of a sixteenth of a teaspoon is two large cups of coffee. And the issue is that this stuff is being sold in bulk, and it can be fatal with as little as a teaspoon, which is equivalent to 25 cups of coffee. It's something that's a ticking time bomb. There's no medical reason to have this. Our retailers are not going to suffer any loss of business.

Now, this is the shocking fact, and which is why this should pass unanimously. When we look at the concentration, we talk about 95 milligrams of caffeine or thirty-second of a teaspoonful. It's more potent than prescription grade medications on the market, if I write you a prescription for an antibiotic, or blood pressure medication, or a relaxant.

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When we see something at this concentration, it's controlled by the FDA, so this -- there's been deaths. We're going to, again, lead. This is a commonsense first step. I need your support on this. Let's pass this and let's do the right thing. There's no downside to voting against this.

**P.O. GREGORY:**

And I'd like to thank Doc Spencer for cosponsoring this bill with me. We're looking to ban this substance to minors, which it's being marketed to. There have been deaths in relation to this, and it's -- you know, we can go into local stores. It's largely sold online, but there are retail shops that does sell this. And as Doc Spencer mentioned, there's a low dosage rate, death dosage rate, and it's hard to measure. And this is in a powdered form, and our kids are taking it, they're putting it in their drinks. They're taking it to -- with the -- you know, it's being promoted as a stimulant, a mental stimulant. It's being promoted as something to do if you're an athlete in your workouts.

So this is something that we feel that is not necessary. We have the support of the Health Department. The FDA has issued a warning letter against this substance. But today, we're looking to just restrict the sale to anyone under 18 years of age, which I think is appropriate. So we ask for our colleagues to support it.

Is there anyone that would like to speak on the motion? Okay. All right. We have a motion and a second. All in favor? Opposed? Abstentions?

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

Cosponsor.

**MR. LAUBE:**

Eighteen.

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

Cosponsor.

**P.O. GREGORY:**

Okay.

**LEG. SPENCER:**

Thank you.

**P.O. GREGORY:**

Thank you. Okay. We have a request for another one. We're going to try to get this one under the bell before we leave, because we have Supervisor Cantwell, who is waiting here. We have a request to take I.R. -- CN, actually, I.R. 1950 out of order. It's -- ***I.R. 1950 is authorizing execution of an Intermunicipal Agreement with the Town of East Hampton in connection with the Downtown Montauk Stabilization Project (Sponsor: County Executive).***

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

I'll make the motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman. Did I hear a second? I'll second to take it out of order. All in favor? Opposed? Abstentions? It's a CN, it's in your red --

**MR. LAUBE:**

Eighteen.

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

I'd like to make a motion to approve I.R. 1950.

**P.O. GREGORY:**

Motion to approve by Legislator Schneiderman, second by Legislator Calarco.

**LEG. KENNEDY:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Krupski. Did you make another motion or --

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

Can I ask Supervisor Cantwell to come to the forward table, too, because I'm sure there'll be questions for him as well.

**LEG. KRUPSKI:**

No, I didn't -- someone else asked on the motion first, but I would like to speak also.

**P.O. GREGORY:**

Okay. All right. Okay. Legislator Kennedy.

**LEG. KENNEDY:**

Yes, Mr. Chair. I guess to the sponsor, and perhaps to the Supervisor, we did have a number of speakers that came forward that didn't seem to be of the same mind or of the same ilk. And, as a matter of fact, the one speaker spoke about this being something that was characterized as protection for a couple of commercial properties.

I'd like to tell you, Mr. Supervisor, that I'm familiar with it, but I'm not. Suffolk County's a big county, though, so I've been out in your Town, as well as all others, but -- so why don't you tell a little bit about, you know, what the sum and substance is here.

**SUPERVISOR CANTWELL:**

I think -- I'd love to have unanimous support on every action that any of us ever take, but that's usually not the case. The downtown -- you know, this is similar to the project on Fire Island in a sense that it's the result of the Sandy funding that came out of, you know, Hurricane -- the Sandy mess. It's about 3,000 feet of beach restoration project that includes a geotube reinforced dune, with sand replenishment above it and in front of it, okay?

And it's more than just a few motels here. I mean, you know, this beach area protects the entire downtown of Montauk. It's not just 15 or 16 motels, because, you know, Montauk is a very low-lying area, and, you know, in a hurricane, you know, the entire downtown Montauk could be wiped out. This happens to be -- you know, the area where this is going to take place is in a very low-lying area of dune, okay? To the east of it is pretty well protected by cliffs, and to the west of it is pretty well protected by a combination of dunes and cliffs. This is a low-lying area where -- you know, for whatever reason, this is where Montauk developed and --

**LEG. KENNEDY:**

There's a traffic circle right there that's approximate to that, sir? Because I remember going in, there's a restaurant we came to on your right, you kind of slope down and then when you go past it, it goes backup again?

**SUPERVISOR CANTWELL:**

That's exactly right, yeah.

**LEG. KENNEDY:**

Is the Army Corps telling the Village that this is the preferred method for protection? I thought I scanned or saw something, that there were a variety of different methods. Have you guys vetted it, and is this what you want?

**SUPERVISOR CANTWELL:**

Yes.

**LEG. KENNEDY:**

And you're convinced this is the best way to go?

**SUPERVISOR CANTWELL:**

Yes.

**LEG. KENNEDY:**

Okay. To the folks that talked about the fact that, you know, most of this will be out in the Atlantic Ocean in two or three years from now, what's your thought about that?

**SUPERVISOR CANTWELL:**

Well, I don't know. I mean, if we can make that prediction, you know, we'd probably be in a lot of trouble in a lot of places. I don't think that's going to be the case. You know, obviously, the Army Corps is not investing \$8 million in this because they think or believe it's going to fail. You know, it's designed to provide a level of protection to this low-lying area in downtown Montauk.

**LEG. KENNEDY:**

What would be the recurring exposure? I guess, for a second, sir, I'm going to switch to the gentleman next to you, to Budget Review Office. Robert, our recurring commitment is 40%? It's an \$8 million project up front, 100% Federally funded, and then subsequent to that, there's a maintenance component, 40% of which the County bears?

**MR. LIPP:**

I'll have to get back to you on that. I can't --

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

I may be able to answer that. So the Memorandum of Understanding, Intermunicipal Agreement is that we would split the cost of keeping the structure covered. It's estimated by the Army Corps at 157,000 average a year, so our cost would be just under 80,000, that's what's estimated.

**LEG. KENNEDY:**

Can we, through -- Mr. Chair, can we -- Gil, do you agree with that? Is that --

**COMMISSIONER ANDERSON:**

Yes, sir, that's exactly what the agreement states. We are responsible -- we would response -- we would be responsible for half of the maintenance cost.

**LEG. KENNEDY:**

Which seems reasonable, maybe 80 to 100,000 a year.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. KENNEDY:**

Okay. All right. Thank you, I'll yield.

**LEG. KRUPSKI:**

On the motion.

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

All right. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. In 2000, the Nature Conservancy called the East End Towns together and we met at Mashomack on Shelter Island, and Riverhead, Southold, Shelter Island, of course, East Hampton, Southampton, and -- were there. And the big concern at the time -- this is the Year 2000 with shoreline hardening. Because when you harden the shoreline, you deflect all the wave energy. So the first impact of shoreline hardening is the wave energy is deflected down, you lose your beach elevation. All right? Normally, in the summer, the beaches build up again, because the flow is different, the winds are -- the predominant winds are different, you build up. On the natural system, the beaches will build up. When you harden the shoreline, they can't.

This is shoreline hardening. And probably 15 years ago, we met with the Southampton Trustees and they said they had a problem. They put these geotextile tubes on the beach and they didn't know -- they were looking for some legal remedy. They were done illegally without permits. They were looking for some legal remedy to have this property owner remove them. Over the weekend, we had a nor'easter, and not a major nor'easter, it was just a nor'easter, and Mother Nature took care of it and these structures were completely removed.

These are -- and I have to start by saying I have the greatest respect for Supervisor Cantwell. He's got a great reputation in East Hampton, and if I were East Hampton Supervisor, I would be advocating for the same thing. I don't -- you know, I don't fault him, you know, for advocating for this at all. However, my experience with the shoreline hardening is that it -- one, it destroys your beach elevation immediately; and two, it's also going to deflect your wave energy, and it's going to have -- it's going to increase and accelerate erosion to the neighboring properties, and now that's going to become a liability for the neighboring properties. So that wasn't really addressed at all. And I read the Downtown Montauk Stabilization Project that was supplied to us by the Army Corps of Engineers. That wasn't even addressed in that report.

So, if you look at all the talk in the wake of Super Storm Sandy of shoreline resiliency and storm resiliency, arming the shoreline is not the way to go. You need to elevate structures so that the water can come in and the water can flow naturally. When you armor it, it's just -- it's a bad situation.

The other bad part about this is the County, under the MOA, would be on the hook for 50% of the restoration of any -- after any storm event. And you don't have to have a major storm, you could have -- any nor'easter can do a lot of damage to the beach, depending on the wind direction, the tide and the currents at that moment. That means the County -- and the \$80,000 figure is just a -- I think it's a figment of the Army Corps' imagination, because if you have these structures on the beach, and the sand keeps disappearing, don't forget, the report says the sand isn't -- it's not local sand. This sand has to be trucked in for this project, and it has to be trucked in for any kind of restoration. So you're looking at the County being on the hook for trucking in sand every time sand is removed in a storm event, and any time the structure's damaged. You could be looking at millions of dollars. And there's also no end to this. This is supposed to be an interim fix to armor

the shoreline. There was no end to this project.

This report that was written by the Army Corps of Engineers, that we all have copies of, this kind of stands on -- in 1960, they started to build groins. They started to study the South Shore, and then they built groin fields, and we know how destructive they were to the down drift areas, and there's still lawsuits going on. Every time you harden the shoreline, you have impacts that go on for years and years and really never end. And I'm very familiar with that, because in Peconic, the County built a jetty there in 1964 and it's still -- 50 years later, it's still causing a lot of erosion, and it's still causing environmental impacts to Peconic, and nothing's been resolved.

So I can't -- I can't support this at all. If you look at the Fire Island to Moriches Inlet project, they're rebuilding beaches, they're rebuilding and replanting dunes, they're rebuilding a natural system. Something like that in Montauk I could support without a problem, but to harden and armor the shoreline there is -- in my experience, is a big mistake.

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

Okay. Next up -- well, first, I'm not so sure it was a question, it was more of a position. But, Supervisor Cantwell -- Commissioner Anderson, did you want to respond to what was just said?

**LEG. D'AMARO:**

Excuse me. Are we going to break for lunch? Because I have extensive questions also on this.

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

I will need to know if Supervisor Cantwell could come back after lunch. Are you available or not?

**SUPERVISOR CANTWELL:**

Well, I prefer not to, but I'm also going to stay with you as long as necessary to answer any questions that you have.

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

All right. Then -- all right.

**LEG. KENNEDY:**

Why do we have to do this now? Why can't this go through the committee process?

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

We can explain that, but it's basically Army Corps' schedule. This project is scheduled to begin in January, and to meet that deadline, we need to do that today. And all these questions can be answered, but as long as Gil can be here and Gail from the County Attorney's Office, others from the Administration and Supervisor Cantwell, I think we can do this after lunch. So is that the desire of the body, to break for lunch at this point?

**LEG. CALARCO:**

Yes.

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

Okay. Thank you, Supervisor Cantwell. We are adjourned until after lunch.

**SUPERVISOR CANTWELL:**

And what time would you expect that to be?

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

That -- we're recessed until two --

**MR. NOLAN:**

Two-thirty.

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

Two-thirty. I'm sorry, not adjourned, but recessed until 2:30.

*(\*The meeting was recessed at 12:39 p.m. and reconvened at 2:30 P.M. \*)*

**P.O. GREGORY:**

Good afternoon, everyone. Mr. Clerk, can you do the roll?

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

**LEG. KRUPSKI:**

Here.

**LEG. BROWNING:**

*(Not Present).*

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

Present.

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Present.

**LEG. LINDSAY:**

Here.

**LEG. MARTINEZ:**

*(Not Present).*

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

*(Not Present).*

**LEG. TROTTA:**

Here.

**LEG. McCAFFREY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

Here.

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

Here.

**P.O. GREGORY:**

Here.

**MR. LAUBE:**

*Fifteen (Not Present: Legislators Browning, Martinez & Kennedy).*

**P.O. GREGORY:**

Okay. Thank you, Mr. Clerk.

Now we have to go into **Public Hearings**, page two. We have **(Public Hearing on) Southwest Sewer District Assessment Roll**. I don't have any cards. Is there anyone in the audience that would like to speak on this matter? Please come forward.

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

Motion to close.

**P.O. GREGORY:**

Okay. Motion to close by Legislator Schneiderman, I'll second.  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (*\*\*Actual Vote Corrected by Clerk Laube: 17-0-0-1 -- Not Present: Legislator Kennedy\*\**).

**P.O. GREGORY:**

**(Public Hearing on) 2015 Operating Program and Budget**. I don't have any cards. Is there anyone here that would like to speak on the matter? Please come forward. Seeing none --

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

Motion to close.

**MR. NOLAN:**

Recess.

**P.O. GREGORY:**

Legislator Schneiderman is going to make a motion to recess.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1636-14 - Adopting Local Law No. -2014, A Local Law to increase transparency and fairness of the County's property leasing process (Schneiderman).*** I don't have any cards. Is there anyone in the audience that would like to speak on this matter? Please come forward.

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

Motion to recess.

**P.O. GREGORY:**

Seeing none, a motion to recess by Legislator Schneiderman. I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1658-14 - Adopting Local Law No. -2014, A Charter Law to strengthen and streamline lobbyist registration and reporting requirement (Lindsay).*** I don't have any cards. Is there anyone here to speak on this matter? Please come forward. Not seeing anyone; Legislator Lindsay, what's your pleasure?

**LEG. LINDSAY:**

Recess it.

**P.O. GREGORY:**

Motion to recess by Legislator Lindsay.

**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 1726-14 - Adopting Local Law No. -2014, A Charter Law to update the County's ethics statute (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. Not seeing anyone, I'll make a motion to close.

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

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1736-14 - Adopting Local Law No. -2014, A Local Law to ban the sale of personal care products containing microbeads in Suffolk County (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, what is your pleasure?

**LEG. HAHN:**

Motion to recess.

**P.O. GREGORY:**

Motion to recess by Legislator Hahn. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Seventeen (Not Present: Legislator Kennedy).*

**P.O. GREGORY:**

***(Public Hearing on) IR 1759-14 - Adopting Local Law No. -2014, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues (Schneiderman).*** I don't have any cards on this matter. Is there anyone in the audience that would like to speak? Please come forward. Seeing none, motion to recess by Legislator Schneiderman. I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***(Public Hearing on) IR 1838-14 - Adopting Local Law No. -2014, A Local Law to expand the County's Veterans Housing Program (Stern).*** I have two cards. Our first speaker, Tom Ronayne.

**DIRECTOR RONAYNE:**

Good afternoon. My purpose today is to speak strongly in favor of supporting this legislation. The intent, obviously, is to expand the County's ability to provide not only affordable, but safe and appropriate housing for our veterans and their families. Despite all the efforts, the hard work and the extraordinary commitment that has been demonstrated through this Legislature, through our administration and certainly my office, the need still remains great. The assistance that this legislation would provide us in accessing the available housing stock and matching or pairing the appropriate veterans and their family members with this housing would go a long way toward addressing the absolutely unacceptable problem that we have with homelessness amongst our veteran population.

Again, I'm happy to answer any questions. We have been discussing this legislation for some time and -- I'm sorry. I'm happy to answer any questions if there are any.

**P.O. GREGORY:**

Okay. Thank you, Director. Anyone have any questions for Tom? No?

**LEG. STERN:**

Thank you, Tom.

**P.O. GREGORY:**

Okay, thank you. Oh, you do, I'm sorry.

**LEG. STERN:**

No questions. Thank you, Mr. Presiding Officer. I just wanted to thank Director Ronayne for his assistance in drafting of this and the other Legislative initiatives that make up the Housing our Homeless Heroes Act. It is through his assistance with him and his outstanding staff that we're able to do some good things here. So I wanted to thank him on the record.

**DIRECTOR RONAYNE:**

Thank you, Legislator Stern. And I have already provided via e-mail, electronically, to Legislator Stern, and I'm happy to provide a copy for the record, of an analysis that was done on a hypothetical but reasonable scenario outlining the case of one individual veteran that this legislation would represent and the corresponding savings to the County, as well as the additional revenues brought in to the County -- not to the County's Treasurer, but into our general economy -- through additional services and benefits that would be made available to that individual, to that individual veteran. So I will make a copy of that available for the record as well, and I remain available to answer questions related to that if there should become any.

**P.O. GREGORY:**

Great. Thank you, Tom.

**DIRECTOR RONAYNE:**

Thank you.

**P.O. GREGORY:**

Okay, Greta Guarton, second speaker. Hi, Greta. How are you?

**MS. GUARTON:**

Good afternoon. I'm a little shorter than Tom, sorry. Good afternoon, everybody. I'm the Executive Director of the Long Island Coalition for the Homeless.

The first thing I want to say is thank you very much, Legislator Stern, for proposing this legislation. On Long Island, in both Nassau and Suffolk Counties, there's a growing number of homeless veterans. Despite the fact that there's Federal funding available to help them get permanent housing, there's something called VASH Vouchers which is Veterans Administration Supportive Housing Vouchers; they're similar to what used to be called a Section 8 voucher. A big challenge that we have in this County and in Nassau County as well is many landlords, private landlords will not accept them. As a result, we have Federal dollars that could be used for providing permanent, safe, supportive housing for our veterans, and instead they're in shelters being paid through Suffolk County and they're remaining there until somebody will actually accept those vouchers.

One of the wonderful things about this program would be that non-profit organizations could work with the County to provide that kind of housing. It's already been proven that it's extremely successful.

The vast majority of the funds to continue the programs would not come out of the County, it would save the County money. And veterans, men and women who serve this country, would be able to come, have a safe, supportive place to live and rebuild their lives. So I want to thank you again. I

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can't wait for this to pass (*laughter*). If there's any questions, I'm happy to answer them.

**P.O. GREGORY:**

Great. Thank you, Greta. And thank you for all the great work that your organization does. Legislator Stern has a question for you.

**LEG. STERN:**

Yeah, thank you, Mr. Presiding Officer. Greta, thank you for being here. I thank you for all that you do and, of course, for your assistance in drafting this Legislative initiative.

I think it was Legislator Krupski who, during the committee meeting, asked a very important question, in that when we are assisting our veterans and their families, look, we don't make policy regarding declaration of war and we don't make peace here in Riverhead or Hauppauge, but we are charged with caring for our veterans and their families when they come home and when they need assistance. So the question that was raised was don't the Federal dollars that veterans and their families are entitled to, shouldn't that be where they look to for their benefits and shouldn't this be a Federal issue? Or I'll put it to you, how important is it that we be involved to this extent at the local level to make these Federal dollars actually work for our veterans and their families?

**MS. GUARTON:**

And thank you for that question, that's exactly where I was going with my statements. There are Federal dollars. Unfortunately, we can't always access them, because especially with the VASH vouchers, the vouchers provide subsidies for housing, but many, many, many of the for-profit landlords out there, including many of the communities, despite the fact that there are now laws that no longer allow for source of income to be a reason to deny housing, it's still happening and landlords will not accept it. So there's Federal dollars available and no way to actually use them. This, in fact, would allow us to use and make the best use of those dollars, provide the housing necessary. And by the way, the VASH vouchers also come with comprehensive support services to make sure that our veterans are, in fact, getting all of the services and the support that they need to help keep them in that housing and stable.

**LEG. STERN:**

Thank you.

**P.O. GREGORY:**

All right, thank you.

**MS. GUARTON:**

Thank you very much.

**P.O. GREGORY:**

Anyone else? No, okay.

**MS. GUARTON:**

Thank you.

**P.O. GREGORY:**

All right. That's all the cards that we have. Is there anyone else in the audience that would like to speak? Yes, Ms. Johnston.

**MS. JOHNSTON:**

Good afternoon. I didn't plan to speak on this subject, so I'm just going to thank you for considering this bill. We need to remember that less than 1% of the people in this country fight our wars, and

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the rest of us are the beneficiaries of their efforts, so we need to do everything we can. And I'm going to suggest that you consider enforcement, because the VASH needs to be accepted. Landlords don't have a right to turn that down, any more than anyone turned down the GI Bill of Rights. This is something that we owe our veterans, and I thank you.

**P.O. GREGORY:**

Thank you, Ms. Johnston. Okay. Anyone else? No? Okay, that being all.

**LEG. STERN:**

Motion to close.

**P.O. GREGORY:**

Motion to close by Legislator Stern. Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay. I would like to make a motion setting the date for the following Public Hearing on October 20th, 2014, at 10 am at the Rose Caracappa Auditorium in Hauppauge:

*The Southwest Sewer District Assessment Roll*

Do I have a motion? Should I just continue reading?

**MR. NOLAN:**

Yes, keep going.

**P.O. GREGORY:**

And also setting the date for the following Public Hearing, November 18th, 2014, 2:30 PM at the Rose Caracappa Auditorium, Hauppauge, New York:

*IR 1853, a Local Law to strengthen requirements for not-for-profit veterans organizations soliciting donations in Suffolk County;*

*IR 1854, a Local Law to amend Resolution 683-2014, a Local Law to amend and update the reorganized Chapter 528 of the Suffolk County Code to incorporate changes adopted by the State to facilitate continuing advancements and modifications of the law in the future;*

*IR 1859, a Local Law to prohibit the use of unauthorized tracking devices;*

*And IR 1867, a Charter Law to modify Charter Commission requirements.*

Do I have second?

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

Second.

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**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay.

All right. Prior to the break, we were discussing IR 1950. We have the Supervisor here, we have several requests to entertain other resolutions, we have Jump Start, we have Park Police and some other matters. So we have a motion to approve?

**MR. LAUBE:**

You had a motion and a second.

**P.O. GREGORY:**

Any other motions?

**MR. LAUBE:**

No, that's it.

**P.O. GREGORY:**

Okay. All right, so --

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

Could I ask Supervisor Cantwell to come back up to the table? I know there's a number of questions. It might be helpful to have Commissioner Anderson at the table, if he's here, as well as maybe Gail Lolis who worked on the agreement, the intermunicipal agreement.

**MR. VAUGHN:**

Mr. Deputy Presiding Officer, I just wanted to let you know that Commissioner Anderson is on route back here. Gail Lolis, however, is available right now to answer questions.

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

We've got a list on that. I think Legislator Stern was actually next on the question list. Do you want to pass for now, Steve?

**LEG. STERN:**

I'll pass for now because my questions were really geared towards the Commissioner who we're waiting on, so drop me down.

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

Okay. Well, maybe I'll respond a little bit and maybe ask the Supervisor a question or two.

So this area obviously I'm quite familiar with, living in Montauk and having a business in Montauk. The downtown Montauk area many years ago had hundreds of feet of beach in front of it, but as time progressed got washed away to the point that downtown Montauk is extremely vulnerable. I mean, it's literally in peril. One decent size storm and we could see probably a third of Suffolk's tourism economy put out of business, particularly the businesses, the hotels that are directly behind this reinforced dune.

Now, I have never been a fan of hard structures myself; I realize that there is potential erosion that they could cause. I would not be supporting this unless I felt it was the minimum design project and

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was absolutely necessary, and I believe it is absolutely necessary. Without this, if there was a storm projected for tomorrow, we would be scrambling to figure out what to do to try to keep these hotels from falling into the ocean, and probably laying sand and sand bags and whatever we could out in front. Just the hotels behind this dune probably bring in in the neighborhood of \$4 million in the County portion of sales tax per year, another \$2 million in Hotel Tax, the fork that goes to the General Fund, so about \$6 million to the General Fund, plus all the multipliers, all the guests who stay go to restaurants, who go to stores, go all these other place that produce or collect sales tax. So to me, this is a critical project.

Initially, it was designed with a rock wall, a rock revampment. The Army Corps listened to comments from literally two administrations, it went through an earlier Town Board. The project was changed so that it would have this geo-textile sand bag interior core because it could be removed. It was, you know, not as permanent as a rock wall. And this is, I believe, over \$8 million in Federal funds on an emergency basis just to keep downtown Montauk from washing into the ocean.

It's -- to me, it's absolutely critical. We cannot walk away from one of our largest commercial areas. But Supervisor Cantwell, you -- I went to a lot of these meetings, you went to even more. There was tremendous amount of community questions and community participation. I know this issue about hardening the shoreline has come up. Can you speak a little bit to how it was decided that this was acceptable to the community, and particularly to groups like even CCOM which initially took a very strong position against a rock wall.

### **SUPERVISOR CANTWELL:**

I could say a couple of things. I mean, we should recall that the Army Corps of Engineers did a thorough review and analysis of this -- you know, this issue in Montauk. And they came up with four options, you know, that included -- as you said, Jay -- a sand and dune beach, a rock wall, a cedar beach and a geo-textile sand-filled dune project, and they evaluated all of those. And the only project that they would support as their preferred option was this option, a geo-textile reinforced dune, you know, with sand.

You know, we vetted this project through our Natural Resources Department, and I would just say this. I mean, the Town of East Hampton did a town-wide local Waterfront Revitalization Program a number of years ago and looked at many of these very issues. You know, how do you deal with these issues of coastal erosion? You know, are hardened structures, you know, something that you want on your coast line? And what are the other options that you should put in place in order to, you know, protect your community? And in this -- and basically, you know, in finishing that analysis, they basically -- this report basically said, you know, let the natural processes, for the most part, take place, and that's the Town's policy. There are exceptions, though. That plan recognizes certain parts of our community where there was already significant development, like in downtown Montauk, would ultimately need some protection. And that plan provided for that protection and it suggested that it be, you know, modular, geo-tube type construction because it has some flexibility to it. It's not a hard and fast, hardened structure.

We had three major public hearings in the Town of East Hampton on this project, in Montauk and in East Hampton, hundreds of people attended. And it's my opinion that the vast majority of people that live in our town supports this project, and certainly the people in Montauk support it because they understand the economic engine of our community in part is downtown Montauk. You know, it's an entire business center. It's probably one of the few business centers that's on the Atlantic Ocean front.

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

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Thank you, Supervisor. There was some question about what the County cost would be. If there was a major storm -- and again, emergency declaration type of storm that would wash this away -- it's my understanding that it would be built back to original spec by the Federal government, with the Federal government covering the entire cost of that repair. Is that your understanding as well? Gail, is that your understanding?

**MS. LOLIS:**

Yes, as long as the project is maintained to their specifications. They come in, I can't remember the PL-899 I think it is, same thing as with {FIMI}, they come in and put it to pre-storm, not from -- not post-construction, just how it was prior to that storm, they put it back to that.

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

Actually, I think that's been changed; right, Larry? The Army Corps recently spoke and I think that provision may have been changed back now to the original spec. Gail, the MI -- the Memorandum -- the intermunicipal --

**MS. LOLIS:**

IMA.

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

IMA, indemnifies the -- the Town is actually indemnifying the County? What does that entail; what does that pertain to?

**MS. LOLIS:**

There's a hold-harmless and an indemnification provision. The Town would hold us harmless and waive any claims for liability arising out of the project. The Town would also defend and indemnify the County for any negligence on the part of the Town or any claims of negligence.

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

Under the IMA, the Town is also first instancing all the maintenance, right, and then billing back the County; is that how that works?

**MS. LOLIS:**

Yes.

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

Okay. And that's estimated by the Army Corps at \$157,000; correct?

**MS. LOLIS:**

Correct.

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

And if this other project, the larger project kicks in, which we hope will be two or three years from now where a hundred foot of beach, roughly, will be placed in front of this structure, at that point that agreement will supercede this agreement --

**MS. LOLIS:**

Yes.

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

-- and the County will no longer be on the hook for 50% of the maintenance; correct?

**MS. LOLIS:**

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Yes. Even the way the Army Corps drafts this report, this is not intended to be -- this is intended to be an interim project. They don't -- I mean, the useful life of this project, I think they estimate, is 15 years.

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

And Larry, in your estimation, what would be the consequence of not doing this project?

**SUPERVISOR CANTWELL:**

Well, you're going to have an entire business center, you know, in my community and supporting the County as well, in jeopardy. I mean, you're right, it wouldn't even take, you know, a major hurricane to devastate downtown Montauk. It could just be a significant storm similar to Sandy, and you could literally lose the entire downtown area. This is not -- as I said before, it's not just about, you know, a half of dozen motels that are on the frontage of this beach. That beach frontage protects the entire downtown area. And literally, the ocean could sweep through that downtown area into Fort Pond and then across the Fort Pond Bay, you would create an Island in Montauk.

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

And Larry, in one of those storms, I'm not sure whether it was Sandy, but I watched as the waves were breaking against the foundation of one of these hotels. And the hotel itself was acting almost like a bulkhead. So if people are concerned about reflecting wave energy, without this sandbag wall, there's going to be lots of reflected wave energy just off the foundations, but not all of them have those types of foundations.

Can you speak to the nature of those businesses in that area? These are typically like mom and pop types of hotels, right, not the -- there's no Holiday Inns or larger, you know --

**SUPERVISOR CANTWELL:**

I'm sure some of the Legislators have been to Montauk. I mean, Montauk's a blue collar town. This is not, you know, the Hamptons elite that we read about in the press. Montauk, you know, it's the home of one of the largest commercial fishing fleets in the State of New York by landing, a huge sports fishing industry, blue collar mom and pop, you know, businesses, and these aren't corporate-operated businesses. I mean, you know, in this case you're dealing with businesses that own the real estate and operate the business, you know, operate the businesses themselves.

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

That's all the questions I have at this moment.

**P.O. GREGORY:**

Okay. Legislator D'Amaro, was that --

**LEG. D'AMARO:**

Yeah, I'm just waiting for the Commissioner.

**MR. NOLAN:**

He's waiting for Gil.

**P.O. GREGORY:**

Oh, you're waiting, okay. Legislator Kennedy.

**LEG. KENNEDY:**

I'll be interested to hear the exchange with the Commissioner, but let me go to Gail then to try to see why it is we're taking this up as a CN. The sponsor had said something about something

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associated with timing here. What -- why are we needing to deviate from what could be a resolution voted on November 18th?

**MS. LOLIS:**

We're getting the schedule from the State DEC. We're the first step in the process as far as this body approving the IMA, then the next step would be the DEC signs a project partnership agreement with the Town of East Hampton; they need that signed in October, originally it was October 15th. They said they have a couple of more, you know, maybe another week or so leeway, but they need that agreement signed in October in order for them to be able to sign their agreement with the Army Corps of Engineers, and then it comes back to the State and then it goes to the Comptroller. There's a lot of levels of approvals. And our next meeting is not until November 18th, so to vote on this at the November 18th meeting, everybody believed that they may not be able to get all of the agreements that have to be in place in place for them to start the construction in January.

*(\*Commissioner Anderson entered the meeting at 2:57 P.M. \*)*

And if they miss, they have a small window to do the construction, so if they don't get the construction started timely, then they can't get it completed before Memorial Day.

**LEG. KENNEDY:**

Through the Chair, so then to Mr. Supervisor. Is there a majority of the East Hampton Town Board that supports this, Sir?

**SUPERVISOR CANTWELL:**

Yes.

**LEG. KENNEDY:**

Okay. All right, fine. I'll yield.

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

Unanimous, right, Larry? I believe.

**SUPERVISOR CANTWELL:**

Yes, I believe that's the case, yes.

**P.O. GREGORY:**

Okay. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. I've got a question I guess for either Gail or Commissioner Anderson. And I've got, you know, the copy and I read it of the downtown stabilization project. And it says in here on page ten, *Non-Federal Partners and Stakeholders: As the Non-Federal Partner for the overall FIMI project, also for the stabilization project is the New York State Department of Environmental Conservation.* So at what point in time -- and this report has August of 2014 on it. At what point between August and late September did it change to the State not having any responsibility but the County being on the hook for maintenance?

**MS. LOLIS:**

Just so you understand, the Army Corps of Engineers will only enter into an agreement with the State. The State will only enter -- will only agree to be the non-Federal sponsor if there is a local sponsor; in this instance, the local sponsor needs to be the Town or the County. The Town has agreed to do it with the County's support. The State has to be the non-Federal sponsor or the project does not proceed. That's why we have -- that's why we have to follow their schedule in

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terms of getting all the agreements signed. Just like with FIMI; the State is the non-Federal sponsor, but we are the local sponsor.

**LEG. KRUPSKI:**

So this would proceed without County involvement.

**MS. LOLIS:**

As long as the Town signs a project partnership agreement with the State.

**LEG. KRUPSKI:**

For now I'm done.

**P.O. GREGORY:**

Okay. All right, Legislator Stern.

**LEG. STERN:**

Yeah, thank you, Mr. Presiding Officer. Understanding that the project is important and needs to be done, this is a project that is being recommended by the Corps of Engineers. As a former proud resident of New Orleans, I am reluctant to blindly support anything that the Army Corps of Engineers proposes.

*(\*Laughter\*)*

And so, Commissioner, I look to you to maybe comment on the nature of the project. I know that you've had discussions in the past about this particular project, particularly the interim nature of it. So I'd be very interested to know to be able to cast a better informed vote on how to support this project going forward. If we can hear from you and maybe understand a little better your opinion on the particular project as it's projected to go forward.

**COMMISSIONER ANDERSON:**

Thank you, Legislator. The project, as I believe it's been said, although I haven't been here for the entire discussion, is an interim project. It's a project that's intended to protect Montauk until the {FIMP} project can move forward. The reason it is primarily focused on the dunes rather than the dune and the beach is because there is no off-shore borrow area to deal with renourishing the beach itself, so an upland source is what is going to have to be used.

I believe for it's intent, it's not the end-all project, it's an interim project until the {FIMP} can come in and better protect Montauk. Next year the Corps will release the report for the FIMP, I believe in the spring is their intended goal right now. From there, there should be a larger plan for Montauk as well as for the entire South Shore of Suffolk County and those areas that were impacted by Sandy. So yeah, I think this is a good project for what it's intended and, you know, I would recommend it.

**LEG. STERN:**

Thank you.

**P.O. GREGORY:**

All right, Legislator D'Amaro.

**LEG. D'AMARO:**

Yes, thank you. Commissioner, I agree with Legislator Stern, it's important to protect Montauk, especially where the funding is available to do this project, and it's substantial. But I wanted to ask you about -- since we haven't had an opportunity to understand the project itself and we don't have

the expertise to really digest what the impacts would be, I do know that in the past there have been projects done with respect to shoreline that have had negative consequences. In fact, I think the County's been in litigation for many years, or a party to a litigation for many years. So I just wanted to ask you, were the potential downside or negative impacts explored? You know, what's the potential? Why -- I think the Supervisor had mentioned there were four options that the Army Corps of Engineers had proposed, this one was chosen. I understand it's an interim project, but 15 years is not so interim, okay? And is there going to be -- or how do we know there's not going to be an impact along the coast line, a negative impact?

**COMMISSIONER ANDERSON:**

The Corps was very concerned in doing their design. The units that are going -- are proposed to be placed under the dune are -- they were specifically chosen so that they didn't react as previous geo-textile structures had GO-2's and such that have been posed and used other places have failed. They would not have allowed this type of unit to be proposed if they didn't feel confident that it was sufficient to provide the structure that's needed to protect the downtown area. So that's why -- it's not just any general geo-textile structure that's going in there, it's a specific trap-bag, as they call it, and they will, when they construct this, put the specification to make sure that it's this type of unit.

Can a big storm come in? Yeah, absolutely. If there was no sand and we just, you know -- or if there was no structure and it was just a dune made of sand, you would anticipate there would be more frequent need to repair it. You know, we'll deal with it as it comes. We can't predict the weather. I'm comfortable and I feel confident in the folks that I've dealt with at the Corps that they know what they're talking about in this specific case. And again, I go back to, it's not the end-all, it's --

**LEG. D'AMARO:**

But are there any specific potential impacts? You know, once you alter the force of nature, you know, is there a cause and effect concern, or was that addressed in their extensive research?

**COMMISSIONER ANDERSON:**

That would have been addressed within their report.

**LEG. D'AMARO:**

And so --

**COMMISSIONER ANDERSON:**

There is -- and I don't mean to cut you off.

**LEG. D'AMARO:**

No, that's all right.

**COMMISSIONER ANDERSON:**

You know, I understand where Legislator Krupski is coming from and, you know, the previous structure's weirs, things that extend out into the water; we understand that there are issues and negative impacts. Certainly, you know, you can't protect the entire coastline, this is looking to protect a small, low-lying area. Again, I go back to what is being proposed, I believe it's the best project that we can get for our money.

**LEG. D'AMARO:**

So this project is as opposed to reconstructing more of the beach itself, to use something with more of a permanent or solid structure.

**COMMISSIONER ANDERSON:**

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Yes, until such time as we can locate and permit the borrow source. Obviously there's a lot of sand off-shore that could be used for placing on the beach. The regulatory procedure to get the permits is going to be extensive --

**LEG. D'AMARO:**

Uh-huh.

**COMMISSIONER ANDERSON:**

-- and will likely take a number of years. So this is intended, similar to FIMI, as a one-time placement, you know, at 100% fully Federally funded and will provide a measure of protection. I don't believe that it'll be a negative impact per se. Yes, there could be negative impacts if storms come in. You know, if there's nothing there, I think you have a bigger risk of, you know, damaged -- especially, you know, looking at the low-lying area that Montauk is.

**LEG. D'AMARO:**

So let's turn to the County roll and the County liability. If the structure goes in and it's successful, you anticipate -- I don't want to say nominal, but minimal cost to the County with respect to maintenance.

**COMMISSIONER ANDERSON:**

Right now the Corps estimates that it's \$150,000 a year.

**LEG. D'AMARO:**

What is that maintenance; what is that cost for?

**COMMISSIONER ANDERSON:**

Essentially, if a storm rolls in and it scours away a portion of the dune exposing some portion of those bags, there has to be, I believe, four feet, or two feet -- I have trouble with that -- two feet of cover on that; that would have to be replaced to protect the actual fabric of the trap bags. So it's an anticipation of a general storm doing some damage, there would have to be some repair work. As was stated earlier, the County's exposure is estimated at around \$80,000 a year. I'm not trying to be blight by any means, but that doesn't -- 80,000 doesn't go terribly far.

**LEG. D'AMARO:**

Right, I agree with you. But there is no cap on the County's liability.

**COMMISSIONER ANDERSON:**

Absolutely not.

**LEG. D'AMARO:**

Nor is there a cap on the Town liability, the other 50%.

**COMMISSIONER ANDERSON:**

Right.

**LEG. D'AMARO:**

So I guess, Mr. Supervisor and our Commissioner are comfortable with having an open-ended liability, because there's only so much damage, I guess, that can be done until it becomes not a repair obligation but a rebuild obligation which would not fall on the County or the Town.

**COMMISSIONER ANDERSON:**

Absolutely.

**LEG. D'AMARO:**

And so that's a de facto cap, if you will.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. D'AMARO:**

Okay, thank you. I appreciate it. Thank you, Mr. Presiding Officer.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

I'll be quick, because Legislator D'Amaro really just got to the heart of my question. I'll just ask you a little bit -- to go a little bit further with your answer, though.

So there's no cap embedded in the legislation or the agreement to the County's financial obligation here on an annual basis; is that correct?

**COMMISSIONER ANDERSON:**

I think the de facto cap would be the actual cost of totally reconstructing the project, which at that point it is a core project, it is authorized by Congress and the Corps would come back in and fully repair it. Part of the project is establishing an easement where this dune will continually remain able to be placed, if you will. So it will always be at that line and grade in that specific location, the Corps can come back in if, God forbid, we get another storm and the whole thing is wiped out.

**LEG. CILMI:**

So if the estimate is -- the County's obligated to roughly \$80,000, or the assumption that the County's investment here would be approximately \$80,000 a year, what would you say is the maximum reasonable expectation that it might cost us? Double that much, \$160,000; is that reasonable or unreasonable? A half of million dollars; is that unreasonable or reasonable? Just give me some comfort level here.

**COMMISSIONER ANDERSON:**

I think any of those are reasonable. I mean, if you're talking -- if the repair came to a million dollars, obviously we would be half of that. You know, if you take -- and I did the calculation in my head. If you had to replace the full two-feet of sand over that expanse, it could run you, you know, well up there. Again, we would look towards upland sources to repair it. You know, we have worked with other communities where we have looked to, you know, use our own equipment to move material. You know, there's multiple ways to skin the cat, at this point, without knowing what we're up against. You know, I know we would meet it with full -- you know, with full force as best we can. At this point, you know, it's anybody's guess how much it's going to cost.

**LEG. CILMI:**

So it could cost as much in any given year a half of million dollars even, some years it could cost nothing?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. CILMI:**

Who makes the determination as to whether or not a replenishment is necessary?

**COMMISSIONER ANDERSON:**

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There's an annual inspection of the dunes between -- I believe it would be -- most likely it would be the Town, the County and the DEC who would inspect the dunes and see what needs to be done annually. Certainly -- and we do this as a practice at Smith Point; every time there's a storm, we send a crew out there to take elevations and actually monitor the sand. So I would anticipate in the case of this one it's not that big of a project. A crew would, at some point after a storm, a large storm, go out there and physically locate where the sand is, if you will; if it's at elevation 13, 15, you know, that type of thing.

**LEG. CILMI:**

And so how does that work? If there are three entities that would make the decision here, is it -- I mean, what if, for example, the Town and the County said, you know, *We really don't need to do anything this year, or The extent requires an \$80,000 investment*, and what if the DEC said, *No, it's more significant than that. You have to put a half of million in*; what happens?

**COMMISSIONER ANDERSON:**

I would anticipate at that point something would have to be negotiated.

**LEG. CILMI:**

Okay. But certainly the town has limited resources, certainly we have limited resources. And if we're -- if between the two of us we occupy two-thirds of, you know, the people who would decide, then certainly we have a significant ability to impact that decision, I would think. Although I suppose the town is going -- the Town, Mr. Supervisor, is going to want to do whatever it can to ensure the long-term safety of that area.

**SUPERVISOR CANTWELL:**

Yeah. I mean, my guess is there are some performance standards here in terms of keeping the bags covered, for example. You know, the plan, the report talks about that being probably the most likely ongoing maintenance requirement, and that requirement can be made not just by bringing additional sand in, but also by sand scraping. And as Commissioner Anderson said, that may be simply a matter of the Town using its own equipment to go on the beach and scrape sand from, you know, below high water up and simply cover the sand -- cover the bags with two feet of sand.

**LEG. CILMI:**

So the approval of this resolution basically authorizes this Memorandum of Agreement between us and the Town?

**MS. LOLIS:**

Yes.

**LEG. CILMI:**

Is there any way to build into that agreement some cap in terms of what the County's liability will be on an annual basis, financially?

**MS. LOLIS:**

Right now that's up to this body and the Town. What the agreement does have is that it's subject to whatever you appropriate that year, so that is your de facto cap.

**LEG. CILMI:**

Okay. So we would have to authorize -- this Legislature would have to authorize a budgetary appropriation for that amount of money, whatever it may be each year.

**MS. LOLIS:**

Yes, and it will probably -- I would have to defer to the budget people, but I would imagine they

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would have it in the budget every year allotting a certain amount of money. But yes, the IMA is subject to appropriations. This is just the first step, there would have to also be an appropriating resolution down the road after all other agreements are in place, and it's a five-year agreement with five-year renewals.

**LEG. CILMI:**

And both parties have to be in agreement on the renewals?

**MS. LOLIS:**

Yes. The way we have it is the first two renewals of five years will be automatic renewals on the approval of the Commissioner, and then after those two automatic renewals, then it comes back to this body and the East Hampton Town Board to approve the next agreement.

**LEG. CILMI:**

Okay, so we have 15 years that are built in, basically, as far as --

**MS. LOLIS:**

Based on these terms.

**LEG. CILMI:**

Exclusive of the Legislature's input.

**MS. LOLIS:**

And again, this is just assuming FIMP does not kick in.

**LEG. CILMI:**

Right.

**MS. LOLIS:**

Right. The State has indicated they're expecting it conservatively within the next two years.

**LEG. CILMI:**

And from a legal perspective, you're comfortable that the same -- it sounds to me like the same law that allows New York State to require or to provide for reimbursement to certain out-of-County tuition costs, but when the money's not appropriated it's like, *Oh well*. The same law that allows that to happen would allow us to get out of the same --

**MS. LOLIS:**

That's the law, it's subject to appropriation.

**LEG. CILMI:**

Okay, terrific. Thank you.

**P.O. GREGORY:**

Thank you. Legislator Trotta.

**LEG. TROTТА:**

These bags I'm assuming are filled with sand?

**SUPERVISOR CANTWELL:**

Yes.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. TROTTA:**

Okay. And I'm reading about North Carolina, would this be considered a hard structure?

**COMMISSIONER ANDERSON:**

I believe by some it is. You know, again, it is considered, to a certain extent, hardening.

**LEG. TROTTA:**

They're actually banned in North Carolina because they caused like other damage.

**COMMISSIONER ANDERSON:**

Again, I would -- I understand there is great concern with these bags, and the Corps has done substantial review of these specific units. Because in the beginning when they first started talking about it, they did not want to put these type of bags, if you will, or these type of structures in, but they are comfortable with the specific unit that they're proposing because of its ability, and I guess the strength of it attaching to each unit. So it's not acting as individual units laying on top of one another or next to it, they're physically attached to each other so they act as one structure.

**LEG. TROTTA:**

So if the water started to hit against them, they'd stick together, then they would move down the beach and dig a hole, essentially.

**COMMISSIONER ANDERSON:**

I don't know. I'd have to defer to --

**LEG. TROTTA:**

Well, I mean, on the north shore we have bulk heads and a lot of the problems we're having is at high tide, the bulk head is in the water, just on the sound, not in the canal or anything, but the structures that are left natural, there's actually sand built up there so you can walk till you get to the bulkhead, then you can't walk any longer.

**COMMISSIONER ANDERSON:**

Agreed.

**LEG. TROTTA:**

That would be a concern. I would think that, you know, if that were to happen there, that wouldn't be good for the beach industry. You might save your hotel, but there'd be no beach to go to.

**COMMISSIONER ANDERSON:**

Again, I go back to this is an interim project. The intent is for -- you know, for the FIMP to kick in and actually would anticipate that the beach would be renourished and it would be an extensive renourishment under, you know, the FIMP project, the larger project. Right now this is to protect the community for a couple of years until that Fire Island to Montauk Point plan can kick in.

**LEG. TROTTA:**

I was out at Montauk maybe a month ago and by IGA, there was a huge dune there. I mean, I guess it sloped till you get to the bar down at the end there, it sort of slopes down a little bit? Is that -- that's the area, that's where the hotels are, correct?

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

Larry, the {Terminisa} Project, is it -- it's in that area.

**SUPERVISOR CANTWELL:**

The {terminous} of the project would be east of the IGA. You're correct, you know, the IGA area near {Kirk} Park --

**LEG. BARRAGA:**

There's a huge dune, yeah.

**SUPERVISOR CANTWELL:**

There's a primary dune in place there. As you travel just, you know, a few thousand feet east of that, there is no --

**LEG. TROTТА:**

That bar there on the corner.

**SUPERVISOR CANTWELL:**

There is no dune.

**LEG. TROTТА:**

Now, the bar on the corner there, sort of the end of town there.

**SUPERVISOR CANTWELL:**

Legislator, you weren't at Sloppy Tuna were you?

**LEG. TROTТА:**

I neither confirm nor deny.

*(\*Laughter\*)*

But there there's no dune. You can basically just walk out onto the beach. So at the Sloppy Tuna, there'll be a hill now that we're going to have to --

**SUPERVISOR CANTWELL:**

There'll be a 13-foot high reinforced sand dune, correct, in front of it.

**LEG. TROTТА:**

Will it affect the dune, the view from the second floor of the Sloppy Tuna?

**SUPERVISOR CANTWELL:**

No.

**LEG. TROTТА:**

No, you'll be able to --

**SUPERVISOR CANTWELL:**

How was the view up there, pretty good?

**LEG. TROTТА:**

I have no idea. If you were --

**SUPERVISOR CANTWELL:**

*(Laughter).*

**LEG. TROTTA:**

So that's going to run west and it's going to be these bags piled 13-feet high with two feet of sand on them?

**SUPERVISOR CANTWELL:**

Yeah, basically yes.

**LEG. TROTTA:**

My gut feeling is that's going to be washed away like, you know, every storm.

**SUPERVISOR CANTWELL:**

It's not predicted to do that, according to the analysis by the Army Corps.

**LEG. TROTTA:**

My concern is like I -- I defer to Al when he was -- Legislator Krupski when he was talking about that, and in my mind down near my house, everyone who's got a bulkhead at high tide you can't walk past. You know, and I just hope that -- you know, not that I'm a big engineer, but I don't want to see that happening.

**SUPERVISOR CANTWELL:**

Yeah, if I could just speak to that real quick.

**COMMISSIONER ANDERSON:**

Please.

**SUPERVISOR CANTWELL:**

You know, you have to remember that the ocean front -- the ocean is not at the edge of the restaurant that you were at. You know, rarely is it ever that high. I mean, there are -- right now there's, what, 80, 90-feet of beach in front of the area that we're talking about. The problem is that the elevation is very low, you know, so the run up the beach takes place fairly quickly in a storm. And elevating the dune line, if you will, building a dune line in front is what's going to protect those properties from that run-up of the ocean, if you will.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. TROTTA:**

And they decide -- I mean, my concern is -- I mean, if you pile 13-feet of sand there, I think that's better than putting the hard -- you know, according to -- I mean, I have about an hour of research here and based upon what I read, in North Carolina they banned that just for that reason. So that would definitely be a concern.

**COMMISSIONER ANDERSON:**

And again, I would go back to the discussions we had early on, and really the Corps had, that we were privy to were those very concerns. They didn't want to be put in some type of hard structure that would flop around come a storm, move, relocate, cause scouring in other locations. They felt -- and they would not make the recommendation to proceed with this project unless they were confident that these were going to be effective. Again, I go back, are they going to be effective for every storm? Probably not. You get a large enough storm and you're SOL. But, you know, it's some level of protection to the community that isn't there now.

**LEG. TROTTA:**

Is it ever -- I mean, is Montauk ever flooded in there where like, you know, it got two feet of water in the town?

**SUPERVISOR CANTWELL:**

Yes.

**LEG. TROTTA:**

How long ago was that?

**SUPERVISOR CANTWELL:**

Well, in Sandy, you know, they had water running -- I mean, not quite to Montauk Highway, Route 27 or Main Street, but over the area that you were visiting.

**LEG. TROTTA:**

And there was no dune then there.

**SUPERVISOR CANTWELL:**

No, but there was probably more beach. I mean, one of -- if I could. One of the benefits of FIMP, you know, or part two of this is likely to be the, you know, pumping of sand and building of, you know, a beach of higher elevation with much more length to it, you know, up to a hundred feet more than is there now. And that's really probably the best protection we're going to be able to get for downtown Montauk, will be the reinforced dune with an expanded beach.

**COMMISSIONER ANDERSON:**

And if I could just add, the Corps is proposing this work based on the damage that was done during Sandy. I don't know if it was the last public hearing or one of the last meetings. I do recall somebody saying that they had seen Montauk flood three times in their lifetime, so it isn't -- I guess, I don't want to say it's not that unusual, but it has happened.

**LEG. TROTTA:**

All right, last question. I mean, what's the determining factor when the County's not on the hook? You know, how much does the whole project cost?

**SUPERVISOR CANTWELL:**

Well, the project -- it's an \$8 million Federally funded project. The annual maintenance costs are estimated to be \$150,000.

**LEG. TROTTA:**

So if we have a storm and it causes \$2 million worth of damage, do the Feds fix it or do we fix it?

**SUPERVISOR CANTWELL:**

I can't answer that question. What the Feds have told -- what the Army Corps has told us if it's a -- you know, if it's a named event, you know, a disaster declaration by I guess the State and the Feds, then they would come in and they would take over. You know, if it's something less than that and it's just repair or maintenance, then we are responsible for it.

**LEG. TROTTA:**

So we could be on the hook for \$2 million, a Nor'easter comes by with no name --

**SUPERVISOR CANTWELL:**

Yeah, and --

**LEG. TROTTA:**

So we can be on the hook for \$2 million.

**COMMISSIONER ANDERSON:**

Again, it is -- I would remind you that this is a Corps project. The Corps, in the after Sandy, immediately after Sandy, came in and repaired west of Shinnecock Inlet and a couple of other Corps projects immediately, not waiting for the appropriations from Congress, because they were Corps projects. You know, to say \$2 million of damage, it could be two feet off the top, it could be 200 feet completely gone. I mean, there's a lot of iterations there that it's anybody's guess what we're going to be faced with. But there is a commitment by this project that the Corps will come back in and make repairs to their project, and that commitment is until the project is deobligated by Congress, and to the best of my knowledge, Congress has never deobligated a project yet.

**LEG. TROTTA:**

The answer to my question is if there's this Nor'easter that comes in tomorrow and causes \$2 million to that, we're in it for a million.

**COMMISSIONER ANDERSON:**

We could be, yes.

**P.O. GREGORY:**

All right. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you, and I think a lot of the questions that I had have been answered. And we seem to be putting a lot of faith in the Army Corps of Engineers. My experiences with Mattituck Inlet, it's a Federal anchorage and their responsibility is to maintain navigation there. And it takes an act of Congressman Bishop and a lot of heavy lifting to get them to do the maintenance dredging of that, but it's a navigation hazard on a daily basis. So their track out here is not -- on maintenance is very good, all right. That's just the Army Corps of Engineers part.

Legislator Trotta asked all the questions that I was going to ask about. At what level, if you get a Nor'easter that comes in and damages a portion of it, the beach elevation's gone, some of it's slumped down, at what point does the County and the Town say they're going to have to pony up all the money and it's going to be millions of dollars? Who makes that call and do we have -- where do we get the money from? And we're not going to have -- soon, unfortunately we're not going to have a Legislator from Montauk, he's going to be termed out, and then who's going to represent Montauk and where is that money going to come from?

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

I'm not going to answer that last question of who's going to be the Legislator from Montauk, but I do want to respond really quickly to some of the stuff that my colleague, Legislator Trotta, brought up.

You know, I did a quick look, too, at that North Carolina law, and the one big exception is they do allow sandbags buried with sand as part of their law. So it seems that they've wrestled with this, too.

In terms of is it a hard structure or isn't it, certainly, you know, in a storm it will reflect some wave energy, but without it we lose those hotels and those foundations of the hotels were reflecting energy as well. The DEC have used this not as a hard structure, and that's why it can be done with easements rather than with an actual taking or, you know, getting the fee title to the land that it sits

on.

The town itself bans hard structures. You can't build a bulk head on the ocean, you can't build a rock wall on the ocean, but you can on an emergency basis do these geo-textile sand bags. You know, Montauk, I know many of you are familiar with Montauk, the downtown is in a precarious situation; it's one storm away from these hotels getting washed to sea. So, again, they produce millions of dollars a year in sales tax that we depend upon for many of our programs. You know, I think the project as designed is the minimal project necessary to protect it. I look forward to the larger beach coming, because I'm also not a big fan of these types of structures, I'd rather see a beach and I do believe that is coming.

And I want to really thank the Supervisor for coming out today and all the work that Public Works has done and the Law Department and the Army Corps and all the community that has, you know, involvement in this project. It's been going on literally for several years in development, and I'm certainly urging and counting -- I think Montauk is certainly counting on your support today. Thank you.

**P.O. GREGORY:**

Legislator Krupski hasn't yielded the floor yet.

**LEG. KRUPSKI:**

Thank you. Just to finish my point, and the point's about shoreline hardening and about any coastal area. And in the report it said that in the last century there's been 26 hurricanes and 68 Nor'easters, and it's -- it's shoreline hardening; if it walks like a duck and it talks like a duck and it deflects wave energy during a storm event, it's shoreline hardening. And if you let it happen here, people all the way up and down the coast are going to say, *Oh, we can use it here, it's all going to be temporary and we'll try to find somebody else, you know, to be on the hook to maintain it.* So I think because it's shoreline hardening, I really can't support it.

**P.O. GREGORY:**

Okay. Legislator Barraga.

**LEG. BARRAGA:**

Mr. Supervisor, you had indicated in your testimony that the Army Corps of Engineers had proposed four different approaches, but they were only recommending this geo-tube tech proposal as something that would be viable. Can you tell me why they specifically were so strong on this particular approach versus the other three?

**SUPERVISOR CANTWELL:**

You know, I don't really have the technical expertise to answer that question. I can only tell you that they reviewed it and that this was their recommended alternative, of the alternatives that they looked at. They felt that purely sand replenishment was not going to be viable at this point. They had concerns perhaps that were shared by Legislator Krupski regarding a rock revetment or wall, and they also looked at a feeder beach, but they didn't feel -- a feeder beach would be something where sand would be pumped and then that sand would feed this beach, if you will, through lateral drift; they didn't feel that that was a viable option. And you have to remember, you know, I mean, the Army Corps of Engineers goes through this whole cost benefit analysis that, you know, you've got to be a PhD to figure out, and when they vetted these projects through their cost benefit analysis, they could not justify any of the options except this one.

**LEG. BARRAGA:**

The only reason I bring it up is that I happened to be in North Carolina in 2005 on active duty, I went to the beach a couple of times. And those tubes were under every beach house along the

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shore, but they were interspersed with a rock type of wall and, you know, that's the first time I'd ever seen anything like this where the rock was placed, heavy boulders, and they actually threw the tubes on top of the rocks. Now, I don't know if it was the residents doing it or was an association thing or a County thing, but one thing I did notice, a lot of those tubes are ripped very quickly. I don't know the material that you're talking about, but they didn't seem to hold up very well over a period of time. Not because -- some didn't have rocks, some were just lying there half empty, whatever was inside of them was just taken away. They didn't seem to survive very long. I had asked people down there, I said, Well, how long have these things been here? About a year and a half, two years. And they've had storms, but not no major storms, but whatever the material was that was holding the sand just didn't hold up very well. There was no sand on top of these two. I mean, you saw the -- whatever sand was there was gone.

**COMMISSIONER ANDERSON:**

And that may have been part of the problem because they do deteriorate in sunlight. In the case of -- again, I go back to the Corps was very hesitant in moving forward with this project the way it is right now until they found a geotechnical unit that met the strength requirements and everything else that they needed, otherwise they wouldn't have moved this way.

**P.O. GREGORY:**

Okay, thank you. That's all that we have. Okay. Anyone else? Any other questions? All right, Mr. Clerk, where'd you go? Oh, there you are.

**SUPERVISOR CANTWELL:**

Mr. Presiding Officer, if I could. I want to thank you your courtesy. I'd like to thank all the members of the Legislature for spending the time on a busy day with me to talk about this issue. And the only thing I want to say is, you know, I just hope the Legislators would consider that the County is making a major commitment to Fire Island as the local sponsor and I just hope that you're going to make a similar commitment to the people in Montauk. Thank you very much.

**P.O. GREGORY:**

Thank you, Supervisor. Okay. Mr. Clerk, we have a motion and a second?

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

Okay. Roll call.

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

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

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

*(Not Present).*

**LEG. STERN:**

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Yes.

**LEG. McCAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

No.

**P.O. GREGORY:**

Yes.

**LEG. D'AMARO:**

Yes.

**MR. LAUBE:**

*Seventeen (Opposed: Legislator Krupski).*

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

Thank you.

**P.O. GREGORY:**

Okay. If you go to your red folder, we have a request for some other motions, resolutions to be

taken out of order.

In your red folder, ***IR 1951-14 - Making a SEQRA determination in connection with Jumpstart Suffolk (CP 6424)(County Executive)***. I'll make a motion to take it out of order. Do I have a -- second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay. I make a motion to approve.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. Any questions?

**LEG. KRUPSKI:**

On the motion?

**P.O. GREGORY:**

On the motion; who was that? Oh, Legislator Krupski.

**LEG. KRUPSKI:**

This is to borrow how much money?

**P.O. GREGORY:**

This is the SEQRA.

**LEG. KRUPSKI:**

Oh, just the SEQRA, okay.

**P.O. GREGORY:**

Right.

**LEG. KRUPSKI:**

I got ahead of myself there.

**P.O. GREGORY:**

Yes, you did.

**LEG. CALARCO:**

You were on a roll.

**P.O. GREGORY:**

Put your no button aside just for a little bit.

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

All right. So we have a motion, a second. All in favor? Opposed? Abstentions?

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

I'm a yes, Tim.

**MR. LAUBE:**  
*Eighteen.*

**P.O. GREGORY:**  
Okay. IR -- I'm going to make a motion to take **1850-14** out of order,  
***Appropriating funds in connection with Jumpstart Suffolk (CP 6424) (County Executive).***  
Al? I'll make a motion to approve. Second by Legislator --

**MR. NOLAN:**  
Take it out of order.

**P.O. GREGORY:**  
-- Calarco; excuse me, to take it out of order. Second by Legislator Calarco. All in favor? Opposed?  
Abstentions?

**MR. LAUBE:**  
*Eighteen.*

**P.O. GREGORY:**  
Same motion, same second. Legislator Krupski?

**MR. NOLAN:**  
To approve.

**P.O. GREGORY:**  
To approve, sorry.

**LEG. KRUPSKI:**  
Thank you. This is how much money?

**P.O. GREGORY:**  
Five million?

**LEG. KRUPSKI:**  
Five million. So -- and I'm going to -- there were some questions raised about the money being spent at the Ronkonkoma Hub, and I'm sure someone is going to sort that out, whether it's going to be spent in Brookhaven or in Islip. But I'm just trying to make a point, that there's \$5 million we're going to borrow to jump start Suffolk in Ronkonkoma and Wyandanch. Don't forget that when we -- we like to have some of the money on the East End to preserve some of the land, and that's going to come up a little later, so I'm going to remind everyone a little bit later. Thank you.

**P.O. GREGORY:**  
Thank you. And I stand corrected, it's 4.5 million. Anybody else?

**LEG. CILMI:**  
Sure.

**P.O. GREGORY:**  
Legislator Cilmi.

**LEG. CILMI:**

I just really wanted to state for the record that while I'm supportive of the County's involvement in assisting with infrastructure improvements -- infrastructure improvements associated with some of these developments, and while I've gotten assurances from Commissioner Minerie as well as the County Executive's Office that there will be some money forthcoming at some point to support similar improvements on the Islip side, due to the proximity of this project to the Town of Islip, to me it's incredibly important that we view Islip's infrastructure, particularly since part of that infrastructure is County roadway, at the same time as we deal with infrastructure improvements in Brookhaven. This legislation, this appropriation does not do that. It provides the money exclusively to the Town of Brookhaven, and for that reason I'll be opposing this legislation today. Thank you.

**P.O. GREGORY:**

Okay. Legislator Lindsay.

**LEG. LINDSAY:**

If I could ask Sarah Lansdale to come up and just talk a little bit about this. Because, you know, we debated this a little bit in committee, and my confusion is that we're not just handing out money here for the sake of handing out money. We've been working with the Town of Brookhaven, I think we have the same willingness to work with the Town of Islip, and the Town of Brookhaven has a plan, obviously, with the hub. We don't see anything, or we haven't been approached by the Town of Islip with a plan. I know we had Councilwoman Bergen here earlier today asking for funding, but absent a plan, I don't know how we could just provide funding for such. So Sarah, if you could speak a little bit about it and talk about some of the things that we've spoken to the Town about and on the Islip side of the hub project.

**MS. LANSDALE:**

Sure. I specifically looked into -- good afternoon, everyone. I specifically looked into the question of whether or not the Town of Islip was involved in the SEQRA process, in the development of the Brookhaven Final Generic Environmental Impact Statement, and the answer is that the Town was involved. Specifically, the Town has been involved, the Town of Islip has been involved as early as October of 2013. In addition, the Town of Islip held a special Town Board meeting on February 5th of 2014 to hear comments from the Islip public, and from there, based on the comments that were raised at that Town of Islip special Town Board meeting, there was an additional eight traffic intersections evaluated as part of the Town of Brookhaven's Environmental Impact Statement. And Tullio Bertoli is here, the Commissioner of Planning from the Town of Brookhaven who can answer any specific questions, but that's -- it's also listed in the findings statement, that's part of the SEQRA process issued by the Town of Brookhaven, specifically page 24 cites the eight traffic intersections based on the Town of Islip's comments during the EIS process that were evaluated.

**P.O. GREGORY:**

Okay? Legislator Cilmi.

**LEG. CILMI:**

Thank you for that, Sarah. Can you review what those eight intersections are?

**MS. LANSDALE:**

Would be happy to. So this is page 24 of the finding statement, and a copy of the finding statement was issued to the entire Town of Islip Town Board as well as the Supervisor. So page 24 reads, Based on comments raised by the Town of Islip during the comment period on the Draft Generic Environmental Impact Statement, eight intersections were evaluated as part of a final GEIS. Those eight intersections include Number one, Ocean Avenue at Express Drive North; number two, Ocean Avenue at Express Drive South; three, Pond Road at Express Drive South; four, Ocean Avenue at Johnson Avenue; five, Pond Road at Johnson Avenue (Railroad Avenue); number six, Lakeland Avenue at Smithtown Avenue; number seven, Railroad Avenue at Coates Avenue; and number

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eight, Railroad Avenue at Main Street. These were specifically looked at as part of the Town's input. The Town of Islip requested that the Town of Brookhaven look at these specific eight intersections.

**LEG. CILMI:**

And what were the findings?

**MS. LANSDALE:**

I'm going to turn it over to the Town of Brookhaven to answer that question.

**MR. BERTOLI:**

Good afternoon, everyone. I'm Tullio Bertoli, I'm the Town of Brookhaven Planning Commissioner. I believe that the findings found that there was no storm mitigation that was impacted by the development going under Brookhaven's side.

**LEG. CILMI:**

So just to reiterate, the findings were that there would be no impact associated to those intersections.

**MR. BERTOLI:**

There were no mitigating measures that would require -- that were required at those intersections.

**LEG. CILMI:**

Say that one more time.

**MR. BERTOLI:**

FEIS looks at the conditions and determines whether there are mitigating measures that are required due to the impact of the project. It was determined that those eight intersections did not require mitigating measures.

**LEG. CILMI:**

Okay. And that's based on traffic, current traffic studies, projections?

**MR. BERTOLI:**

BHB Engineering did the traffic report, I believe, and that's what they did, traffic studies and cumulative things that traffic engineers utilize.

**LEG. CILMI:**

So is it your opinion, then, based on your review of that study, which I imagine was quite extensive, that the impacts to Islip infrastructure associated with the Ronkonkoma hub development will be minimal, insignificant? What word would you use?

**MR. BERTOLI:**

Not enough to warrant mitigating measures.

**LEG. CILMI:**

Okay. Well, we simply have a disagreement then, you and I have a disagreement. I would have a disagreement with the engineering company. I think to believe that there will be no significant impact, at least enough so to warrant mitigating measures to Islip infrastructure which is within walking distance of the largest project in the region, if not beyond, some fourteen hundred, I think it is, units?

**MR. BERTOLI:**

Fourteen hundred and fifty units are anticipated, yes.

**LEG. CILMI:**

How many square feet of commercial --

**MR. BERTOLI:**

Well, I think there is upwards of 450,000 square feet of other stuff.

**LEG. CILMI:**

Okay. So -- and that's all within walking distance of the Town of Islip. To think that there would be no impact to Islip infrastructure based on that, I don't know what world we could be living in. I mean, that's just --

**MR. BERTOLI:**

Well, as I indicated, to those eight intersections that we're talking about.

**LEG. CILMI:**

In your opinion, would there be other intersections that might be impacted?

**MR. BERTOLI:**

I'm sorry, Legislator Cilmi.

**LEG. CILMI:**

Sorry for what?

**MR. BERTOLI:**

Sarah was just going to hand me something.

**LEG. CILMI:**

Oh, that's okay.

**MR. BERTOLI:**

I'm sorry, the question again?

**LEG. CILMI:**

In your view, might there be other intersections in the area that would be significantly impacted? You've --

**MR. BERTOLI:**

The FEIS was very extensive throughout the entire project area and those areas that went outside relative to those eight intersections.

**LEG. CILMI:**

So you would say no.

**MR. BERTOLI:**

There were mitigating measures that had to be dealt with on-site, but those particular eight intersections did not require any, I believe.

**LEG. CILMI:**

And it's your belief that the extensive nature of the work that was done studying this area in preparation for this hub would have -- would have indicated areas that were of concern had there been areas of concern on the Islip side.

**MR. BERTOLI:**

I'm not sure I quite fully understand the question. Based upon the FEIS --

**LEG. CILMI:**

Well, you keep going back to the statement at these eight intersections --

**MR. BERTOLI:**

Yes.

**LEG. CILMI:**

-- there's no mitigation necessary based on the study.

**MR. BERTOLI:**

That's correct.

**LEG. CILMI:**

Are there other intersections in your view that might have --

**MR. BERTOLI:**

On the Islip side?

**LEG. CILMI:**

On the Islip side, yes.

**MR. BERTOLI:**

Absence a plan by the Town of Islip, it's hard to determine the impact of two adjoining municipalities and their projects. During the five years, as I indicated even at the subcommittee meeting, we always reached out to Islip to have a composite plan together. But in absence of a plan from the Town of Islip, it's difficult to determine whether there's additional impacts that would have been created at those eight intersections by that plan.

**LEG. CILMI:**

Well, my -- well, I'm not in a position here to question what interaction the Town of Islip had with the Town of Brookhaven, I'm not a party to either of those institutions, so whatever that may or may not have been is not germane to this discussion. But this discussion involves \$2.3 million of spending, not on studies but rather on infrastructure within the Town of Brookhaven. And it's my belief, and you as a planner may disagree and the engineers may disagree, but my commonsense tells me that there will be significant impact to the infrastructure in the Town of Islip associated with this development, and compounded by the double track project that's ongoing as we speak.

So again, clearly there needs to be infrastructure improvements, to me, on both sides. I am supportive of some County investment in those improvements, but I strongly believe that some of that investment needs to happen in Islip for this specific project, irrespective of what future projects may come to fruition or be presented. Gil, did you have something to add?

**COMMISSIONER ANDERSON:**

Yeah, I just wanted to note the discussions that we have had with the Town of Islip as an agency, and you were there when we initiated to develop a study, a global study of the area, of the corridors to the east of Ocean Avenue and probably over to Hawkins and whatnot to the very eastern end. So I would make note of that. I believe there is a commitment on the part of the County Executive's Office to find funding for that study so that we can look at it globally. And again, not to speak for the Town of Brookhaven, I would expect any significant impact be immediate to the development.

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You have Smithtown Avenue that runs up to the Expressway, that would most likely take most of the traffic generated if people are trying to get out of the immediate area. But again, I just wanted to note that there is that commitment there on the part of both DPW and the County Executive to look at the overall picture, if you will.

**LEG. CILMI:**

And I appreciate that commitment and I appreciate the work that your office did in conjunction with the Town of Islip's Department of Public Works to develop a scope of a study that could potentially happen. At the time, and leading all the way up until a week or two ago, there was no commitment on the part of the County to fund such a study and now there apparently is, which I think is a good thing, and I appreciate that and I look forward to working with you on it. But I don't have any other questions on this particular. Again, there would be significant impacts, in my view, to the Islip side of this project. And in my view, some of this money should be attributed to those potential impacts and we should be working with the Town of Islip to determine those intersections or those areas that will be most impacted by the development.

**P.O. GREGORY:**

Okay. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. In committee, I voted against this resolution even with the discharge without recommendation. But based on what I heard this morning with Dick O'Kane and Mario Mattera speaking about a meeting that occurred yesterday; were you there, Gil, at that meeting?

**COMMISSIONER ANDERSON:**

No, I was not.

**LEG. KENNEDY:**

Okay. How about you, Tullio.

**MR. BERTOLI:**

I was not, but Rob Loscalzo from TRITEC, who's in the audience, was here, he perhaps can talk to that issue.

**LEG. KENNEDY:**

Through the Chair? I think I would like to hear from Mr. Loscalzo, if he's available? Is he available or no? Okay. I'll make it real easy and real simple.

Good afternoon. Hi. How are you, Mr. Loscalzo?

**MR. LOSCALZO:**

I'm great. How are you? Rob Loscalzo, Chief Operating Officer of TRITEC.

**LEG. KENNEDY:**

Good. So my understanding is, and I heard earlier today, all of us did, that you had a working meeting yesterday with the President of the Building Trades Council and I guess a couple of other members?

**MR. LOSCALZO:**

Yes.

**LEG. KENNEDY:**

Okay. And you got to talk a little bit about the general framework, I guess, about how things would

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progress and a representation on your part that you would go ahead and either look at a PLA or look at a commitment to work with union labor or organized labor?

**MR. LOSCALZO:**

That's correct, yes. We discussed what these funds would be used for and everyone in the room recognized that this would be funding that would be beneficial to the work that would be done on the public right-of-way for the roads and we agreed that we would work in the future together to come to agreements, not necessarily PLA.

**LEG. KENNEDY:**

Okay. What's the size of this first phase that we're talking about?

**MR. LOSCALZO:**

It's 380 units.

**LEG. KENNEDY:**

Okay. And is it -- so it's 380 residential and you have retail and commercial in there as well?

**MR. LOSCALZO:**

No, it's just residential.

**LEG. KENNEDY:**

Just residential units, okay. Do we have any kind of notion yet as far as how the units are going to be laid out? Is it all fair market? Do we have any representation about sliding scale on it?

**MR. LOSCALZO:**

No, we're still in the planning stages. We just started -- we're just starting the hard engineering.

**LEG. KENNEDY:**

Okay. All right. Well, thank you. I appreciate you coming up to the microphone. And based on that representation, I'd be prepared to support the project.

**MR. LOSCALZO:**

Thank you.

**P.O. GREGORY:**

Okay, Legislator Muratore.

**LEG. MURATORE:**

My question was, and I think Legislator Kennedy had asked it about a PLA being signed for the contract. So I didn't understand the answer; was the PLA signed or was it not signed?

**MR. LOSCALZO:**

No.

**LEG. MURATORE:**

Not signed. Are you looking to do it?

**MR. NOLAN:**

He's got to come back up.

**LEG. MURATORE:**

Come back up to the mic, if you would, Mr. Loscalzo. Sorry.

**MR. LOSCALZO:**

It's impossible for us to commit to a PLA at this point.

**LEG. MURATORE:**

But you are examining it, you are researching it, you are possibly working toward it with the trades.

**MR. LOSCALZO:**

We've worked with the trades on prior projects, that's been our history, and we'll continue to do so.

**LEG. MURATORE:**

Great, good. Thank you.

**P.O. GREGORY:**

Okay, Legislator Barraga.

**LEG. BARRAGA:**

I just wanted clarification, if I could get it, from testimony so far. The Town of Islip had a SEQRA process, they were involved, according to what Sarah said, right, in October of 2013. They wanted to have a special Town Board meeting trying to get input from the general public in terms of the Ronkonkoma Hub project, you indicated that. You also indicated that at some the Town of Islip came forward and they have concerns with reference to eight different intersections, but yet I'm led to believe even though they were involved -- are you saying or is someone saying that there was no formal plan submitted by the Town of Islip in terms of what the Town felt had to be done, along with Brookhaven, with reference to the construction of this hub?

**MR. BERTOLI:**

Would you like me to address that?

**LEG. BARRAGA:**

It seems like based on their participation, I find it rather hard to believe there was no plan, or at least some meetings with Brookhaven to --

**MR. BERTOLI:**

Well, I have been Planning Commissioner for five years in that time. We've met occasionally with Islip, but we've never gotten a firm commitment to proceed together. The plans were always kind of shapeless. In fact, I think I mentioned at the subcommittee, I went through three Planning Commissioners and two Supervisors during that time and there was always mixed feelings about their level of commitment towards the project.

**LEG. BARRAGA:**

Well, the level of commitment at least got to a point where they did scout out eight different intersections.

**MR. BERTOLI:**

I don't know if that was commitment or concern.

**LEG. BARRAGA:**

I'm sorry. What?

**MR. BERTOLI:**

I don't know if that was commitment or concern as normally --

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**LEG. BARRAGA:**

Well, regardless, someone took the time to identify those eight intersections.

**MR. BERTOLI:**

Yes, and we analyzed them.

**LEG. BARRAGA:**

And you came back and indicated there were no mitigating circumstances, so nothing basically is going to be done in those intersections.

**MR. BERTOLI:**

That is correct.

**LEG. BARRAGA:**

I was prepared to support this, but I just think my town, the Town of Islip is getting a good screwing over with this proposal, so I'm not going to support it. And I think you guys have to do some work with the Town Council and the Supervisor of the Town of Islip and come up with some mutual plans that are agreeable.

**P.O. GREGORY:**

Okay. That's all the cards that we have. Yes?

**MS. FAHEY:**

Legislator Barraga, just very quickly. Islip Town has had input in the SEQRA process, but they have not come to the County with regards to any physical infrastructure that adds to the Ronkonkoma Hub. If they were, if they came to us with a plan to develop the south side that had some infrastructure improvements included in it, we would be more than happy to sit down and work out a way that we can assist them.

**LEG. BARRAGA:**

Maybe I'll table the bill then. Maybe we'll just table this bill until they do. We'll get the town together with you and we'll just table this for the time being.

**MS. FAHEY:**

At the expense of the first project, I'm not sure if that's, you know, the direction that you really want to go in.

**LEG. BARRAGA:**

I'm not quite buying into the whole project that the Town of Islip -- especially going through SEQRA, the eight intersections, the special Town Board meeting -- was lapse in terms of input in terms of what they wanted to see on the Islip portion of this Ronkonkoma Hub.

**MS. FAHEY:**

There's been no plan. They haven't submitted anything to anybody, the Planning Department or to DPW or to Economic Development showing a plan, even a conceptual plan for the south -- for their part of the project.

**LEG. BARRAGA:**

You know --

**MS. FAHEY:**

And that's where we can --

**LEG. BARRAGA:**

-- if I was part of this and I had a town which, you know, was heavily involved in this project, at least the effects of it, I'd probably pick up the phone or contact somebody in the Town of Islip and say, *Hey, let's get together. What's your plan? What's your strategy? What's your approach? We're putting this altogether. It's a combination of Brookhaven and Islip.* You're waiting for them to call?

**MS. FAHEY:**

I believe that the Town of Brookhaven has done that. I know that I've been at meetings years past where Islip Supervisor was at the table, Brookhaven Supervisor was at the table. All of these plans for the hub were discussed in numerous meetings. I had been at those meetings at both towns and there's nothing that has come forward by the Town of Islip on a physical side, on a physical development to be considered.

**LEG. BARRAGA:**

Right.

**MS. FAHEY:**

Nothing has been put forth.

*Applause*

**LEG. BARRAGA:**

I just think someone had to be a little more aggressive here, whether it be the Town of Islip or Brookhaven or the County. I don't think I should be looking at a bill that puts \$2,200,000 into the hub strictly on the Brookhaven side and zero for Islip.

**MS. FAHEY:**

I agree that somebody should be aggressive.

**LEG. BARRAGA:**

Thank you.

**MS. FAHEY:**

And I think the town should be the one.

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

**P.O. GREGORY:**

Okay. Oh, Legislator Cilmi.

**LEG. CILMI:**

Just to Carolyn, to quickly just address what you said, it might have been a good idea, when the County decided that we were going to appropriate \$2.3 million for this, that at that point to reach out to the Town of Islip and say, "Hey, we're going to be appropriating some money, we don't know how much it is just yet, but we're going to be appropriating some money for infrastructure improvements, what do you view as necessary, given the first phase of this project, which is imminent?" That might have been a good idea.

I'll offer a suggestion. I don't know, you know, if anyone's interested in taking me up on this, but the -- this CN that we're being asked to vote on today combines Wyandanch Rising funding with Hub funding. Wyandanch Rising, unlike the Hub project, is underway, and I'd be -- I'd be happy to see

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both requests separated in separate bills. I would be happy to support the Wyandanch Rising portion of that, and then let's table the Ronkonkoma Hub portion until we can have a conversation with the Town of Islip and see what they think is necessary here.

**P.O. GREGORY:**

I hear your -- hear your proposal. I think, you know, we should move forward with this. We have -- obviously, the Wyandanch Rising is important to me and others. Ronkonkoma Hub is a regionally significant project, which is -- you know, there were issues between the developer and labor that they seem to have worked out. Councilwoman Bergin was here earlier to express her concern about the impact to the Town of Islip, but she did not, and she had the opportunity to, say that the Town is willing to be a partner in this process. I would think she would have stated that. Maybe I'm wrong, but --

**LEG. CILMI:**

I'm sure if she were here right now, she would, she would say that.

**P.O. GREGORY:**

Okay. But she -- you know, I think they participated, but over a number of years now, they haven't come forward with some type of solid plan. I think the Administration has expressed an interest to reach out to them, be proactive in that regard, and to work with the Town of Islip to further understand their concerns. And if there's a plan, or, you know, further participation in the process, I don't know, but I don't think we should hold up the process at this point.

**MR. VAUGHN:**

The Administration concurs, Mr. Presiding Officer.

**P.O. GREGORY:**

I'm sorry?

**MR. VAUGHN:**

The Administration concurs, Mr. Presiding Officer.

**P.O. GREGORY:**

Okay. All right. Legislator McCaffrey.

**LEG. MC CAFFREY:**

Thank you. I've heard from, I think, three different people from the Administration that have made a commitment here that they will support the funding for Islip once this plan is submitted; that's fair to say?

**MR. VAUGHN:**

Yes. We are committed to these regionally significant progress -- projects, no matter whether it's in Islip, Huntington, Smithtown, which are other projects that are -- that have been laid on the table. If Islip comes forward with a plan, we said we are willing to work with them on it. Commissioner Anderson can talk about how he's worked with them on sewers, you said, sir?

**COMMISSIONER ANDERSON:**

If I may, just to expand on the point, we have since the initiation at the Ronkonkoma Hub, sewer end of it, because of the additional capacity, we have reached out to Islip on numerous occasions to talk to them about the potential, the 600,000 gallons per day potential in that project that we are looking -- you know, we would anticipate Islip would be very interested in. To date, they haven't been able to respond with anything hard or firm. They are interested in it. They've talked about the airport. Beyond that, there's been no finite discussion.

**LEG. MC CAFFREY:**

Everything I hear from Islip now is I think that you will get a hard and fast response from the Town of Islip in terms of what their needs are, as long as we have a commitment from the Administration, which I heard from everybody here today that they would continue that funding that's necessary for Islip, as they are going to be impacted by this Hub. Thank you.

**P.O. GREGORY:**

Okay. Legislator Hahn.

**LEG. HAHN:**

No doubt about it in my mind, this is one -- you know, these two are regionally transformative projects. Robert, this is Jumpstart Suffolk dollars, capital project dollars. Do we have -- so this is coming out of the 2014 Capital Program dollars. Did we add more for 2015 and beyond to the Capital Program? So there is potential for towns like Islip to apply in the future when they have their act together?

**MR. LIPP:**

Yes. And I'll look up what those exact dollars and get back to you in a couple of minutes.

**LEG. HAHN:**

Thank you. I did -- there was one small piece of concern that came up during testimony just now that I would like a little bit of clarification on. Can you talk about the phasing? You know, what -- part of what makes this project, you know, a regionally transformative plan is that it has mixed use. It mixes residential with retail, with business right next to a hub, a transportation hub. However, when Phase I is just an apartment complex, it's really not a regionally transformative project in my eyes. So why are we doing it this way? And what -- when are Phase II, etcetera, planned, and all that?

**MR. BERTOLI:**

Phase I is the most easterly section of the property, and, as such, is the furthest away from the commercial core that we've defined near the train station, so we felt it important to energize the project with that component. It doesn't mean that the commercial is not coming until after these are done, in fact, both of them happen simultaneously. It just happened that the easterly portion became more accessible right at the first part. The next part probably is the area right along Railroad Avenue around the train station. That will have a mixed-use component just by the nature of what occurs there.

**LEG. HAHN:**

And did it have to be done in this order?

**MR. BERTOLI:**

Well, normally, in these kinds of redevelopment projects, you want the people there to start. It's tough for retailers to commit when there isn't that component there. That's the order that these projects normally tend to follow.

**LEG. HAHN:**

And the other, the other that includes retail has the apartment style or residential above the retail? There's a mix within the blocks?

**MR. BERTOLI:**

Yes, and it could also be office.

**LEG. HAHN:**

Yeah.

**MR. BERTOLI:**

The code itself is a form-based code, it doesn't necessarily indicate certain types, but allows for a mixture of all units types, office, commercial, residential, and they occur as the market drives that particular element.

**LEG. HAHN:**

Okay. Thank you. And, Robert, you'll let us know?

**MR. LIPP:**

Yes.

**LEG. HAHN:**

Thank you.

**P.O. GREGORY:**

Okay. Legislator Calarco.

**LEG. CALARCO:**

Thank you. I just had a couple of quick questions regarding, I guess, the design of the project and what we're looking to do.

So the Ronkonkoma Train Station, I mean, the reason why we're putting this project here is because the train station is so heavily utilized and we're looking to build around that. Can somebody tell me how many -- how many riders we have going through that train station right now?

**MR. BERTOLI:**

We have 17,000 riders. With the double track, it will be estimated at around 26,000.

**LEG. CALARCO:**

And how many parking spots does that require right now?

**MR. BERTOLI:**

I don't know off the top of my head, but all parking that exists now will remain. Anything generated by the new complex has been handled on-site.

**LEG. CALARCO:**

Well, I think I'm actually trying to get to a different point, Mr. Bertoli, and what's -- the point of putting all this housing in this development around the train station is not to create new cars coming into --

**MR. BERTOLI:**

That is correct.

**LEG. CALARCO:**

-- the area, but to alleviate the need for all that parking so that we get some of those people who are commuting to the city now via this train station a place to live by the train station, so they could just walk out their door, walk over to the train station and go to work, right?

**MR. BERTOLI:**

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Yes. Well, it is shown that these types of projects reduce the usage of the cars dramatically, so that's correct.

**LEG. CALARCO:**

So, in doing so, would that not necessarily -- and I'm getting to the point of the impact on our neighboring -- on the neighborhood surrounding this project. If you're reducing the number of vehicles that need to drive to the train station daily to go to work, are we actually not easing the burden on the local road systems around the project?

**MR. BERTOLI:**

In a theoretical sense, yes. But, as I've indicated previously, the FEIS was quite extensive and looked at every component. Afterwards, it was thoroughly analyzed and our Board unanimously voted for it, indicating that the impacts that would be created would certainly be lessened by the fact that you're near the train station, which I believe is your point, Legislator.

**LEG. CALARCO:**

Sure. And it gets to the point of doing these kind of projects. The reason we want to focus on doing development in our downtowns and development around transit hubs is so that we ease the congestion on our roadways.

**MR. BERTOLI:**

That's correct.

**LEG. CALARCO:**

So that people don't have to necessarily travel by their car, not to say that nobody's going to have a car, because we're on Long Island, residents that probably own a vehicle. But if they don't have to get in it to go to work on a daily basis, that actually saves the surrounding neighborhood, while adding customers to the potential local businesses that are established that are now the new ones that will come with this project.

**MR. BERTOLI:**

It actually does produce much more. Both of my sons live in transit-oriented developments in Washington and Philadelphia, they don't even have cars. It's a generational thing of kids in their 20s. So it's conceivable that the people living here may not even have a car, because all of the social services that they would require are nearby.

**LEG. CALARCO:**

Okay. That's terrific. Thank you very much.

**MR. LIPP:**

So point of information. The Capital Program adopted two-and-a-half million for a jump start in 2015, and an additional two-and-a-half million in 2016-17, and subsequent years. So two-and-a-half million a year moving forward for next year.

**P.O. GREGORY:**

Okay. Legislator Barraga.

**LEG. BARRAGA:**

Tom Vaughn.

**MR. VAUGHN:**

Yes, sir.

**LEG. BARRAGA:**

If the Town of Islip submitted a formal plan in the next two or three weeks detailing their needs under this particular piece of legislation on the Islip portion, would the Executive Branch be willing to increase the amount of money available to meet those needs? For example, I do recall this original legislation had a \$5 million price tag, now it's down to 4,000,550, so it seems to have some wiggle room in there. If anything, you'd be going back probably to the original 5 million. Would you be amenable to something like that, if they got their act together and then submitted a formal plan in the next week or two?

**MR. VAUGHN:**

So, Legislator Barraga, the reason that the resolution originally came in at 5 million, and is now slightly less, is because there are two additional projects.

**LEG. BARRAGA:**

I know that.

**MR. VAUGHN:**

And that's -- so that's the Huntington and the Smithtown project, which --

**LEG. BARRAGA:**

And that's gone right?

**MR. VAUGHN:**

No, sir. Those projects have actually been laid on the table and they will coming forward and going through the next committee cycle. So funding in terms of this capital project for this year, there is no more funding in this account. However, as BRO said, there is \$2.5 million committed to this project in the Capital Program over the next -- over each of the next three years. So there's 2.5 for next year, 2.5 for the following, and 2.5 for the following after that. We would certainly be willing to work with and see what was possible for the Town of Islip. We would also be willing to take a look to see if there are any offsetting capital project. But it would be -- it would be irresponsible of me to commit flat out to say, "Of course, we would," when the funding that is available in this capital project this year is just not simply there.

**LEG. BARRAGA:**

The only option they have is the future allocation. They're too late as far as this scenario is concerned.

**MR. VAUGHN:**

Under this scenario, if we mean this capital project for this year --

**LEG. BARRAGA:**

Yes.

**MR. VAUGHN:**

-- yes, sir.

**LEG. BARRAGA:**

Thank you.

**MR. VAUGHN:**

However, Legislator, I would say that that does not mean that we are not fully committed to working with them on developing a plan.

**P.O. GREGORY:**

Okay. Legislator Kennedy.

**LEG. BARRAGA:**

Future monies.

**P.O. GREGORY:**

Sorry.

**LEG. BARRAGA:**

It's future monies. It's not this, not the funding in this particular proposal.

**LEG. KENNEDY:**

Thank you, Mr. Chair. So let me just go back to one more element, then, with the specifics on this. And, Gil, it's partially to you, and, Tulio, partially to you. Who is actually going to do the bid or let for the work? Are we dealing with actual -- are we digging a road up and putting in some drainage, are we drawing plans? What are we doing with the 2.3 million? Here we go.

**MR. LOSCALZO:**

The grant was to be used for soft costs for engineering of the roads, sanitary collection system, road widening and --

**LEG. KENNEDY:**

Design work. So we're talking about retaining engineers --

**MR. LOSCALZO:**

That's correct.

**LEG. KENNEDY:**

-- and the architects.

**MR. LOSCALZO:**

That's correct.

**LEG. KENNEDY:**

Who is going to be retaining it, the Town or the County?

**MR. LOSCALZO:**

My understanding is the Town.

**LEG. KENNEDY:**

Okay. We have a 10% preference for engaging local design professionals when we let work, I believe, right; right, Gil?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. KENNEDY:**

Okay. Tullio, is that same process in place when the Town goes out for an RFP for design professionals, or things like that? You know, it's one thing to get to where the money is going to be, it's the next thing -- what I don't want to find out is that we got some architect out of Kansas, Alabama, or wherever.

**MR. BERTOLI:**

No, no, no. I'm not sure about the 10%, I don't deal with procurement, but most of the engineers and consultants we use are always local based.

**LEG. KENNEDY:**

Based on the fact that they've submitted qualifications to the Town as to their expertise and capabilities, and then when you let, you let from a pool of qualified entities?

**MR. BERTOLI:**

Yes, that's correct.

**LEG. KENNEDY:**

Okay. All right.

**P.O. GREGORY:**

All right. Legislator Cilmi.

**MR. BERTOLI:**

Very rarely do we get anybody from Kansas or places unknown.

**LEG. KENNEDY:**

Hey, you know.

**LEG. CILMI:**

Could I just ask if Tom Vaughn could come to the microphone again? Tom, I was sort of out of the corner of my ear trying to listen to your discussion with Legislator Barraga a minute ago, and I just want to make a distinction, or ask you to make a distinction if you could. I keep hearing about a commitment to support Islip plans in the future. The distinction that I want to make is that Islip may or may not wish to augment this development in some way with the development of their own on the south side of the tracks at some point in the future. That may or may not happen, you know, depending on a variety of factors. If they do, you're saying that there will be a financial commitment on the part of the County to support that with infrastructure improvements, correct?

**MR. VAUGHN:**

Yes, they would apply -- they would apply through the -- they would talk to the Department of Ec -- wow. They would talk to the Department of Economic Development and make an application for funding under Jumpstart, yes. Sorry, there's no application. They would talk to the Department about funding under the Jumpstart Program, just like the other towns have, and yes, we are committed to working with them. I would also say that a sign of that commitment, as Commissioner Anderson reminded me, we are also willing to look at a road study.

**LEG. CILMI:**

That gets me to my next question. Thank you for bringing me there.

**MR. VAUGHN:**

My pleasure.

**LEG. CILMI:**

The road study is -- we're expecting it to cost about a quarter of a million dollars, \$250,000 or so. Now, that's in anticipation of this Hub development in Brookhaven, as well as in consideration of the double-track project that's ongoing.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. CILMI:**

If this road study shows that there are improvements that could be made to Islip infrastructure to mitigate impacts associated with these developments, are we prepared to make a financial commitment to the Town of Islip to support them with infrastructure dollars?

**MR. VAUGHN:**

Legislator Cilmi, could you do me a favor and clarify that question?

**LEG. CILMI:**

Sure.

**MR. VAUGHN:**

Are you asking if we found -- if we did a study and our County road systems were going to be additionally burdened by -- you know, Commissioner Anderson does a study, he finds that there's going to be more traffic along County Road, insert number that I can't remember off the top of my head --

**LEG. CILMI:**

Or any of the town roads, where there may be drainage requirements in some of those areas. Keep going.

**MR. VAUGHN:**

Would we -- what is the rest of the question?

**LEG. CILMI:**

The rest of the question is are we prepared to make a financial commitment to improving that infrastructure in those areas?

**COMMISSIONER ANDERSON:**

I would say the application could be made through the Jumpstart Program to do that, again, depending on the actual -- whatever is uncovered in the study, and to what extent the improvements are needed. From what I understand, the application could be made through the Jumpstart Program.

**LEG. CILMI:**

Well, clearly, we have an application process. I'm not questioning whether or not an application could be made. My question is whether or not we're committed to supporting an application like that.

**MR. VAUGHN:**

Depending upon the extent of the project, yes, we would be. Obviously, in partnership. I mean, especially if there's going to be an additional burden on our County road system, which would both impact the residents of Islip Town, as well as the rest of the County, of course.

**P.O. GREGORY:**

All right?

**LEG. CILMI:**

Okay. Thank you.

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**P.O. GREGORY:**

Okay. Mr. Clerk, we have a motion and a second? We have everybody?

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

Could I have all Legislators in the horseshoe?

**MR. LAUBE:**

There you go, you got everybody.

**P.O. GREGORY:**

Okay. Mr. Clerk, let's do a roll call.

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

**P.O. GREGORY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Pass.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

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

Yes.

**LEG. BARRAGA:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. Same motion, same --

*(\*Applause\*)*

Same motion, same second on **1850A, Bond Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,550,000 in Bonds to finance, as part of the Jumpstart Suffolk Program (I) said County's portion of the cost of infrastructure improvements for the Wyandanch Rising Project; and (ii) said County's portion of the cost of infrastructure improvements for the Ronkonkoma HUB project (CP 6424.311 and .312).**

Roll call.

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

**P.O. GREGORY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

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

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. I'm going to make a motion to take ***I.R. 1935*** out of order. It's ***authorizing the County Executive to execute an agreement with the Suffolk County Police Benevolent Association/Park Police Unit, covering the terms and conditions of employment for the period January 1, 2011 through December 31, 2018 (Sponsor: County Executive)***. It's in the CN folder. Do I have a second?

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Will you second it?

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

Second it.

**P.O. GREGORY:**

Legislator -- second, Legislator Schneiderman. Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. Same -- I will make a motion to approve.

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

Second.

**LEG. BROWNING:**

Second.

**P.O. GREGORY:**

Second by Legislator Browning. On the motion, anyone?

**LEG. KENNEDY:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

All right. Thank you, Mr. Chair. We talked quite a bit about this, as a matter fact, at Public Safety. So I see that Commissioner Webber is here. I had questions for a variety of folks. Commissioner Webber, if I could begin with you. Good afternoon, Commissioner. How are you? Nice to see you. Hello, Commissioner. How are you?

**COMMISSIONER WEBBER:**

Legislator Kennedy.

**LEG. KENNEDY:**

Good to see you. So there's a number of questions that I've had about this proposal, and we've kind of bantered about back and forth throughout the whole process. I still remain a little confused or unconvinced about the pension impacts. But my recollection, in looking at the whole process when we looked at the total number of officers that are in the Parks Police, my recollection is that they had a wide range of training that they had had, depending upon when they had first become employed by the County. I forget the numbers, maybe 20 of them had gone through the academy, but there are a number of officers who had been on the force for 25, maybe 30 years. And, in fact, when they had first started, started with something that was, I don't know, maybe an abbreviated academy, or something to that effect.

We also had a couple of officers who had started the process to go from a Parks Police Officer to a County Police Officer, but for different reasons, that never came to fruition. So I guess my question to you is how many of these individuals do you anticipate becoming Suffolk County Police Officers, assuming this passes and goes into effect? And what, if anything, will happen with any individual

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who might not make that transition from Park Police Officers to Suffolk County Police Officer?

**COMMISSIONER WEBBER:**

There's 35 officers, Parks Police Officers that will be coming on board. One will retire on the 17th of October, so we'll have a net of 34, and all of which will be Suffolk County Police Officers.

**LEG. KENNEDY:**

Okay. So you've gone through all 34 of their backgrounds, and looked at the training components, and looked at the -- many other different things that we've spoken about, and you feel comfortable making that decision that they possess what's necessary to move from a Parks Police Officer to a Suffolk County Police Officer?

**COMMISSIONER WEBBER:**

Yes.

**LEG. KENNEDY:**

Okay. What will be the training component associated with these Parks Police Officers coming in as Suffolk County Police Officers, will they simply get a new uniform, or are they going to go to the academy? What's going to happen?

**COMMISSIONER WEBBER:**

The plan, as it stands now, is about a week of training of high exposure areas, use of deadly physical force, EVOC, the range, things of that nature, domestic violence, followed by a week of field training just to familiarize themselves with the Suffolk County Police procedures, although, I might add, that all of them have gone through our academy. The only one who hasn't gone through was the individual who's retiring on October 17th.

**LEG. KENNEDY:**

Okay. You talked a little bit about the procedures and manuals. Now, from talking with my colleagues and seeing a couple of different things, I think we have a fairly exhaustive and comprehensive Suffolk County -- what would I call it, a manual, is that it?

**COMMISSIONER WEBBER:**

Procedures.

**LEG. KENNEDY:**

Right, yes. Are those to -- are the Parks Police procedures manual and the County Police procedures manual, for all intent and purposes, the same? What kind of experience are we going to have with these officers coming from one function to the other?

**COMMISSIONER WEBBER:**

Well, as I mentioned, any of the high exposure areas will be gone over in the week of the training within the academy. We're going to have them do the training prior to the field training, which should then support those other areas. I can't speak to what their rules and procedure manual is as we speak. I'll defer that to the Commissioner of Parks.

**LEG. KENNEDY:**

Okay. Have you decided how these officers will be distributed yet, as far as allocation to precincts, or special command, or what have you?

**COMMISSIONER WEBBER:**

The Chief of Patrol has a tentative plan, yes.

**LEG. KENNEDY:**

He does, okay. I know I've asked you this in the past, but I'll ask you again. From your perspective, do you favor this merger?

**COMMISSIONER WEBBER:**

Yes. Yes, I do. I think it's good fiscal management. We have better utilization of personnel. You have officers, the same number of Park Police Officers all year-round. They do it in the summer period, as well as the winter area. Next three months, on average, they'll handle 2.5 calls a day in the entire County. They're better utilized in the Suffolk County Police Department. They're less expensive. The Park Rangers who will replace the Park Police will be a lot less expensive. And we have increased coverage in the west end in that we'll be responding to the calls in a much faster response time, because we'll be picking up the calls in the two western zones.

**LEG. KENNEDY:**

I think I want to yield to my colleagues to talk about some of the procedural stuff. I want to reserve a little time to talk about the price component associated with it, though, because I do -- I don't share the same assessment about the expense associated with these officers, as opposed to what we would have with a new class of officers coming in. My understanding is most of these officers are well through a particular salary scale, or what have you. None of them are coming in at 42,000, are they?

**COMMISSIONER WEBBER:**

They should be coming -- most of them will be coming in at Step 9.

**LEG. KENNEDY:**

And what does that equate to, Commissioner, approximately?

**COMMISSIONER WEBBER:**

I don't have that.

**LEG. KENNEDY:**

Do I have anybody? Anybody know?

**MR. DIGEROLAMO:**

I could address some of your questions, Legislator. First, I'd like to say thank you very much for having us here. And I understand earlier today that the Presiding Officer and this body recognized and had a moment of silence for the Cutinella Family, who just lost their son recently. Those who don't know, that's one of our members, and I thank you for that, keeping them in your thoughts and prayers. And Officer Guerrero, who is still in Stony Brook's Neurosurgical ICU, is on his way to recovery. Today was the first day he was able to eat on his own, which is a positive step forward.

**LEG. KENNEDY:**

No doubt. That's good to hear.

**MR. DIGEROLAMO:**

Forgive me if I lose the microphone here. I know I have to hold this one, right? I'm not used to that one. Hauppauge is a little easier.

With regard to their salary steps, the Park Police, at their top rate of pay, is significantly less than that of the Suffolk County PBA contract. And they would be sliding in at the most comparable step that they could, which for them right now is ranging from the \$50,000 range up to \$68,000. And although they are sliding in at, as you mentioned, higher than the \$42,000, there's significant savings to the County by not putting them through a six-month Police Academy, since they've

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already been trained. Otherwise, you would be spending \$42,000 for six months and not receiving any services from them, in addition to the savings that's being realized by the County, as they do not have to go through the extensive Civil Service process of examination, and so forth, and applicant investigation over again, which they would have to do if they were new employees being brought in. Again, a significant savings moving forward to the County.

**LEG. KENNEDY:**

Do they come in under the new Collective Bargaining Agreement increment --

**MR. DIGEROLAMO:**

Yes.

**LEG. KENNEDY:**

-- level with the 13 steps?

**MR. DIGEROLAMO:**

They will be coming into the new Collective Bargaining Agreement with a 24-step program. It's every six months for 12 years. So, again, not being hired under the old contract, there is significant savings to their steps moving forward that the County's going to realize on this.

In addition to everything else that was spoken about previously during the negotiations of this Memorandum of Agreement for the merger, the County also did receive a waiver on our exclusivity of civilianization moving forward for work being done by police. We've granted a waiver to civilianization of patrols within the parks. So if at any point the County wanted to hire a less expensive person, they have right to do that moving forward. As I mentioned at Thursday's Public Safety, it's a fluid agreement that allows the County much more latitude than they would have had under the current agreement if they had just hired them outright.

**LEG. KENNEDY:**

That's important to note. So that is a concession on the part of the PBA in allowing for this additional degree of flexibility. And under the Parks Police PBA, they had that same, I guess, degree of exclusivity or protection, that for all intent and purposes, the only entity that could be in a County park was a sworn Police Officer?

**MR. DIGEROLAMO:**

Under the existing agreement with the Parks Police, which the Parks Police are represented by the Suffolk County PBA as the Parks Police Unit, they had decertified from the Deputies a year ago and joined the Suffolk County PBA; and if the work was attempted to be given to another bargaining unit, it would have been PERB charge brought against the County by the PBA, which now will not happen, because we've waived that moving forward, and that's part of the agreement. So, in addition to the potential of bringing in a Park Ranger, they could bring in a lower grade individual or a civilian. Or even if at some point in the future, not saying that they would, but if they wanted to subcontract it out to a civilian entity, they could.

**LEG. KENNEDY:**

Okay. I have to yield for some other colleagues.

**P.O. GREGORY:**

Okay. All right. Legislator Trotta.

**LEG. TROTТА:**

Just is the County Attorney here?

**MS. SANTERAMO:**

Yes, he's coming.

**MR. BROWN:**

Yes, good afternoon.

**LEG. TROTТА:**

You know, I'm sure someone can sue anybody, but we're on good legal ground here with, you know, the guy who was on the test who didn't get hired, you know, might sue, cost the County money for this?

**MR. BROWN:**

I'm not sure if I understand your question.

**LEG. TROTТА:**

The guy who's on the list now.

**MR. BROWN:**

Somebody's on the list that took the test previously?

**LEG. TROTТА:**

Yeah.

**MR. BROWN:**

Yeah. We previously looked into that and discussed that at the last meeting as well. A person who's currently on the list doesn't have any type of vested property right. They have, you know, an expectation that they might get called, but they don't have a right.

**LEG. TROTТА:**

Okay. If a guy has 15 years in the Parks Police, when he gets 20 years, will he get a -- is the County liable for a different pension, or how does that work?

**MR. BROWN:**

No. First, we did research this also, and, plus, we also spoke to the Comptroller's Office. So, as you know, there are two different types of systems that govern the Police. There's a 55 system, where a person can retire between the ages of 55 and 62 and maybe suffer some type of diminution in benefits. The other type of system is the 20-year system. So the Park Police that are currently in the Employees Retirement System, they must go over to the Police and Fire Retirement System, and depending on the individual circumstances of each officer, and each officer will have the opportunity to meet with the Comptroller's Office, this is the New York State Comptroller's Office I'm talking about, will have the opportunity to meet with the New York State Comptroller's Office to determine how to best leverage the service accrued with the Employee Retirement System in the Police and Fire Retirement System.

**LEG. TROTТА:**

So the County has no liability to paying back pension costs or anything?

**MR. BROWN:**

No. Not that I'm aware of, so no. And I have not -- I have not discovered that, and I have not certainly discussed that with the Comptroller's Office.

**LEG. TROTТА:**

Are the Parks Police polygraphed when they're brought in?

**COMMISSIONER WEBBER:**

Yes.

**LEG. TROTТА:**

When they're hired as a Parks Police Officer, they're polygraphed?

**COMMISSIONER WEBBER:**

Yes.

**LEG. TROTТА:**

Because there was some talk, a couple of them failed, when through Suffolk and failed the polygraph and the Parks -- so that's not true?

**COMMISSIONER WEBBER:**

I can't speak to our investigative techniques in public, open forum, I would speak to it in Executive Session.

**LEG. TROTТА:**

Well, it's common knowledge that cops are polygraphed before they get on. My question --

**COMMISSIONER WEBBER:**

And they were polygraphed and they all passed.

**P.O. GREGORY:**

Okay. Anyone else? All right. We have a motion, right, and a second? There you are, Mr. Clerk.

**MR. LAUBE:**

Yes, you do right. Fire away.

**P.O. GREGORY:**

All right. All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

Abstain.

**P.O. GREGORY:**

Okay. I.R. --

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

-- 1935 passes. All right. Let's get back to the -- oh, I'm sorry. It was -- Legislator D'Amaro had a request. Legislator D'Amaro, you had a request, right, I.R. 1847?

**LEG. D'AMARO:**

No.

**P.O. GREGORY:**

No? Okay. You were going to make a request to take 18 --

**LEG. CALARCO:**

1849.

**P.O. GREGORY:**

Legislator Calarco makes a motion to take I.R. 1849 out of order. I will --

**LEG. CALARCO:**

Second by Sarah.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. CALARCO:**

I make a motion.

**P.O. GREGORY:**

Okay. Legislator Calarco makes a motion to take ***I.R. 1849 - Authorizing funding of infrastructure improvements and oversight of real property under the Suffolk County Affordable Housing Opportunities Program and execution of agreements (Concern-Middle Island) (Sponsor: County Executive)***; seconded by Legislator Anker. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

I got it, 18.

**P.O. GREGORY:**

Okay. Motion is approved. Back to Page 3. I make a motion to approve the ***Consent Calendar***.

**LEG. BARRAGA:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

### **TABLED RESOLUTIONS**

**P.O. GREGORY:**

Okay. Tabled Resolutions: ***I.R. 1314 - A Local Law to require consumer notification for disparate gasoline pricing (Sponsor: Jay Schneiderman)***.

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

I'm going to withdraw the bill.

**LEG. BROWNING:**

Yay.

**(\*Laughter\*)**

**P.O. GREGORY:**

Okay. Resolution withdrawn. One cheer.

***I.R. 1378 - Appropriating funds in connection with waterproofing, roof and drainage at the Suffolk County Vanderbilt Museum (CP 7439) (Sponsor: William Spencer).*** Legislator Spencer? I.R. 1378. What's your motion?

**LEG. SPENCER:**

I apologize.

**P.O. GREGORY:**

It's the Vanderbilt.

**LEG. SPENCER:**

Motion to table.

**P.O. GREGORY:**

Motion to table by Legislator Spencer.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

All right. ***I.R. 1394 - A Local Law to warn consumers of the dangers of liquid nicotine (Sponsor: Sarah Anker).***

**LEG. ANKER:**

Okay. I'll make a motion to table.

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

Second.

**P.O. GREGORY:**

Motion to table by Legislator Anker.

**LEG. ANKER:**

On the motion.

**P.O. GREGORY:**

Seconded by Legislator Schneiderman. On the motion, Legislator Anker.

**LEG. ANKER:**

Okay. This bill is a very important bill, and, basically, it will provide some type of warning to the consumers of liquid nicotine pertaining mainly to children, because children are getting access to liquid nicotine.

I will continue to work with the food industry, and, you know, in addition to modifying this piece of

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legislation, but it will not go away. It will not go away. We approved the powdered caffeine bill today. We have other bills, I'm sure, that we'll be approving in the future to protect our children's health. But I will continue to advocate for this. And I do appreciate the patience and understanding of the Legislature, but we will take this up next month. Thank you.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

That's I.R. 1394. ***I.R. 1407 - Amending the Adopted 2014 Operating Budget, adopting the 2014 Operating Budget for Suffolk County Sewer District No. 4 - Smithtown Galleria, appropriating funds for operation and maintenance, authorizing the purchase of vehicles, authorizing the creation of positions and approving the user charge for Suffolk County Sewer District No. 4 - Smithtown Galleria (Sponsor: County Executive).*** Legislator Kennedy?

**LEG. KENNEDY:**

Let me put down the County credit card, hold on. No. I'll make a motion to approve.

**P.O. GREGORY:**

Motion to approve by Legislator Kennedy.

**LEG. TROTTA:**

Second.

**LEG. ANKER:**

Second.

**P.O. GREGORY:**

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

**LEG. KENNEDY:**

Yehea.

**P.O. GREGORY:**

All right.

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1464 - Appropriating funds in connection with Improvements to the North Fork Preserve (CP 7189) (Sponsor: County Executive).*** Legislator Krupski.

**LEG. KRUPSKI:**

We are -- the committee is almost formed. Motion to table one more time, please.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Motion to table by Legislator Krupski, second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1654 - Sale of Suffolk County-owned real estate pursuant to Local Law No. 13-1976 Stephen Raccomandato and Nadine Raccomandato, his wife (SCTM No. 0500-189.00-01.00-024.000) (Sponsor: County Executive).***

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco, second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1655 - Re-establishing the "Safe Pets and Families Program" to provide temporary shelter for pets of domestic violence victims in Suffolk County (Sponsor: Jay Schneiderman).*** Motion to approve.

**P.O. GREGORY:**

Motion to approve by Legislator Schneiderman.

**LEG. MURATORE:**

Second.

**P.O. GREGORY:**

Second by Legislator Muratore. Any questions? All in favor --

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

Just on the record, just so everybody knows, because this was tabled last time, because there were some questions about indemnification. So the bill now has been amended. It specifically says the County is not indemnifying the SPCA. It also says specifically there's no cost to the County.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. ***I.R. 1746 - Approving a Settlement Agreement relating to the Assessment Stabilization Reserve Fund (Sponsor: County Executive).***

**LEG. CALARCO:**

Motion to table.

**P.O. GREGORY:**

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

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

Opposed.

**MR. LAUBE:**

Seventeen.

**LEG. ANKER:**

Opposed.

**LEG. D'AMARO:**

Opposed

**MR. LAUBE:**

Opposed?

**P.O. GREGORY:**

It's I.R. 1746, motion to table.

**MR. LAUBE:**

So that was 16.

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

Motion to table.

**P.O. GREGORY:**

Right.

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

I was opposed. No to table.

**P.O. GREGORY:**

You have three nos, as far as I could see.

**MR. LAUBE:**

Fifteen.

**BUDGET AND FINANCE**

**P.O. GREGORY:**

All right. Budget and Finance: ***I.R. 1434 - Approving County funding for a contract agency (South Fork Natural History Museum) (Sponsor: Jay Schneiderman).***

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

Motion to approve.

**P.O. GREGORY:**

Motion to approve by Legislator Schneiderman.

**LEG. D'AMARO:**

I'll second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1758 - Amending the 2014 Operating Budget to provide funding for the Post Morrow Foundation (Sponsor: Kate Browning).***

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Browning, I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1813 - Amending the 2014 Operating Budget to provide funding for the Family Service League - East Hampton (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. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1819 - Creating a Taxpayer Protection and Notification Program (Sponsor: Tom Cilmi).***

**LEG. CILMI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Cilmi.

**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:**

***J.R. 1830 - Reducing Pipeline Debt by authorizing the County Comptroller and County Treasurer to close certain capital projects and transfer funds (Sponsor: County Executive).***

**LEG. KRUPSKI:**

Motion to table.

**P.O. GREGORY:**

Second the motion to table.

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

Second.

**P.O. GREGORY:**

You beat me to my own motion.

**LEG. KENNEDY:**

On the motion.

**P.O. GREGORY:**

I make a motion to table, second by Legislator Krupski.

**LEG. KENNEDY:**

On the motion.

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

All right. Who was the -- Legislator Kennedy, and then Legislator Krupski.

**LEG. KENNEDY:**

We went through this in committee, and Legislator Krupski made a very compelling argument about wanting to be able to maintain some flexibility. But the Presiding Officer argued equally vociferously about the work that the committee had done, so I'm confused.

**P.O. GREGORY:**

I met with Dick Amper and Bob DeLuca yesterday, and I offered to table the resolution for one cycle. We'll revisit it on the 18th, but I fully -- you know, I -- the work that we did as a committee is important. I think it's important that we send a message that we're serious about reducing our pipeline debt.

**LEG. KENNEDY:**

No doubt.

**P.O. GREGORY:**

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But I offered to them to table the resolution, and we can get into further discussions in the meantime, but --

**LEG. KENNEDY:**

So we expect, though, that on the 18th, we should be able to go ahead and act on this?

**P.O. GREGORY:**

That's going to be my -- that's going to be my approach.

**LEG. KENNEDY:**

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

**P.O. GREGORY:**

All right. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. So I know we do have a commitment, and I really do appreciate the committee that worked on reducing pipeline debt. Everybody took it very seriously and I appreciate that. But if we authorize everything today, authorizing -- just today, on today's agenda, we're authorizing another -- almost a mill-and-a-half dollars in debt, and this year so far, we've authorized almost \$70 million in debt. So, when we talk about authorizing debt, we're pretty serious around here.

So I think -- you know, I did make the plea. Please keep this carrying the multifaceted and the legacy land preservation lines; does not cost us anymore monies. There are towns who would partner, who still would partner with the County on certain parcels 50%, and I think that has a great value, because it only -- you really split your costs.

So I appreciate the Presiding Officer making the motion to table, and I look forward to working with everyone to try to keep some of that money in play. Thank you.

**P.O. GREGORY:**

Okay. Anyone else? Okay. Motion to table. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. CILMI:**

Opposed to tabling.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. ***1.R. 1846 - Amending the 2014 Operating Budget to provide funding for the Montauk Historical Society for the Montauk Indian Museum Archeology Festival (Sponsor: Jay Schneiderman).***

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

Motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman, I'll second. Any questions? All in favor? Opposed?

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Abstentions?

**MR. LAUBE:**  
Eighteen.

**P.O. GREGORY:**  
Okay. 1810 is going to come by way of CN. I.R. 1828 - Extending the life --

**MR. NOLAN:**  
No, 1825.

**P.O. GREGORY:**  
*(1825)Extending the life of the Master Plan for the Francis S. Gabreski Airport (CP 5738)(Sponsor: County Executive).*

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

**P.O. GREGORY:**  
This has to be tabled, so motion to table by Legislator Schneiderman, I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
That's 1825, correct?

**P.O. GREGORY:**  
1825, yes.

**MR. LAUBE:**  
Thank you. Eighteen.

**P.O. GREGORY:**  
*I.R. 1835 - Reappointing member to the Suffolk County Landbank Corporation Board of Directors (Sponsor: John Kennedy, Jr.).*

**LEG. KENNEDY:**  
Motion to approve.

**P.O. GREGORY:**  
Motion to approve by Legislator Kennedy, I'll second. I don't know. Are you missing more than four meetings in the past six months?

*(\*Laughter\*)*

All right. This appointment is for Legislator Kennedy. Him and I are -- no, Cilmi. Your appointment of Cilmi, right. What am I saying? Of the Landbank Corporation. Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**P.O. GREGORY:**  
I.R. 1850 we did by way of CN.

**EDUCATION AND INFORMATION TECHNOLOGY**

Education and Information Technology: ***I.R. 1513 - Appropriating funds in connection with the traffic circle – Ammerman Campus (CP 2143) (Sponsor: County Executive).***

**LEG. MURATORE:**

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Anker, second by Legislator Muratore. On the motion, Legislator Trotta.

**LEG. TROTTA:**

I looked at this for a long time, went back three or four times. This is a waste of taxpayers' money. I pulled the car accidents there in the -- for the prior 18 months. There was 86 car accidents on College Road, seven on this Road. One of them may have had minor injuries. Looking at the map of it and standing there and going back twice, they could easily gain access to a parking lot from another angle, they can easily stagger the classes, which would create more parking, and they could easily put what they call foot bumps or foot traffic, which is a small low-level speed bump.

This, in my opinion after looking at it, is just a waste. I mean, in a perfect world, it would be nice to do. It's a T-intersection. There's a way to get half the cars off of it, and I cannot support this.

**P.O. GREGORY:**

Okay. I think it's important. I think, obviously, looking at traffic accidents are important, but I think not necessarily the sole determinative factor in looking at something like this.

I have driven there during classes and I could tell you that it's -- you know, the traffic there is enormous. And I think if there's any measure that we can do to reduce the traffic, I think we should look at it.

**LEG. TROTTA:**

Exactly. That's exactly my point, is you don't need the traffic circle, there's an easy way to do it. If you were to just come in the back of the parking lot -- half the cars that were -- when I sat there and watched, making the right-hand turn, went up to the intersection and made another right into the parking lot. There's an access road behind that parking lot. They could have made the turn off that -- into that access road and then left into the parking lot. That's one way to do it.

Another way to do it is reduce the number of cars coming at the exact same time. All the classes start at 8, 9:30 and 11, and it just creates a traffic jam. If you were to take 20% of the classes, start them 15 minutes earlier, so they would end 15 minutes earlier, with those people, some percentage of them would leave and free up parking spots, so it would solve two problems.

**P.O. GREGORY:**

But, if I recall testimony at committee, this obviously was one, one piece of the solution. They did talk about having, if I recall, having another entrance into, I guess it would be south side of the parking lot. So this is not a mutually exclusive solution to what you're offering, they can do both. This is just a study to look at different measures; am I correct, Ben?

**MR. ZWIRN:**

Mr. Presiding Officer, this is a -- \$250,000 for this traffic circle at this location.

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To set the record straight, any accident that happens on the campus, the location is given at College Road. So all the accidents that occurred on the campus will have the College Road address. It didn't necessarily happen on College Road. Because that's the address of the College, they use that as the address.

On September 4th, we had a T-bone accident at this intersection where a car rolled over. Some of you have -- I know I spoke with Legislator Hahn, who has driven on the campus at this time.

Legislator Trotta is very much concerned about staggering classes. The College does stagger classes. There are over 14,000 students registered on the Selden Campus, there are 3700 parking spots. If classes weren't staggered, we wouldn't have to ask for a traffic circle, because people would never get anywhere, we'd be at gridlock. They are scattered, some of them in the evening, some of them in the morning. Some of them are at 6 o'clock in the morning. Some of them are on the weekends. Some of them are given at different campuses. I mean, we have looked at this.

This wasn't the College's brainstorm to come up with a traffic circle. We hired a local engineer from Cameron Engineering, one of the top engineering firms on Long Island or anywhere. They did a traffic study of the campus.

This is a public safety issue. I mean, this is not a political issue, this is -- I mean, for \$250,000, if we could protect the students, your constituents and residents in this County -- I mean, I could see us arguing over a lot of things, but this one doesn't seem to be the one where we draw the line.

### **LEG. TROTТА:**

I don't think anybody knows any better about public safety than me, and I worked in that precinct and I worked in that College. I never, ever, ever handled a car accident there where anyone was injured. I started researching this, and when I got this, I can't find anybody, I'm not complete with it, whoever got injured on that campus in a car accident. I'm trying to find -- just because someone writes they were injured in the report doesn't necessarily -- they could have just claimed an injury, there was no serious jury.

You want to go to Nicolls Road? I handled fatals at Nicolls Road. Should we put a traffic circle there? I've handled fatals on College Road and 25A. Every single day in this County a car flips over. Because one car flips over, we don't need to take the taxpayers' money and spend \$500,000 when there's other alternatives. I'm not saying down the road this might be an issue, but we have to go through a process where we try this, and then we try that, and if it doesn't -- you know, the enrollment's actually going down.

### **MR. ZWIRN:**

The enrollment is at 99% of last year, 99%. That's like flat as opposed to going down.

### **LEG. TROTТА:**

The public safety, you know, every time someone wants to get something passed, oh, it's public safety.

### **MR. ZWIRN:**

No, not every time. No, that's not --

### **LEG. TROTТА:**

That seems to be what I've been seeing.

### **MR. ZWIRN:**

That's not the case.

**LEG. TROTТА:**

And to use that at an intersection --

**MR. ZWIRN:**

You were at the intersection.

**LEG. TROTТА:**

Yes.

**MR. ZWIRN:**

As was the Education Committee.

**LEG. TROTТА:**

Twice I was there.

**MR. ZWIRN:**

And we also sent by email a link that the Faculty Association had taken a video at that intersection. Anybody who's been there, that road, you come down at high speeds, you've got kids, most of them 18 to 24 who are driving, and they are in the highest risk category, there is -- the State is picking up half of this. It has been approved in the Capital Budget, it was approved in the State's Capital Budget. The planning money was approved and appropriated by the Legislature. We would ask you to spend the last \$250,000 to protect the students that we have on the campus. You'll vote your conscience, I know you will.

**P.O. GREGORY:**

Okay. Anyone else? Okay. All right.

**LEG. KENNEDY:**

Mr. Chair, I just have one question for Mr. Zwirn. Ben, who actually wound up designing this? Is this our Public Works folks, or did you folks send it out? Was it done outside?

**MR. ZWIRN:**

It was Cameron Engineering that did the traffic study.

**LEG. KENNEDY:**

They did the traffic study and they did the recommendations. They're the ones that came up -- did they give us a range of options, or was the traffic circle the only solution that they --

**MR. ZWIRN:**

Because of the sight lines at this location, the traffic circle really was the only thing that would really work. Now will it prevent all accidents that happen at the intersection? Maybe, maybe not, but it will -- it is designed to prevent T-bone accidents, which are the most dangerous.

**LEG. KENNEDY:**

And what is our share? What is our --

**MR. ZWIRN:**

\$250,000.

**LEG. KENNEDY:**

Two hundred and -- so it's a \$500,000 project, 250,000 being County funds?

**MR. ZWIRN:**

Yes.

**LEG. KENNEDY:**

Okay.

**P.O. GREGORY:**

Legislator Anker.

**LEG. ANKER:**

I just want to also mention that the Education Committee came, took a field trip over to the Community College, and we looked at the traffic going by, and there is a substantial blind spot exactly at this point that, you know, we hope the traffic circle will address. And even if it just prevents one accident, it's worth it. It's \$250,000 and it's the safety of the kids, as I'm always saying. And we have a professional engineering firm look at this. We have the professionals who do their scheduling at the College look at what you had suggested, Legislator Trotta, and we really feel this is a well worth investment into the safety of the kids that attend Suffolk Community College.

**P.O. GREGORY:**

Okay. We have a motion and a second, Mr. Clerk?

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

All right. All in favor? Opposed? Abstentions?

**LEG. TROTTA:**

Opposed.

**LEG. CILMI:**

(Raised hand).

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

All right. Same motion, same second on *I.R. 1513A*, the bonding resolution (*Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$225,000 bonds to finance a portion of the cost of the design and construction of the traffic circle - Ammerman campus (CP 2143.310)*). Roll call.

*(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:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

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

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

Okay. ***I.R. 1514 - Appropriating funds in connection with parking expansion – Ammerman Campus (CP 2152) (Sponsor: County Executive).*** Motion by Legislator Anker, second by Legislator Muratore. Any questions?

**LEG. KENNEDY:**

How much on this one, Mr. Chair? What's the story with this one, Ben?

**MR. ZWIRN:**

This will redesign some of the parking lots, because as one of the students was talking, they were talking this morning, some of the parking lots go into dead ends. So, if you go down a lane where -- and you find out there's no spots, you've got to try to make a three-point turn or back up all the way down the lane. And I think by redesigning the existing parking lots, they can get another 500. Right now, there are 3700 parking spots. Over 14,000 students are registered on the Selden Campus. So we can add additional 500 spots, and also make them safer. It also will give us an opportunity to put some intersections where we can get some of the students off some of these roads and get them into the parking lots before they get to this one particular intersection. But there's some major grade issues that have to be addressed, and that will be addressed in this project.

**LEG. KENNEDY:**

What's our local share? And so this sounds like we're doing just striping and --

**MR. ZWIRN:**

No.

**LEG. KENNEDY:**

-- concrete barriers. Are we actually putting in more asphalt or not?

**MR. ZWIRN:**

Probably not more asphalt. Well, just some more asphalt, because we'll be taking out some of the barriers where you have stanchions right now, and trying to make --

**LEG. KENNEDY:**

But you're not building large-scale parking lots, it's basically --

**MR. NOLAN:**

It's \$1.5 million, Legislator Kennedy.

**LEG. KENNEDY:**

How much?

**MR. NOLAN:**

1.5 million local share.

**LEG. KENNEDY:**

1.5 mill? That's a lot of money. That's a lot of money. Is this something, Ben, where it was done -- do we get the option, could we, you know, phase it? Could we do it in increments, or is it --

**MR. ZWIRN:**

Well, I think this is --

**LEG. KENNEDY:**

-- put out as the whole enchilada?

**MR. ZWIRN:**

This is the estimated cost; it may come in less. Most of the College projects do come in below what's estimated.

**LEG. KENNEDY:**

Yeah, but there's got to be a half dozen parking lots there. In other words -- so my question to you is, is 1.5 is a lot of wood to throw at this point. Is there an option if -- you know, we're talking 8 or 10 parking lots. Could we do two this year, two next year, and, you know, things like that?

**MR. ZWIRN:**

The project was set up to be done at one time. The problem is that once you start doing this, you try to do it in the summertime so that there's less disruption among the student body. I think we'd like to just get it done. It may take time to do it, but we can't do it without the funding.

**LEG. KENNEDY:**

Well, that much I do know. I see Jon over there. Is he able to come the podium and just speak on this for a second?

**MR. ZWIRN:**

Sure.

**LEG. KENNEDY:**

He might well -- Ben, he knows it a little better.

**MR. ZWIRN:**

I hope so.

**MR. DEMAIO:**

Thank you. To answer your question on the cost, the Ammerman Campus is very hilly.

**LEG. KENNEDY:**

Yes.

**MR. DEMAIO:**

And our parking lots are forced to work within that topography. So this work would not only try to connect some lots that are separated through grading, drainage, curb cuts, some additional asphalt, but would also try and take some of the lots that are flatter and make them more efficient, as Ben had mentioned, avoiding dead ends, reducing traffic to get to the lots. And rather than build a raised garage, which we estimated at \$20,000 for the same number of spaces, by efficiently trying to improve the lots we have, improving those grades, improving sight lines, we thought this was the economic way to go about it and get us 500 additional spaces.

**LEG. KENNEDY:**

Which I am in agreement with you on. My only question to you is can you do this incrementally, or does it have to be done all in one single component?

**MR. DEMAIO:**

So, from a construction perspective, given -- we're looking at 22 parking fields separately --

**LEG. KENNEDY:**

Okay.

**MR. DEMAIO:**

-- that we can work with. There are a couple that are as good as they'll ever be. There are 22 that we can improve. From a construction perspective, we can't do all 22 in one summer. So the construction would certainly have to be phased over at least two summers, isolate half of the

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campus one summer, half the campus the other. But to design it and to bid it, it would be more economical to do it in one shot. I wouldn't want to design Phase I, go through another RFP process, design Phase II, go through two separate bids, I'd rather do one bid for all 22.

### **LEG. KENNEDY:**

Okay. So, typically, when we look at design and bid, we look at 10% of what the overall project is. So if we have a total \$3 million project, 10% of which is designed and bid, and leave 2.7 towards construction and build-out, half of that would be, what, 1.35. Our half share would be about 700,000. Seven hundred thousand this year and 700,000 next year would be better than 1.5 million today.

### **MR. DEMAIO:**

And, certainly, we -- insofar as drawing down on that money and requesting the cash for that, that's actually what would happen. Even if we authorized the full amount today, we'll be not -- we would not be drawing down on that money all in one shot in one summer. We would do approximately, if we can do half of it, 50% next summer, 50% the following summer. So it would, from a cash flow perspective, do exactly what you're suggesting.

### **LEG. KENNEDY:**

So then through the Chair, I guess, Mr. Chair, I got to go to BRO. So, Robert, is there any financial impact difference for us if we approve a \$3 million bond today, of which only a portion is actually let in the construction cycle that Jon's speaking about? Or if we did it in two separate lettings, basically a -- I guess it would be a million dollars this time around to accomplish all of the design and half the construction, and then 700,000 in '15?

### **MR. LIPP:**

Okay. So unless I'm misunderstanding, I believe if you do the full authorization now, the issuing times of the impact on the County's budget is when we actually issue the bonds. The bonds are not typically going to be all issued at once. So, to the extent -- and Jon could chime in at any time. To the extent that they're going to actually issue bonds in two steps, three steps, whatever, you'll have those bond issues then appearing on the following year's Operating Budget as implicit in debt service.

### **LEG. KENNEDY:**

Cost impacts then would first be realized in '16, I guess, and '17.

### **MR. LIPP:**

So the first time we could issue bonds again, since we just issued literally the Fall bond issue, would be the Spring, and we borrow for the following six-month period. So what will happen is we won't see anything, yes, until 2016 implicit in the Operating Budget. And if the full three million were spent, which is only one-and-a-half County's, then it would be the debt service on that. If a third of it was spent, then it would be a third of that debt service.

### **LEG. KENNEDY:**

So, in this case, we would probably be looking at 300 grand in the Spring that would allow you to retain the design professionals. They do their three, four, five months worth of work and we'd be into '16 at the earliest, '16 Spring. All right, fine.

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

Okay. Oh, Legislator McCaffrey.

### **LEG. MC CAFFREY:**

One question. Jon, you said this is going to gain 500 spots?

**MR. DEMAIO:**

Approximately, yes.

**LEG. MC CAFFREY:**

Where are they parking now?

**MR. DEMAIO:**

Everywhere, on the grass, illegally, wherever they can. If there's a nook available, they park a car there.

**LEG. MC CAFFREY:**

Okay.

**P.O. GREGORY:**

Legislator Trotta.

**LEG. TROTТА:**

I'm going to beat a dead horse. I called the National Association of Community Colleges and spoke to them. You do not stagger your classes. They all start at 6:30, 8, 9:30 and 11. If you were to start some classes at 7:45, and they would leave at 9:15 those spaces would be open for the 9:30 people coming in. And then if you did 20% of those -- I didn't make this up myself, I researched it -- you would free up the parking and reduce the traffic going into the College.

When I spoke to your person in charge of that, you know what they said to me? That would be hard to do. So we have people who work for us who don't do hard things? I mean, it's very simple to set up a -- to set up a system where it's 8, 9:30 and 11. It would be a little bit more difficult to stagger them, which would obviously relieve congestion and free up parking spots as people who left the class start the next class, so there's other ways to do this.

**MR. ZWIRN:**

We have a library where there may be 100 students at any given time. We're not going to stagger hours at the library. We have athletic clubs, we have social clubs, we have athletic teams. There are things going on at the campus that are unrelated to classes. We have events going on on the campuses.

You know, the problem is, is that you have a finite geographic area that's landlocked and you have a lot of people using it. And we're trying to make it a little more user friendly and provide parking, so people don't have to park in emergency locations. They're parking on the grass, they're parking on hills. I mean, it's -- you've been to the campus.

**LEG. TROTТА:**

I run a race -- I've run a race, it's the second largest Turkey Trot, and we tell people to come at staggered times so we don't get killed with parking, so we can control it. I'm saying that you should be doing the same thing with your classes. You should take 20% of the classes, Criminal Justice, and start them 15 -- at 7:45. And then when they get out a little early, I'm not saying all of them are going to leave, but a percentage of them are going to leave and free up parking spots for the people coming in at 11. I mean, it only makes sense.

**P.O. GREGORY:**

Okay. Are you done?

**LEG. TROTTA:**

Done.

**P.O. GREGORY:**

Okay. Legislator Anker.

**LEG. ANKER:**

I just wanted to mention, too, though, the situation happens where a lot of the kids will come -- will go to the campus, and just to find parking, doesn't matter if the class is next, just to find parking, they'll stay there. They'll take a class, they'll stay on campus until their next class. So when you talk about staggered parking, that doesn't always work.

Ben had mentioned also kids do the other sports and the activities. You know, they're parking all over the place. So I think it's very much needed, and I think it's a great investment. Look, we've invested heavily into our College, because we know our Community College is one of the best in the country, and we need to provide access to that college, to the parking. Of course, this is going to be, you know, very important.

I just wanted to mention, too, now, the College is -- I'm assuming you guys are still working with Start-Up NY.

**MR. ZWIRN:**

Yes.

**LEG. ANKER:**

That's next to where the College is located. And maybe consider, you know, parking -- incorporating the parking idea with that, because that's going to be huge, and that will really help our kids find the jobs that they need. So thank you.

**MR. ZWIRN:**

Thank you.

**LEG. TROTTA:**

Just in response, it will never work unless you try it.

**LEG. ANKER:**

Just a response. But if we try it, we're going to be wasting, you know, valuable time and even valuable money.

**LEG. TROTTA:**

Twenty-five years it's been like this.

**LEG. ANKER:**

We don't want to micromanage them.

**P.O. GREGORY:**

Okay. Legislator Browning, then Legislator D'Amaro has some questions.

**LEG. BROWNING:**

I wasn't going to say a word, but I have to tell you, 25 years ago, I went back to school and went to Suffolk Community College, and 25 years ago it was a problem. My son is currently in the Riverhead Campus. He was going to go to Selden and I said to him, "Don't do it, go to Riverhead, because you'll never get a parking spot." I know what it's like. When I took him to register for classes, we

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started going to Selden, it's a nightmare. And, you know, I'll tell you, I've been there for many, many times.

And when you say about staggering classes, my son goes to Riverhead, he's had periods where he's had three, four hours between classes, he doesn't leave. He stays in Riverhead, because it's too much money. These kids can't afford the gas. So to drive home and come back to the College, it's way too much money. So they stay, they get involved in the clubs. You know, I can tell you, based on experience, I know this is an important issue for the kids, we have to do this. I know you're talking about the money, but it's not fair to the kids that they can't get to school or can't get to class on time because they're trying to find a parking spot.

So, again, I tell my son to stay in Riverhead as much as he can, because it's easier to park. And that's all well and good because of where we live, but there's too many kids going to the Selden Campus. The kids have to drive to the campus that's closest to where they live. So, you know, we need --

**LEG. TROTTA:**

Stagger classes.

**LEG. BROWNING:**

They stagger the classes. They have so many classes.

**LEG. TROTTA:**

They do not stagger the classes, they start at 8, 9:30 and 11.

**LEG. BROWNING:**

But they have so many classes. They have so many classes, and these kids --

**LEG. TROTTA:**

Exactly the point of why you can stagger them.

**P.O. GREGORY:**

I have a list. I have a list.

**LEG. BROWNING:**

It's easier said than done. I'm telling you, 25 years ago, this was a problem.

**P.O. GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I wanted to ask, so the College has 14,000 students just at that location?

**MR. ZWIRN:**

That's correct.

**LEG. D'AMARO:**

So, if -- obviously, the parking cannot accommodate 14,000 students.

**LEG. HAHN:**

Plus professors.

**LEG. D'AMARO:**

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So how do you wind up in that predicament? How does the campus accommodate 14,000 students?

**MR. ZWIRN:**

Because the classes -- common sense would tell you that there has to be staggered classes, because they couldn't all show up at the same time. We have evening classes. We have students who are part-time who come just for some classes.

**LEG. D'AMARO:**

What's the capacity of that campus?

**MR. ZWIRN:**

Well, the parking capacity --

**LEG. D'AMARO:**

Not parking, building-wise, like just when do you reach capacity?

**MR. ZWIRN:**

Well, right now, they're pretty much at capacity, and that was one of the reasons -- and I say that because the Start-Up NY Program was looking for space on SUNY campuses, and when we looked at the College, there really is no classrooms that would be available on the Selden Campus. And, possibly, there might be some room on the Brentwood campus to build something, but, at the current time, there's no space there. Almost all -- the College is pretty close to capacity.

**LEG. D'AMARO:**

Yeah, I would think so. When the 500 plus-or-minus spots become available for parking, is it going to help in any way, I mean, with 14,000 students?

**MR. ZWIRN:**

Well, I think it will certainly help. It's not just the parking spots --

**LEG. D'AMARO:**

No. I mean, has the impact been measured?

**MR. ZWIRN:**

Well, I think that's all we can get if we redesign the lots.

**LEG. D'AMARO:**

Is that the max?

**MR. ZWIRN:**

It's pretty much the max.

**LEG. D'AMARO:**

Without starting to build up and --

**MR. ZWIRN:**

Correct. And part of it will be to make the lots safer, because we won't have the dead ends like you have now. They go down the -- they can't see down the --

**LEG. D'AMARO:**

Oh, I know, I've done that there, it's terrible. I've been -- I remember going back on that campus in the early 1980s and I couldn't find a parking spot, it was difficult, so it's been a problem for a long time.

I want to ask also, who -- if this is approved, how does the project go forward; is it done by RFP?

**MR. DEMAIO:**

That's correct yes.

**LEG. D'AMARO:**

Who does the RFP?

**MR. DEMAIO:**

The College does.

**LEG. D'AMARO:**

The College does it?

**MR. DEMAIO:**

Yes.

**LEG. D'AMARO:**

And then who makes the hiring decision, it's also through the College? You have an RFP --

**MR. DEMAIO:**

The Board of Trustees would approve it.

**LEG. D'AMARO:**

The Board, the College Board would do that?

**MR. DEMAIO:**

Correct, yes.

**LEG. D'AMARO:**

And vet all the respondents and all of that?

**MR. DEMAIO:**

Yes.

**LEG. D'AMARO:**

Yeah, okay. Thank you.

**P.O. GREGORY:**

Okay. Legislator Cilmi.

**LEG. CILMI:**

Thank you. I voted no on this, and as well as the traffic circle, in committee, but to be honest, I'm torn on both of them. And then I've been struggling with these decisions, and thinking a lot about this parking situation there at the campus. And I do think there's merit to what Legislator Trotta is suggesting to some extent, but I've also seen the extent of -- to which people utilize the grass and other areas on the campus to park. And I'm wondering, have you done any sort of analysis or count to see at any given time how many vehicles are parked in areas that are not designated parking spots?

**MR. DEMAIO:**

On average, when things are really busy, and the College gives out warnings for not parking

properly, they average 200 of those a day, for parking improperly.

**LEG. CILMI:**

Okay. So 200 cars that -- during average periods of time are parked improperly?

**MR. DEMAIO:**

Yes.

**LEG. CILMI:**

And this will create 500 parking spots?

**MR. DEMAIO:**

Yes. And that's approximate. As we get into details, design, the number may vary when we get into the nitty-gritty, but we're estimating 500.

**LEG. CILMI:**

Right. And you said that the College is asking for this \$3 million, million-and-a-half from the County, but may not spend that much money, depending on what comes back to us. So I guess my question to you is, if on an average time of day, 200 cars are parked on the grass, let's say, and, you know, understanding that there are always going to be peak periods where people find difficulty parking, I mean, that's -- I mean, look at our parking lot as an example. I think I saw Kate Browning pulling up on the grass here earlier this morning.

*(\*Laughter\*)*

But, in any event, what if you were to sort of kind of scale back on the proposal so that it wasn't so expensive? You know, if you made room for 300 vehicles, or 250 vehicles, or something like that, might it cost us half as much as what's being proposed today?

**MR. DEMAIO:**

Well, the benefits of the project, the primary one certainly is to increase parking capacity, but it's also to improve the safety of the lots themselves, addressing the dead ends, making them more efficient. And when you look at that combined effort, along with the challenges in the terrain, the existing drainage, the curbs, this is really the nature of why the investment totals three million. Insofar as the approach, again, we're not going to be able to do this all in one summer. So there will be a period of time where we'll complete, let's assume for the moment, 50% of the physical improvements in the summer. We'll have a full calendar year to experience what positives have resulted from that, and we can use that information moving forward into Phase II. So there will be a learning curve that goes along with this, because we can't -- just physically can't do it all in one summer.

**LEG. CILMI:**

But once we've appropriated the 1.5, we don't have a second bite at that apple. I mean, if you a year down the road determine that, you know, maybe -- maybe, you know, additional improvements aren't required, we don't have the ability at that point to go back and say, "Okay, well, you know, you've made enough of an impact with what you've done so far, we're not going to give you access to the additional money."

**MR. ZWIRN:**

Legislator, if the money -- if there's money left in the project, what happens at the end of the year if we don't use that money, the Legislature, the County Exec closes it out where a resolution of that money gets accounted for. It's not that it just sits somewhere and then -- it just -- it will be -- it will be addressed at the end.

**LEG. CILMI:**

Okay. I mean, as part of the decision-making here, I'm just thinking to myself, if I'm one of those students, be they a child or, you know, a young -- an adolescent or otherwise, and I'm wondering what to do, do I park on the grass? Am I late to class? You know, how do I -- how do I deal with not having a parking spot? I'm not sure that that's a decision that I -- I mean, you're driving around, and now you have to decide whether or not to park illegally. I'm not sure that's a fair decision to ask our students to have to make. All right. Thank you for your responses.

**P.O. GREGORY:**

Okay. Legislator Hahn, you still had a question, comment?

**LEG. HAHN:**

(Waved her hand.)

**P.O. GREGORY:**

Okay. All right. We have a motion and a second. All in --

**LEG. KRUPSKI:**

That's it, no more discussion?

*(\*Laughter\*)*

**P.O. GREGORY:**

Okay. Do we have everyone? Okay. Motion and a second. Roll call, 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:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

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

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. GREGORY:**

Okay. Same motion, same second for ***I.R. 1514A, bonding resolution, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of 1,500,000 bonds to finance a portion of the cost of the design and construction of the parking expansion - Ammerman Campus of Suffolk County Community College (CP 2152.310).*** Roll call.

***(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.

**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.

**MR. ZWIRN:**

Thank you very much.

**P.O. GREGORY:**

All right. Page 7, *I.R. 1717 - Directing the Department of Information Technology to develop policy and program to facilitate opening data to the public (Sponsor: Robert*

*Calarco).*

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco, I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1784 - Extending authorization for Brownfields Program, former Canine Kennel site at Gabreski Airport (CP 8223) (Sponsor: County Executive).*

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

Motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman, I'll second. Any questions? Legislator D'Amaro.

**LEG. D'AMARO:**

I just wanted to ask what -- excuse me -- what exactly we're extending here. If there's remediation that's due, what -- I just want to know what the delay is.

**P.O. GREGORY:**

Does anybody know?

**LEG. D'AMARO:**

If anybody knows.

**P.O. GREGORY:**

Walter is here.

**LEG. D'AMARO:**

The site has PCBs, and how come there's a delay?

**MR. DAWYDIAK:**

Legislator D'Amaro, Walter Dawydiak, Director of Environmental Quality. I'm here with Jim Meyers, who is the Project Manager for the Brownfields Program, and our Chief of Pollution Control.

This site is well on its way to cleanup. Right now, we're negotiating the remedial work plan. The design will happen shortly, and we expect that this site will be cleaned up this coming summer, and the cleanup in its substantial entirety will happen in 2015. With these sorts of projects, there's always incidental and ancillary requirements, post remedial measures and monitoring. This is basically a time extension. The funding's been appropriated. It still stands at about \$1.3 million, and we're rolling back the period to work with DEC until 2017. My understanding has been that it's just been routine delays in negotiating various project phases with DEC, and nothing out the ordinary.

**LEG. D'AMARO:**

Okay. Thank you.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1826 - Amending the Adopted 2014 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2014 Capital Budget and Program, and appropriating funds in connection with the Town of Babylon highway yard MS4 upgrades and stormwater pollution prevention (CP 8240) (Sponsor: County Executive).*** I will make a motion to approve.

**LEG. MC CAFFREY:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1737 - Adopting a Local Law to safeguard employees impacted by privatization (Sponsor: Kate Browning).***

**LEG. BROWNING:**

Motion to table.

**P.O. GREGORY:**

Motion to table by Legislator Browning, second by Legislator Calarco. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1827 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Incorporated Village of Mastic Beach for affordable housing purpose (SCTM No. 0209-026.00-05.00-037.000 f/k/a 0200-980.60-05.00-037.000) (Sponsor: County Executive.)***

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Browning, second by Legislator Krupski.

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

Oh, you had a -- okay. Legislator -- second by Legislator Calarco. On the motion, Legislator

Krupski.

**LEG. KRUPSKI:**

So when the County takes these parcels over for taxes, and then as -- either at auction, or gives them away for some other purpose, whether it's affordable housing, or drainage, or -- if they can be built on, I guess not for drainage then, but if they could be built on, I think they should be -- we should do a wastewater treatment either upgrade or retrofit, or at least an analysis, you know, unless there's a sewer available to make sure that we're not just repeating the problems.

Now I know it's a little early for this, and I know that Planning and the Department of Health are working on this, but I think it's important that we know that this is something that's important, especially once we have control an ownership of them.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. ***I.R. 1828 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to Incorporated Village of Mastic Beach --***

**LEG. BROWNING:**

Same motion.

**P.O. GREGORY:**

-- ***for affordable housing purpose (SCTM No. 0209-024.00-06.00-058.000 f/k/a 0200-980.40-08.00-058.000) (Sponsor: County Executive).*** Same motion, same second. Any questions?

**LEG. D'AMARO:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, I had a question. The notes indicate that this lot is an 80-by-100. I just wanted to know if that conforms with the code, or if that's substandard.

**LEG. BROWNING:**

We -- actually, we have been working with the Mastic Beach Village and they're in agreement with this. They have to do the resolution also to accept the property. And we've been working with Habitat for Humanity. But, yes, they've been accepting the 80-by-100s.

**LEG. D'AMARO:**

Right. But through the Chair, Legislator Browning, do you know if the 80-by-100 conforms with what the Village Code requires, lot size, 8,000 square feet?

**LEG. BROWNING:**

I believe it is. In fact, there are many properties that were smaller than that from before the Village was a Village. But I believe they have done some rezoning, but 80-by-100 they are accepting.

**LEG. D'AMARO:**

Okay. Thank you.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. ***I.R. 1829 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to Incorporated Village of Mastic Beach for affordable housing purpose (SCTM No. 0209-032.00-05.00-024.000 f/k/a 0200-983.30-07.00-028.000) (Sponsor: County Executive).***

**LEG. BROWNING:**

Same motion.

**P.O. GREGORY:**

Same motion, same second. Any questions?

**LEG. D'AMARO:**

Well, I had the same question, but I guess you don't really know if it conforms to the Village Code. This is 60-by-100 now.

**LEG. BROWNING:**

We have -- all of these properties, Jill Rosen-Nikoloff works with the Village, right -- she's here -- to do the transfers. You know, now that they are a municipality on their own, the property gets transferred to the Mastic Beach Village, and they in turn work with the nonprofits. Jill, do you need to say anything?

**LEG. D'AMARO:**

Do you know if that conforms to the Village Code?

**DIRECTOR ROSEN-NIKOLOFF:**

I don't know what the minimum is in the Village, but this has a structure on it, which will likely be rehabbed, so it's slightly different.

**LEG. D'AMARO:**

All right. Okay. Thank you.

**P.O. GREGORY:**

Okay. Any other questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Everybody here? Eighteen.

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

**P.O. GREGORY:**

Okay, ***1839-14 - Authorizing transfer of surplus County computers to Town of Huntington***

*for use at the Huntington Opportunity Resource Center (County Executive).*

**LEG. SPENCER:**

Motion.

**LEG. D'AMARO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

**IR 1847** -- did we do 1847?

**MR. NOLAN:**

No, we did not.

**P.O. GREGORY:**

**1847-14 - Authorizing planning steps for implementation of Suffolk County Workforce Housing Program (Highland Greens-Melville) (County Executive).**

**LEG. D'AMARO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator D'Amaro.

**LEG. STERN:**

Second.

**P.O. GREGORY:**

Second by Legislator Stern. Any questions?

**LEG. KRUPSKI:**

On the motion?

**P.O. GREGORY:**

On the motion, who was that? Oh, Legislator Krupski.

**LEG. KRUPSKI:**

There was one of these resolutions, I don't know if it was this one or the next one, where -- I was just wondering, who is going to be the owner, you know, of the property? And how do they administer -- how do they admit people and how do they -- you know, after they qualified, how do they keep qualifying people? Who's in charge of that, if the initial -- a bunch of people move in?

**P.O. GREGORY:**

Jill?

**MS. ROSEN-NIKOLOFF:**

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Yes. So the developer in this transaction is DNF Development, but they'll be working with the Long Island Housing Partnership. So the Long Island Housing Partnership will be conducting the initial income qualifications, monitoring the lottery, and then maintaining the waiting list.

**LEG. KRUPSKI:**

But then there would be an ownership, right, of each unit by individuals?

**MS. ROSEN-NIKOLOFF:**

This particular structure is slightly different. It's a limited equity co-op, so the occupants will own shares in the cooperative and pay a monthly maintenance fee.

**LEG. KRUPSKI:**

Uh-huh. And can they sell their shares in the open market, or do they have to go back to the co-op?

**MS. ROSEN-NIKOLOFF:**

There will be a right of first refusal.

**LEG. KRUPSKI:**

And then who would vet the new owner under the affordable housing guidelines?

**MS. ROSEN-NIKOLOFF:**

That would be the Housing Partnership.

**LEG. KRUPSKI:**

Okay. All right, thank you.

**P.O. GREGORY:**

Okay. Anyone else? Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay, 1849 we did previously.

1334 we're going to do by CN.

**Health**

***IR 1725-14 - Establishing policy for hiring in the Jail Medical Unit (Browning).***

**LEG. BROWNING:**

Motion to approve.

**P.O. GREGORY:**

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

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

Second.

**LEG. MURATORE:**

*(Raised hand).*

**P.O. GREGORY:**

Any questions? Mr. Vaughn.

**MR. VAUGHN:**

Thank you, Mr. Presiding Officer. So as we stated in committee as well -- earlier late last week, we do appreciate the sponsor working with us on this piece of legislation, however we do remain concerned about the use of the word *emergency* versus *temporary*. We would like to see the bill tabled so that the word *temporary* can replace the word *emergency*.

**P.O. GREGORY:**

Okay. Legislator Browning?

**LEG. BROWNING:**

Does George want to respond? I mean, it's a silly play on words.

**MR. NOLAN:**

I wouldn't necessarily characterize it that way. But we had a lengthy discussion in committee about this issue about the use of the word *emergency*, and I thought there was kind of an agreement between the sponsor and Commissioner Tomarken and myself in terms of what that meant. That if the Commissioner, you know, were establishing a policy they're not going to use the independent contractors unless he runs into a situation where, you know, he simply cannot fill it with the employees that he has and he has to fill a shift or, you know, three or four days, then in that case he can go to the independent contractor, and I thought the Commissioner was comfortable with that and I think the language is satisfactory.

**P.O. GREGORY:**

Okay. Anyone else?

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

Tom.

**P.O. GREGORY:**

Who? Oh, yes.

**MR. VAUGHN:**

Thank you again, Mr. Presiding Officer. So just to -- while I understand and appreciate Dr. Tomarken's opinion on what the definition of emergency is, just the fact that we had such a lengthy discussion I think further lends itself to why we would like to see either the word *temporary* replace the word *emergency*, or a definition of what constitutes an emergency written into the bill. And if a definition of what constitutes an emergency does conform with what was discussed at the last committee meeting, I do believe that that would be something that we could live with. I again would like to reiterate that we do appreciate working with the Legislator on this piece of legislation. And I would also say that we have a January, 2015, start date on this, so there is time to amend this hopefully get it right.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

Okay, the resolution passes.

IR 1727 we did before.

***IR 1757-14 - Establishing a policy that supports nursing mothers in the County workplace (Browning).***

**LEG. BROWNING:**

Motion.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Motion by Legislator Browning. Second by Legislator Calarco.

Any questions?

**LEG. D'AMARO:**

I had a question.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, is this just to do the study or is this to mandate that every County Office have this facility available?

**MR. NOLAN:**

It really is calling more for a study. It directs the Department of Public Works and Health Services to determine and report to the Legislature and Executive basically a status of where we are in terms of providing these facilities for nursing mothers; and then for those buildings that don't have the necessary facilities, then what it would cost to actually go and do that.

**LEG. D'AMARO:**

Okay, that's fine. Thank you.

**P.O. GREGORY:**

Okay. Anyone else? Okay, we have a motion, a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

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

Tim, add me as cosponsor.

**P.O. GREGORY:**

Page eight, ***IR 1778-14 - Authorizing the purchase of one (1) replacement vehicle in accordance with Section (B)(6) of the Suffolk County Code and in accordance with the County Vehicle Standard Law (County Executive).*** I'll make a motion to approve.

**LEG. MURATORE:**

*(Raised hand).*

**P.O. GREGORY:**

Second by Legislator Muratore. Counsel, what is this?

**MR. NOLAN:**

This is this requirement we have where a department is adding vehicles, it has to come here for an approval.

**P.O. GREGORY:**

So this is to add a vehicle to the fleet or just replacement?

**MR. NOLAN:**

Well, it said it's not going to be an increase in the department's vehicle fleet as a result of the resolution. It's a replacement vehicle; it's going to be a 2014 Chevy Impala used by the Tobacco Enforcement Unit.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1832-14 - To appoint member to the Food Policy Council of Suffolk County (Joel Panagakos)(Hahn).*** Legislator Hahn?

**LEG. HAHN:**

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Hahn.

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

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1833-14 - To appoint member to the Food Policy Council of Suffolk County (Meghan Ashford-Grooms)(Hahn).*** Same motion, same second.

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1834-14 - To appoint member to the Food Policy Council of Suffolk County (Michael Haynes)(Hahn).*** Same motion, same second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
*Eighteen.*

**Human Services**

**P.O. GREGORY:**  
***IR 1785-14 - To appoint member of Suffolk County Youth Board Coordinating Council representing Legislative District No. 10 (Jennifer Pevera)(County Executive).***

**LEG. CILMI:**  
Motion.

**P.O. GREGORY:**  
Motion by Legislator Cilmi.

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

**P.O. GREGORY:**  
Second by Legislator Schneiderman. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
*Eighteen.*

**Parks & Recreation**

**P.O. GREGORY:**  
***IR 1561-14 - Establishing new sun protection protocols for lifeguards at County Parks (Hahn).***

**LEG. HAHN:**  
Motion.

**P.O. GREGORY:**  
Motion to approve by Legislator Hahn.

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

**P.O. GREGORY:**  
Second by Legislator Schneiderman. Any questions?

**LEG. McCAFFREY:**  
On the motion, Mr. Chairman?

**P.O. GREGORY:**  
On the motion, Mr. McCaffrey.

**LEG. McCAFFREY:**  
We had extensive -- well, we had some discussions about this in committee. And I just have to make a few points, knowing that this is well intentioned, you know, I pointed out to Legislator Hahn. I'm just concerned that these are -- for the most part, these are adults, we entrust these people with saving lives and extensive training, and to mandate that they have to wear certain levels of

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sunscreen or protective clothing, things like that, it just seems like that they would have the ability or the common sense to know, in this day and age, like the rest of us do, that if they're out in the sun all day, that they should be required to have this on. I mean, that's what all of us do and I would think that they would have that same level of common sense.

I'm also concerned with the fact that what's going to happen if they don't? I mean, are we checking to see -- is there a sunscreen test that they go through in the morning to make sure that they've got their sunblock on? I really don't know how we're going to enforce this. It just seems like one of those laws that we're passing just so we say we pass them, instead of just doing this administratively and saying -- informing them and making sure that they're educated about the dangers of being out in the sun unprotected. You know, so I just have serious questions about how we're going to enforce this law, especially the sunscreen aspect of it.

### **LEG. BARRAGA:**

DuWayne?

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

Okay, Legislator Barraga.

### **LEG. BARRAGA:**

Yeah. I certainly can understand Mr. McCaffrey's point of view. I don't know how we realistically can enforce it, but certainly we can send a very positive message concerning the dangers of sun. I mean, if you all look back, some of you not too many years when you were 15 or 18 or 20 or 22 or 25, you were immortal. You never thought about negatives associated with any sort of cancer associated with skin disease. If somebody came along and said, *You know, you might suffer 25, 30 years from now. You're only 18 but you might have a problem later on*, you'd look at them say, *You know, 30 years ago, who cares? It's ancient, it's never going to happen.* The problem is when they're that young, they really do not take steps to protect themselves. I would have liked to have seen this bill as part of the requirement when you hire lifeguards; *you have to do this and this and this.* But if that's not the case, I certainly feel that I can easily support this.

You know, I'm an American but I'm of Irish descent. And it's great to be Irish, but it's not so great to have Irish skin, take my word for it. So this is an issue which is kind of close to me and some of the people in my family. And certainly, I think Legislator Hahn is sending a positive message. It isn't a question of enforcement, it's taking a position to say, *Hey, look, the sun, in many cases, is your enemy and you've got to protect yourself from it*, especially if we take a look at the ozone level of the last 20 or 25 years and what has happened. So I think it's a good bill and we should pass it.

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

All right. Anyone else? Legislator Schneiderman.

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

Yeah, I think it's a good bill, too. And we put a lot of men and women out there on our beaches, they're out there for extended periods of time exposed to, you know, harmful UV radiation.

Yeah, you know, it is common sense, but a lot of the laws that are out there are common sense. I mean, you know, wearing a seatbelt is common sense, too, but there's also a law that says you've got to wear a seatbelt. Texting while driving; of course you shouldn't do that but, you know, we still passed a law that says you can't. You know, people still violate the law and maybe these lifeguards will still violate this, but I think we need to send a strong message that we understand the dangers that we're placing them in and we want them to put this -- take these protective measures. You know, as Tom said, you know, maybe years from now, before the symptoms appear, and people don't make that sometimes, that what they're doing right now may affect them 20 years down the

road. But Melanoma is really serious and, you know, growing in terms of its impact, a really serious illness. So I think Legislator Hahn's on the right track, I'm going to support it.

**P.O. GREGORY:**

Legislator Browning, then Legislator Spencer.

**LEG. BROWNING:**

Kara, I apologize. You know, I have a hard time supporting it because of the fact that, you know, we had the lifeguards here and you met them. Most of them are teachers, this is a summer seasonal job and, you know, I think they're -- as adults, they have the right to make a decision.

I've had many conversations with them and the older guards encourage the younger ones. They have a State handbook, they encourage, they tell the kids, the younger ones, the 18-year olds, *Put the sunscreen on before you get here and then you put it on again when you get here.* So, my Aide Tim sitting behind me used to work at the parks, and my son, when they were 16-years old. They were provided -- he's telling me, they were provided with sunscreen. They were probably more exposed to the sun all day than the lifeguard, yet we're not saying that our 16-year old and 17-year old employees have to wear sunscreen, and I think those are the ones that we should be concerned about, more than these adult teachers who were, you know, smart enough, I hope, to know better.

So again, I'm not a big fan of -- you know, the caffeine, the powdered caffeine; yes, don't let the kids have it. But when you start telling adults that they have to -- you know, that we're going to make decisions for them, you know, I'm not their mother and I'm not going to start being it today.

**P.O. GREGORY:**

Okay. Legislator Spencer.

**LEG. SPENCER:**

I have seen how much skin cancer can ravage a family and an individual, especially when you talk about melanomas and basil cell carcinomas, and these in some cases are preventable and a lot of times you have very intelligent people who are working in the sun and in these situations that can -- would make good decisions, but a lot of times they don't see that direct relationship. And by us having a policy that says, *You know what, you need to cover up and protect yourselves,* I think it makes a statement. I don't think that by passing this that we're saying that it's a punitive policy, but what we're saying is that it's our policy, our position that you should protect yourself and that we're making it available, we're making that part of our policy. People may choose to have other decisions, but we're saying that if you work for Suffolk County, we want to protect you. It's a commonsense, easy thing to be able to do and I support this.

And I do understand the concerns with mandating behavior, but when we can protect someone for something that creates such a burden and ravages an individual, and when you look at the therapies and the amount of physical pain. I've had patients that have said, you know, *If I had only protected myself, if I only* -- we do it with ear protection with regards to preventing noise exposure with OSHA requirements. These are reasonable protections that we can provide and so we should do this, and I would encourage you to support it.

**P.O. GREGORY:**

Okay. Thank you, Legislator Spencer. I told the sponsor that I would support this bill, and I'm not backing -- she's looking at me (*laughter*). You know, I generally try to take the position that adults -- you know, we shouldn't try to legislate, you know, irresponsible behavior as much as we can, but I do think you're certainly highlighting an issue, an important issue, bringing awareness to Melanoma. As I mentioned to you yesterday, my father-in-law passed away from Melanoma cancer, and I think you're doing exactly the right thing by drawing awareness to the issue. It certainly

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doesn't go far as far as my days in the military. On the book, you could get an Article 15 for getting a sunburn in the military, so it doesn't go that far, so that's a good thing.

I know there were some questions with enforcement. I would like to see that whoever administers the administration of the program of the equipment, that there's some, you know, safeguards put in there. I personally don't think that we should be buying Ray Bans or sunglasses for individuals, but would that sway my support? No. But I think we should look at that and show that there's no abuse. And, you know, I'm going to support my colleague because I know you put a lot of work into this. Legislator D'Amaro, you had a question or a comment.

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

Thank you. Legislator Browning, I thought you made a very interesting point when you said I'm not -- *these are adults, I'm not their mother*. I made these same arguments when we debated raising the legal age at which you could purchase cigarettes to 21. So I welcome you aboard on that way of thinking.

*(\*Laughter\*)*

And I think that really does make the point. I don't think you can legislate and compel individuals, adults, to behave a certain way, and I think what we're trying to do is substitute our own judgment for the judgment of another adult.

I think as I also mentioned on the bill with respect to the smoking, buying cigarettes age, I think education is the key. I think we need to make people more aware of the dangers of exposure, prolonged exposure to the sun. But we are more and more parenting adults, that's what we're doing with bills like this. An individual who's a lifeguard for Suffolk County can go up on that lifeguard stand and wear the shirt and the hat and the glasses for the hour that they're up on the stand, but for the entire rest of their life they could be exposed to the sun as much as they want to be. So it's not about conforming that behavior while you're up on lifeguard stand, it's about educating adults and children and individuals about the risks of prolonged exposure to the sun.

So I don't think that this type of regulation of adult conduct is warranted where it's not really going to be effective. Because any individual, whether they're up on that stand or not or acting as a lifeguard is going to be able to be exposed to the sun if they want to be. I've heard in the past this being compared to the same as giving a cop a bulletproof vest or giving a construction worker a hard hat, and I don't think that that's an appropriate comparison because there you have an immediate injury that will occur when you're on the job, and could you clearly trace that injury to the event that happens on the job. Obviously if a police officer is put in the line of fire, you want him to have a vest on, but this is a little different. If you're exposed to the sun over your lifetime, you can't trace the injury back to maybe if you did a couple of years working as a County lifeguard, you don't know that. So I don't think that's an appropriate comparison to make.

But in the end, it's really about educating individuals about the ills of being in the sun for too long. It's not about trying to regulate adult conduct, which we seem to be doing more and more in this Legislature where we have decided that we know better. We know how to direct other adults within our communities, what's best for them and what their conduct should be and what their behavior should be. And I think that we're going down this road more and more and I think we should really start to rethink that type of legislation. So I'm not going to support this bill.

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

Okay. Anyone else? Legislator McCaffrey.

**LEG. McCAFFREY:**

One last thing. I mean, if we follow this line of thinking, that we need to protect the lifeguards that are outside, what about all the other employees that work outside? There's people that work in our Parks Department that are outside all day exposed to sun, so we're not including them. We have people in our DPW that work on the roadways and the construction crews, we are not mandating that they wear sun protection, and I think even Doc Spencer would agree that they are -- have exposure to the sun that they should be protected from as well. So if we're following the thinking that we need to protect these lifeguards, what about our other employees?

So if we're just doing them, I don't understand why we're not doing everybody else and why we're not just doing this as an awareness campaign of these people, as a policy as opposed to mandated. Is the next bill going to be for the Parks Department employees, then the next bill for the DPW employees, and then we'll have an investigative committee to find out who else should be included that's exposed to the sun and how long do you have to be out in the sun before you fall under this law? I just think this is the wrong way of going about it and I will not be supporting it.

**P.O. GREGORY:**

Okay, thank you. Anyone else? Oh, Legislator Muratore.

**LEG. MURATORE:**

There's nothing in the resolution where if they don't follow the rules of using the canopy or using the T-shirt or using the sunglasses. Like you said, in the Army, if you get a sunburn you get an Article 15. If these guys get a sunburn, what's going to happen? If they don't use the equipment, what's going to happen? Is it in their rules and procedure, if you don't use equipment then you can be penalized?

*(Brief pause)*

**P.O. GREGORY:**

Oh, I'm sorry. Do you have an answer? Was there a question?

**LEG. MURATORE:**

No, I was talking to the sponsor. I mean, because there's nothing in the rules that say if you don't use it you'll be penalized?

**P.O. GREGORY:**

I think the punishment will be for them to -- force them to sit through one of our meetings.

*(\*Laughter\*)*

**LEG. MURATORE:**

With sunblock on.

**P.O. GREGORY:**

Sunblock on *(laughter)*.

**LEG. MURATORE:**

Okay, I'm good.

**P.O. GREGORY:**

All right. Anyone else? Legislator Hahn.

**LEG. HAHN:**

So, I mean, there's so much research about Melanoma. But I do want to address some of the points

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that came up which I think sort of misconstrue, you know, what this legislation is about.

We had some Legislators who spoke about adult behavior and feeling like this was regulating adult behavior in a way that's inappropriate. This is more about protecting our employees and protective gear against a hazard that our employees face. I would absolutely agree with you if this legislation said every person that came on to our beach must have a wide-brimmed hat and sunglasses and sit under an umbrella, then you would be talking about, you know, something that probably went above and beyond and was nanny-statism and etcetera. This is talking about an extreme hazard that some of our employees are exposed to.

The U.S. Surgeon General has a call to action to prevent skin cancer and talks about skin cancer as the most commonly diagnosed cancer in the United States and most cases are preventable, although genetic factors, such as being fair skinned or having a family history of skin cancer, contribute. The most common types of skin cancer are also strongly associated with exposure to UV radiation. UV exposures such as prolonged sun exposure without adequate sun protection.

Sunscreen. So the American Cancer Society recommends, it's called Slip Slop Slap and Wrap, when exposed to UV rays. Sunscreen is really only for normal daily activities; shopping, walking back and forth to your car, etcetera. Lifeguards require more. UVB rays causing sunburns and protection from UVA rays which cause deadly Melanoma is only listed as a broad spectrum. It's yet to be measured and inadequate alone for total protection. We need -- so you need more than sunscreen when you have prolonged exposure to the sun. You need to have a wide-brim hat, you need to have shirts that are SPF of 50 or more, you need to have the under the protective shade covering. So our workers are sitting outside in the direct sun during the summer months, and this is about protecting them when they're on duty working for our County.

Yes, it also serves that educational function, because kids on the beach are going to see the lifeguards wearing wide-brim hats, wearing sunglasses, you know, sitting under a pop-up tent or sitting under an umbrella; it serves that function as well.

What else? Sorry. There were a whole bunch of things I wanted to talk about. You know, this really, to me, is about protecting our workers. And we did meet a whole phenomenal group of young individuals who protect people on our beach every day and this is about protecting them. And they were tan, if you saw them. They were exposed to the sun in ways that could be very problematic for them in the future. And I think we can tell our employees the way we tell our construction workers that they have to wear a hard hat, I think we can tell our employees, *When you're on the clock for us, you should use these safety measures to protect yourself*, and I don't think that goes too far. I don't think there's anything wrong with trying to protect our employees, and I look forward to working with Legislator Browning on measures to protect our youngsters that have other exposures to the sun. And I think that I addressed most of what I wanted to say. So thank you to everyone who is going to be supporting this.

**P.O. GREGORY:**

Okay. We have a motion and a second, Mr. Clerk?

**MR. LAUBE:**

Yes, you do.

**P.O. GREGORY:**

All right, roll call.

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

**LEG. HAHN:**

Yes.

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

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. McCAFFREY:**

No.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

No.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Pass.

**LEG. MURATORE:**

Pass.

**MR. LAUBE:**

Pass?

**MS. MAHONEY:**

Yes.

**P.O. GREGORY:**

Is that a pass or yes?

**MR. LAUBE:**

Pass.

**MS. MAHONEY:**

You said pass, right?

**LEG. MURATORE:**

Pass, yes.

**P.O. GREGORY:**

Oh, oops.

**MR. LAUBE:**

Just for the record; pass and yes sound a little bit alike sometimes, so you've got to say it clearly.

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

**LEG. BROWNING:**

No.

**LEG. KRUPSKI:**

No.

**P.O. GREGORY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. MURATORE:**

No.

**P.O. GREGORY:**

Ooh.

**MR. LAUBE:**

Nine.

**P.O. GREGORY:**

Neighbors (*laughter*).

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

Pass for dramatic affect.

**P.O. GREGORY:**

Uh-oh. All right, moving on. Okay, IR 1561 fails.

***IR 1734-14 - Appointing Terence McSweeney as a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation (Town of Babylon) (Presiding Officer Gregory).*** I make a motion to approve. Second by Legislator McCaffrey. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**LEG. D'AMARO:**

Tim, cosponsor, please.

**MR. LAUBE:**

Got it.

**P.O. GREGORY:**

***IR 1801-14 - Authorizing use of Cathedral Pines County Park by the Dominic Trionfo Memorial Fund for its Dom's Day Fundraiser (County Executive).***

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion -- who was that, Legislator Browning? Motion by Legislator Browning. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Seventeen (Not Present: D.P.O. Schneiderman).*

**P.O. GREGORY:**

***IR 1814-14 - Appoint member to the Suffolk County Board of Trustees of Parks, Recreation, and Conservation (Arthur Leudesdorf)(Krupski).***

**LEG. KRUPSKI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski.

**LEG. BROWNING:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

*Seventeen (Not Present: D.P.O. Schneiderman).*

**P.O. GREGORY:**

***IR 1822-14 - Appropriating funds in connection with the purchase of Heavy Duty Equipment for County Parks (CP 7011)(County Executive).***

**LEG. BROWNING:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Browning. Second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

Opposed.

**LEG. TROTTA:**

Opposed.

**LEG. McCAFFREY:**

Opposed.

**P.O. GREGORY:**

Okay.

**MR. LAUBE:**

Fourteen.

**P.O. GREGORY:**

All right.

**MR. LAUBE:**

*Fifteen (Opposed: Legislators Kennedy, Trotta & McCaffrey).*

**P.O. GREGORY:**

Same motion, same second on **1822A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$220,000 in Bonds to finance the cost of acquisition of heavy duty equipment for County parks (CP 7011.529)**, roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

Yes.

**LEG. McCAFFREY:**

No.

**LEG. TROTTA:**

No.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

No.

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

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

*Twelve (Opposed: Legislators D'Amaro, McCaffrey, Trotta, Kennedy, Barraga and Muratore).*

**P.O. GREGORY:**

Okay.

**Public Safety**

***IR 1324-14 - Directing all County departments and agencies to update multi-line telephone systems to directly dial 911 (Trotta).*** Motion by Legislator Trotta.

**LEG. TROTTA:**

Motion to table one more cycle.

**P.O. GREGORY:**

Motion to table by Legislator Trotta. Okay, I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

*Eighteen.*

**P.O. GREGORY:**

***IR 1659-14 - Adopting Local Law No. -2014, A Local Law to strengthen Public Nuisance Law (Cilmi).*** Motion by Legislator Cilmi?

**LEG. CILMI:**

Yes.

**P.O. GREGORY:**

Second by Legislator Barraga. Any questions?

**LEG. D'AMARO:**

On the motion?

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, I do have a question about this. I want to support the bill, but I just wanted to ask a question. And maybe through the Chair to the sponsor, Legislator Cilmi, if you know. This is dealing with the Crack House Law, correct? So you need underlying predicate acts or arrests in order to eventually lead to a seizure of the property; is that what this law is about?

**LEG. CILMI:**

Well, it's not a seizure of the property, the County Attorney was very clear with me on that. We board up the property, but we don't actually take possession of the property.

**LEG. D'AMARO:**

Okay, we board up the property. Well, we don't take ownership of the property.

**LEG. CILMI:**

Correct.

**LEG. D'AMARO:**

But we do take possession somewhat, because if we're boarding it up, we have a right -- it gives -- the underlying acts give us a right to enter the property and to board it up as an instrumentality of committing a crime, I would assume.

**LEG. CILMI:**

Yes.

**LEG. D'AMARO:**

So my question is what your law is doing is expanding the zone geographically of where the arrest or incident needs to occur; is that what's happening?

**LEG. CILMI:**

Yes. So to clarify, let's say that somebody is suspected of drug dealing from, you know, number No. 10 Smith Street and the police call that person into the precinct for questioning, for example, and upon questioning that individual is arrested. Currently no notice goes out because the arrest didn't take place at the subject property, even though the prohibited activity is occurring at the property. So what this does is it basically expands that radius, as you said, to say that when prohibited conduct is found at a property, regardless of where the arrest took place, a notice will get sent out.

**LEG. D'AMARO:**

Oh. So the prohibited conduct still needs to occur on the property.

**LEG. CILMI:**

Yes.

**LEG. D'AMARO:**

That was my question. Because if it did not, then I don't think you get to the --

**LEG. CILMI:**

Right.

**LEG. D'AMARO:**

-- next level of being able to board up the property.

**LEG. CILMI:**

Right.

**LEG. D'AMARO:**

Okay. So that's been a flaw in this particular bill, because what you're saying is the conduct is witnessed or takes place at the property but the arrest may be made somewhere else where you're questioning or off-site.

**LEG. CILMI:**

Exactly.

**LEG. D'AMARO:**

Okay, that's excellent. Thank you. Good bill.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. *Eighteen.*

**P.O. GREGORY:**

Okay. ***IR 1741-14 - Adopting Local Law No. -2014, A Local Law to extend the Red Light Camera Program (County Executive).*** Motion by Legislator Spencer. I'll second. On the motion --

**LEG. BROWNING:**

Motion to table.

**P.O. GREGORY:**

Motion to table by Legislator Browning.

**LEG. KENNEDY:**

Second the motion to table.

**P.O. GREGORY:**

Second the motion to table, Legislator Kennedy.

**LEG. D'AMARO:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

I'll defer to Legislator Kennedy.

**P.O. GREGORY:**

Okay.

**LEG. KENNEDY:**

Thank you, Mr. Chair. As a matter of fact, I'm happy to support Legislator Browning's motion to table. Up until yesterday at around noontime, I was totally unaware that there is a policy in place associated with compelling our Suffolk County bus operators to pay the red light camera fines. But more importantly, the bus operators are sustaining increasing penalties from the employers that can run up to forfeiting a week to a week-and-a-half worth of salary.

Now, these are individuals that on average make somewhere in the neighborhood of 40 to \$50,000 a year; that's bad enough. But what's far worse is apparently our agency bundles the infractions, holds them, and then doesn't submit them for a month, two or three months, thereby precluding the individual from exercising their due process right to challenge. So they can't even go in a court to confront and have a fair hearing in front of a judge. It is absolutely unfair, it is not proper, and before yesterday, I had no idea this policy was in place.

What's worse, apparently -- and Dan Farrell confirmed this -- our own County employees are being impacted in the same manner. We have individuals we put out on the road, they're driving trucks, they're plowing snow, they're transporting kids, they might inadvertently wind up going through, and there is no written or consistent policy whatsoever; it's mayhem and chaos. So I will not go ahead and vote for this thing at all until I see some written, consistent and proper processing of what's going on with the violations. Will not be a party to it.

**P.O. GREGORY:**

Legislator D'Amaro?

**LEG. D'AMARO:**

Am I next? Let her go.

**P.O. GREGORY:**

Okay. Legislator Browning? Did I hear someone over here?

**LEG. BROWNING:**

Yeah, I did have something. You know, I made the motion to table. I know that the president spoke with Lisa and they are going to be working on a meeting. I'm only asking that we table it for one cycle. And I think that -- I think, John, you said it well. She showed us the information yesterday, three months, and she said she had a couple of drivers that would like to have challenged that red light camera and didn't have an opportunity. So not only did they not get an opportunity to challenge that red light camera, but they had to pay the \$80 fine, plus they lost two days work. And when you're making \$50,000, and some of them as low as 37, that's a major impact on them. That's taking bread and butter off the table.

I did speak with Dan Farrell about it, there is no written policy.

It is not the same. He says it's very sporadic on how it's done in the County. But I can't see how we could oppose something like this on a company, a private company that already has a discipline action for their employees when they have a moving violation.

I drove a school bus. When I was driving my school bus, if I got a moving violation, I had to submit it and I could be subject to some kind of penalty for that moving violation. And the union is not

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opposed to the red light cameras, they're not opposed to if the driver violates the law and blows that red light camera, then they have to pay for it. But to institute a policy on these people when we don't have a policy in the County is extremely unfair and inappropriate.

I am going to follow-up because I want to know if the drivers who transport the homeless children, do we still -- do we have that same policy in DSS with the school bus drivers who drive the homeless kids? And I know there's more than one company; do we have the same policy for the other company that transports on the East End?

### **MS. LOLIS:**

Well, if I may. First of all, as far as this policy is concerned, when it comes to our bus operators, as you all know, we contract with these operators and we are required by law to indemnify them for any injuries arising out of the negligence of their operations. We negotiated in -- the prior County Attorney negotiated a policy with the bus companies. It is the companies that were required to pay the fine, and that was done because we wanted the owners to basically control their operators and put financial implications to the owners, because if the County is always -- is, as the owner, is responsible, then they can drive with impunity through red lights going straight, it's not just people making right turns. You're talking about operators that may be going through red lights doing 40 miles an hour in a 20-mile or a 30-mile per hour zone. So there was a rational and a lot of thinking going behind putting the policy into effect as far as these bus operators were concerned. It is the owners of the bus companies that have passed it down to their drivers. That's not something that we require, that's something between the owners and their drivers.

As far as progressive discipline? Yes, the prior County Attorney did negotiate with the owners of the companies a policy of progressive discipline, again, to avoid persistent violators of red lights, because these are not just vehicles that are turning, rolling through a red light, making a right turn, and we see the videos. So there was a rational reason for this.

As far as the other questions, I don't know what the other policies are. I can only speak to the bus company.

### **LEG. BROWNING:**

Okay. And, granted, yes, the companies always pass on the responsibility of the ticket to the driver of the vehicle. But again, I think, you know, in all honesty, to immediately say two days suspension/no pay is extremely harsh. You know, there's such a thing as, you know, three strikes you're out. How about the first time is a warning, you know, the second time something in writing. I mean, they always set up policies like that. I think it's unfair. But I do have a question for George. And again, this president is not the president who was around when that policy was made with the drivers prior to that. George, does this have -- is this going to have any effect as far as reporting to the State and getting the State, letting them know?

### **MR. NOLAN:**

The program expires December 31st, so I think, you know, we --

### **LEG. BROWNING:**

But to notify the State --

### **MR. NOLAN:**

By December --

### **LEG. BROWNING:**

We would do this for one cycle.

**MR. NOLAN:**

Actually, it expires December 1st of this year, so you're cutting it pretty close. But I don't know that it's going to make a difference if we do it now or November. I don't know if the County Executive has different information.

**MS. SANTERAMO:**

So I just wanted to clarify a couple of things. This legislation does not impose the policy of the bus drivers. I did speak with the union leader before, as Legislator Browning said. We have already set up a meeting, we have already started looking at the policy, and we are going to be working with them to address their concerns.

This legislation doesn't mandate the policy, though. What we're asking you to do right now is to reauthorize something that we're estimating will be 23 million in 2015. So whether we pass it -- I mean, our request is that you pass it now to -- you know, for our fiscal stability. And again, we're going to keep working with the union and with our internal policies and looking at them. These were policies that were set up before this Administration was here. We just had conversations yesterday and this morning about the policies, so we're going to work on addressing it.

**LEG. BROWNING:**

Hold on.

**MS. SANTERAMO:**

We're committed to that.

**LEG. BROWNING:**

The policy, the red light camera policy was set before this Administration?

**MS. SANTERAMO:**

Yes.

**MR. BROWN:**

Yes.

**LEG. BROWNING:**

Did we have red light cameras before this County Executive?

**MS. SANTERAMO:**

Yes.

**MR. VAUGHN:**

2012, Legislator Browning.

**LEG. BROWNING:**

Okay.

**MS. SANTERAMO:**

Yes, you did. So we're --

**LEG. BROWNING:**

And again, you know, this is a new precedent, and we're only asking one cycle. I'm not saying we're opposing, you know, taking the money and the revenue. And I understand that, yes, it's a safety issue. And I know this President and I know when she goes to her union meetings, she's had the conversations with them; *you blow a red light camera, well guess what?* However, I don't know if you've ever driven a bus, but if you drive a bus full of people, it's a heavy vehicle and you don't

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know -- I know she mentioned one in February that that driver said the weather conditions caused them to not be able to stop, and I understand that. I've driven a school bus with 60 kids, I know what it's like, your stopping distance is much harder. So there are circumstances when it happens, when it's raining, when it's icy, that you're just not going to be able to stop. And I'm not saying speeding, I'm just talking going the speed limit.

So you have to understand that that driver didn't have the opportunity to challenge that and be able to go and say, *Listen, this is the circumstance and this is why this happened.* Because for three months, all those violations got held up and the company didn't receive everything for three months. Nassau County does it, they make sure that the company gets everything every single week. We're holding them up for three months and that's unfair to the drivers.

**P.O. GREGORY:**

Okay. Dennis? Dennis Brown.

**MR. BROWN:**

Just in terms of the enforcement with respect to the drivers and the owners and the operators, it's the owners that -- the liability is assessed against owners, it's not assessed against the operators.

With respect to County employees, with respect to the bus drivers, there might be enforcement provisions that are in place, either at the County level or at the bus company level, but the operator does not have a right to a hearing on any violation.

**LEG. BROWNING:**

Say that again?

**MR. BROWN:**

The operator does not have a right to a hearing on any violation. The Statute states notice of liability is assessed against the owner of a vehicle. In terms of the County, that's what the Statute says, that notice of liability is assessed against an owner of a vehicle, not against an operator. An owner has a right of indemnification against an operator if the operator has committed a violation. But in terms of notice and the right to be heard, that lies with the owner.

Now, with respect to drivers in terms of County employees or in terms of bus drivers, other procedures have been in place so that the law can be enforced against them for safety purposes.

**LEG. BROWNING:**

Okay. Well, why are we holding up the those notifications for three months? Why aren't we submitting them as soon as possible, every week like Nassau does?

**MR. BROWN:**

There is a lag between the time when the notice is required. I'm sorry, between the time that the violation is picked up on the camera and between the time that the notice goes out.

**LEG. BROWNING:**

Okay. But Nassau County submits them every single week.

**MR. BROWN:**

I can't speak to Nassau County, but there is a lag between the date of the violation and the date the notice goes out.

**LEG. BROWNING:**

Okay. And one, you're saying the company are the ones who -- the only ones that can challenge

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that. If they were to get the notifications in a better timeline, then they could have that discussion with the driver and give them an opportunity to challenge it.

**MR. BROWN:**

I could speak generally. There have been circumstances where questionable violations have been issued and they reviewed either at the level of Traffic Violation Agency, or they've even come up to the County Attorney's Office as well, and if it seems like it's not a violation, we would authorize an excusing that violation. So things are looked at on an individual basis is really the point.

**LEG. BROWNING:**

Well, all I'm asking is that obviously one cycle is not going to kill to give an opportunity to have negotiations. We can still notify the State if we went one more cycle, and let's -- I'd like to see it be resolved, and we have plenty of time to do that.

**MS. SANTERAMO:**

We disagree, respectfully disagree. November 18th is cutting it really close with a December 1st deadline. We don't really want to gamble with \$23 million, specifically since this policy is not in this legislation. The two of them -- I understand that there's the Red Light Camera Program, but they're not linked. If you pass this legislation, it has nothing to do with the policy. So whether you -- I guess what I'm saying is what information are you lacking that you feel you're not able to vote on this piece of legislation today that would warrant the tabling? We're going to work on the policy, but usually when you table something it's because you need more information and you want changes made. There's no changes we can make to this legislation that would address your concerns about an internal policy that we have.

**LEG. BROWNING:**

Well, I can say the same. Well, what guarantee -- if we pass today, what guarantee do we have from the Administration that they're going to amend the policy?

**MS. SANTERAMO:**

We're guaranteeing that we have already set up a meeting, I've already seen a draft of proposed policy conversations and that we're working on it.

**LEG. BROWNING:**

When is that meeting?

**MS. SANTERAMO:**

It's my understanding the meeting is on Thursday.

**LEG. BROWNING:**

This Thursday?

**MS. SANTERAMO:**

That's my understanding. And I confirmed that with Debbie earlier. I gave both Debbie and Roger my word that we were going to have this meeting and we're working on the policy. This isn't something -- this is something we just got yesterday, it was just raised with us yesterday. We're working on addressing it.

**LEG. BROWNING:**

Oh, no, no, no, no, no. This was not raised yesterday. She reached out to the Administration in August.

**MS. SANTERAMO:**

Legislator, I understand that that is what was conveyed. We just got it. We were just notified of it yesterday. I just found out --

**LEG. BROWNING:**

Lisa, I'll talk to you later about that.

**MS. SANTERAMO:**

Okay.

**LEG. BROWNING:**

Because I know you spoke directly with her office.

**MS. SANTERAMO:**

Okay. I --

**LEG. BROWNING:**

A lot sooner than yesterday.

**MS. SANTERAMO:**

Okay. I respectfully --

**LEG. BROWNING:**

So I'm not going to go there. And I will tell you exactly what was told to me, so don't tell me you never heard about this until yesterday, because I know you did. So stop right there.

All I'm telling you is that I think out of fairness to them, let them have that conversation. I know that we can hold it off one cycle. I know that you can let this --

**MS. SANTERAMO:**

We don't have time.

**LEG. BROWNING:**

You do have time. You do have time to wait one cycle to notify the State.

**MS. SANTERAMO:**

If you -- if this body is comfortable with that, I mean, I don't -- it's ultimately your budget.

**P.O. GREGORY:**

Yes, Mr. Brown, and then we have a long list of speakers or people.

**MR. BROWN:**

I would just like to point out, George -- as George stated correctly December 1st, I would just like to point out that we have a Thanksgiving Holiday November 27th, November 28th, there has to be a publication for the County Executive's public hearing. Tabling it till November 18th, that brings it really close; I mean, it's very tight.

**P.O. GREGORY:**

Okay. Legislator Muratore.

**LEG. MURATORE:**

I've been answered, I'm good.

**P.O. GREGORY:**

Okay. Legislator Kennedy.

**LEG. KENNEDY:**

Just a couple of additional points. First of all, whether it's to Dennis or Gail. Dennis, if the ticket goes to the owner, then there's got to be something in the contract that compels the operator to at least make the driver aware. Because our agent is levying a policy -- levying a fine on that operator without them having had any kind of, you know, knowledge beforehand.

But more importantly, more importantly, I read the policy yesterday; not one line talks about safety. There's no retraining, no requirement to have a driver go, even on his or her own time, to sit through maybe a three-hour course. It's six points with accelerating monetary impact and that's it.

I hear what you're saying as far as the citation being issued to the owner of the vehicle. But this is a bit of an aberration, Dennis, in that we own the vehicle and then intentionally procure it for somebody to operate. For all intent and purposes, you're depriving people of their due process rights. You can't not give them an opportunity to come in to challenge, that's just not right.

And I disagree vehemently about this resolution and policy because, quite frankly, but for the approval or the renewal, we wouldn't be made aware that there was kind of a hit or miss policy. This is the worst policy you could have. You're treating like set up individuals in disparate matters. Quite frankly, they could probably throw out most of the citations that have been done. We created a separate class. I think we've got to work it through and deal with the timing issue next month.

**P.O. GREGORY:**

Legislator Spencer.

**LEG. SPENCER:**

I disagree and I think we need to approve this today. And I appreciate -- I do think that there needs to be a due process. But when we talk about this has an undo burden, the idea of there are certain situations where there are weather conditions that you -- may cause you to go through an intersection. If you're going through a red light, if a child runs out in the road or if there are -- you need to adjust for the conditions at all times and you need to be in control of that vehicle. And I don't claim to be a bus driver, and I know Kate has that experience, but there are certain situations where there is no oops. There is no oops when you talk about running a red light where you're carrying employees. And I think that we can make an argument that there should be a better process, but as far as when we talk about this County and our budget deficits and a program that is working, and I hate the red light tickets, you know, I hate them, but this is a safety issue. When you talk about the camera, you can see the event, you can know what happens. And there are certain situations -- this isn't showing up to work late, this isn't forgetting your uniform where you get a warning, we're talking about running an intersection here. Slow down, make the adjustments to the weather. There are sometimes we have a zero tolerance policy and this is a situation where there really needs to be that. But everyone still deserves due process, but we can pass this and we can work on that. But as far as saying this is an undo burden, when we look at what's on the line here, I don't think this is a warning type of situation and that we need to take a strong stance. But regardless of that, that has nothing to do with this legislation today. And for us to take \$23 million and take it down to November 18th for a December 1st deadline, I don't think that that makes a lot of sense and I think we need to approve this today and let our Administration do their job.

**P.O. GREGORY:**

Okay. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. So I think it's sort of almost like an apples and oranges thing. The legislation is to extend the County's ability to administer the Red Light Camera Program?

**MR. BROWN:**

That's correct.

**LEG. KRUPSKI:**

So -- and I don't -- and I think some of the Legislators are right, we do need an effective County policy for use of County vehicles, whether it's for safety reasons or for energy-efficient reasons like an idling policy; that has a lot of validity to it, no question about it. Is there any way -- I've done a lot more driving in the last two years than I ever have in this County. If anything, you need more red light cameras, and ideally you would collect no revenues because people would obey that law. It's a very -- it can be a very dangerous situation at a lot of intersections where people are making bad decisions. So, I mean, that's ideally, I would rather we collected no money at those intersections. So, you know, I'd urge that we vote on this and work on a policy for use of County vehicles at the same time.

**P.O. GREGORY:**

Okay. Legislator Cilmi.

**LEG. CILMI:**

Thank you. I didn't have the pleasure of being at the Public Safety meeting at which this was discussed, so I don't know if I could ask the Chair or the County Executive's Office, or if anyone is here from the Police Department that could speak to some of the statistics with regard to the effectiveness of the Red Light Camera Program.

We've heard a lot about we have to pass this because we need the revenue, but when we approve this, at least I was under the impression that we approved it because it was a safety program and not a revenue generating program. And I went out and talked to my constituents about the importance of public safety, not the importance of the revenue that we were going to generate from tickets. So I want to talk a little bit about the incidents of accidents at the locations that we've had these red light cameras, the distribution of tickets relative to driving through red lights as opposed to right on reds, etcetera. So if you could share some of that information with us, I'd appreciate it.

**MR. BROWN:**

Legislator Cilmi, there is an annual report that's required to be filed every year with the Governor's Office, with the Assembly and with the Senate, I'll make sure you get a copy of the more recent version. If you want, you know, more than one copy -- you know, more than one year, we'll get that for you.

But what I can tell you here today is that there were, in 2013, 294,528 total issued violation notices; 85,050 -- 85,051, those were either left-turn or straight through violations, and right-on-reds were the vast majority, 71%, in excess of 209,000. But accident data, that's contained in the annual report and I'll make sure that you get the last annual report.

**LEG. TROTТА:**

What year was that?

**MR. BROWN:**

The last annual report? That was 2013 that I just gave you. So the annual report, the last annual report would have been for the prior year.

**LEG. CILMI:**

So for 2012?

**MR. BROWN:**

Well --

**LEG. TROTТА:**

I spoke to Margiotta --

**MR. BROWN:**

Either '12 or '13. I'll make sure that you get the most recent annual report which has accident data.

**LEG. CILMI:**

Any idea, Dennis, when that report was issued?

**MR. BROWN:**

I can tell you that we've been doing it every year since the first year that the -- since the first full year that the program has been in operation. So we're talking about since approximately 2009. So it was either 3 or 4 reports.

**LEG. CILMI:**

But what month is it issued in? I mean, was it issued just in August or July or May?

**MR. BROWN:**

I'm going to take a guess and I'm going to say that they've been issued over the summer time.

**LEG. CILMI:**

Okay.

**MR. BROWN:**

So, you know, August/September maybe.

**LEG. CILMI:**

Now I --

**MR. BROWN:**

That's only a guess, don't hold me to it.

**LEG. CILMI:**

Yeah. I mean, I would like an opportunity to review that report before we vote on this. So I would support the tabling motion at this point, just in the interest of looking at the time public safety data. So thank you. I appreciate that, Dennis. I look forward to seeing it.

**MR. BROWN:**

Yeah.

**P.O. GREGORY:**

Tom?

**MR. VAUGHN:**

Legislator Cilmi?

**LEG. CILMI:**

Yes.

**MR. VAUGHN:**

Just one thing that I would ask you to consider as you are considering the Public Safety data. So, for example, in 2014 we budgeted \$29 million for this program. Next year we are budgeting \$23 million. We think that this is an indication that the program is working, that we are impacting public safety because we are going to continue to generate less revenue from the program coming in, and that is with the additional cameras on-line.

**LEG. CILMI:**

So in 2014 we budgeted 29 million?

**MR. VAUGHN:**

Pardon me, in 2013, sir, we budgeted 29 million for this budget year. And then for the budget that we just proposed we --

**LEG. CILMI:**

Well, that's what I meant. So the 2014 budget contains \$29 million of revenue.

**MR. VAUGHN:**

Uh-huh. Yes.

**LEG. CILMI:**

And are we --

**MR. VAUGHN:**

The budget that was adopted last year contains approximately \$29 million in revenue, the budget that we put forward this year that you guys are working your way through right now, we currently put in \$23 million.

**LEG. CILMI:**

And what is in -- I forget what the column is labeled, in the proposed 2015 budget, but what do we expect to receive this year?

**MR. VAUGHN:**

I don't have that number in front of me, sir.

**MR. LIPP:**

I do, I do.

**MR. VAUGHN:**

Okay.

**MR. LIPP:**

I have it.

**LEG. CILMI:**

Oh, Robert.

**MR. LIPP:**

So the 2014 estimate, there are --

**LEG. CILMI:**

Estimate, right.

**MR. LIPP:**

There are four line items for the red light camera fines and it totals \$30 million. For 2015 the total is 23.8 million; for 2013, the actual is 19.6 million.

**LEG. CILMI:**

So they received 19.6 actual in 2013?

**MR. LIPP:**

Right.

**LEG. CILMI:**

What is estimated for 2014?

**MR. LIPP:**

Thirty million.

**LEG. CILMI:**

So actual in '13 was -- and that was -- and '13 was our first full year of operation?

**MR. LIPP:**

Well, so, first of all, whether the numbers are good or bad, in terms of BRO's analysis it still remains, they're still doing that analysis. That being said, as far as I can remember, there was an increase in intersections during 2014 which would help to explain the increased revenue, but I don't know if it would be that high, we're still vetting that out.

**LEG. CILMI:**

Okay. All right. No, I realize that. So, okay. Tom, thank you. And I look forward to seeing that report, Dennis. Thanks.

**MR. BROWN:**

I just sent for it.

**LEG. CILMI:**

Oh, terrific. Thank you.

**P.O. GREGORY:**

Okay. Mr. Vaughn, then --

**MR. VAUGHN:**

I just would also like to add that we are concerned about the timeline and would prefer to see this bill adopted tonight. And regarding the concern about the timeline is the November 18th deadline, or a November 18th adoption means that we will get the bill back on approximately November 19th. We have to advertise, that eats up a week right there, so we are cutting this extremely close with the advertisement, the holidays and holding our own County Executive public hearing and getting this all up back to Albany by December 1st. And I would reiterate that the Administration has pledged to meet with these individuals and work through this process.

**P.O. GREGORY:**

Okay. Legislator Calarco.

**LEG. CALARCO:**

Thank you. I just wanted to add, you know, I respect my colleagues and their advocacy for these bus drivers, and I think it's important that we do stand by their side and make sure that the Administration does everything they can to getting a fair policy in place in terms of how they are treated through this process and make sure that they have an appeals process and everything else. But what we've hired, unless I misunderstood the testimony this morning, was that the Administration has reached out to the union and that the union has spoken to them, they've scheduled a meeting and they are comfortable with that and they have said that they are not asking us to tie this particular bill and this particular issue right now to the policy question, that they are comfortable with us moving forward with the red light policy. And if I mistook what I heard, that's both what the president of the union mentioned as well as the Executive Director of the Long Island Feds. So, I mean, to sit here and say we need to hold this up on their behalf when they were not asking us to do that, and to put the money at risk I think is not a wise move. So I think we should be moving this forward today. And, you know, we all have the ability to continue to put pressure on the Administration in the future if they don't correct the policy, as well as the ability to file all the motions and correct the policy on our own accord, which we have been more than willing to do on more than one occasion, including earlier today as it applies to hiring Jail Nurse Attendants. So I think that we have shown that if we need to, we can intervene.

**P.O. GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I don't know whether to be blown away by we raised six-tenths of our property tax levy through this program, or so many people are passing red lights; it's just an amazing thing. And I guess if we had more red light cameras, we'd have even more violations. But I don't understand the objection raised by my colleagues, Legislator Kennedy and Legislator Browning. And forgive me if I just didn't catch what you were saying, but I think what you're saying is that if an operator of a bus goes through a red light -- you know, allegedly -- and a violation gets issued, it gets sent to the bus company owner, the owner of the bus

**MR. BROWN:**

Yes.

**LEG. D'AMARO:**

The owner of the bus is holding that violation, or is it the County that's holding the violation?

**LEG. BROWNING:**

The County holds it.

**MR. BROWN:**

I think there are two components involved. I can't, of course, speak to the bus company, but once there is -- when there's been a violation --

**LEG. D'AMARO:**

Right.

**MR. BROWN:**

That has to be processed by Xerox, by the company that we contract with, and also it has to go -- so it goes through several layers of review first through there to make sure that it is at least an arguable violation, and then it's reviewed at the TPVA level as well, and there are a lot of violations.

**LEG. D'AMARO:**

That's for every individual.

**MR. BROWN:**

That's every individual, so there's a built-in lag. Now, in terms of the companies --

**MS. LOLIS:**

After TPVA gets it, then a notice is sent with the license plate to DPW, they trace it to the bus operators and then they send the list of the violations to the bus operators. We do not know who the drivers are.

**LEG. D'AMARO:**

Right, but that's the same procedure followed for any individual or person or vehicle getting issued a ticket; it's the same procedure.

**MS. LOLIS:**

Yes.

**LEG. D'AMARO:**

So is the County delaying in the case of buses?

**MS. LOLIS:**

But we're not issuing -- we're not issuing a citation to the bus operators.

**LEG. D'AMARO:**

No, I understand that.

**MS. LOLIS:**

I can say the owners.

**LEG. D'AMARO:**

No, but I just want to understand. Is there any additional delay on the County's end, different for the bus companies than from any -- like me, if I went and got a ticket?

**MS. LOLIS:**

Yes, because it goes through the next -- the notice doesn't go directly out to the owner, it's coming to the County, and then DPW has to then find out who the bus operator is by tracking down, identifying the bus operator by the license plate --

**LEG. D'AMARO:**

I see.

**MS. LOLIS:**

-- and then they have to do an additional notification to the bus operators.

**LEG. D'AMARO:**

So the step where if the notice were coming to me, that step for a bus company, instead the notice would be sent to the County.

**MS. LOLIS:**

Correct.

**LEG. D'AMARO:**

And then how long do we hold the violation for before we notify the -- and I guess by agreement, we have the bus company on the hook, so to speak. Who pays the violation?

**MS. LOLIS:**

The bus company -- we had negotiated with the bus operators back in, again, 2010 --

**LEG. D'AMARO:**

Right, we have a contract.

**MS. LOLIS:**

-- that the operators would pay -- were responsible for paying the \$50.

**LEG. D'AMARO:**

The operator.

**MS. LOLIS:**

The company, not the driver.

**LEG. D'AMARO:**

No, no, I understand. The driver is different than the operator.

**MS. LOLIS:**

Correct.

**LEG. D'AMARO:**

The operator is the owner of the bus company.

**MS. LOLIS:**

Correct.

**LEG. D'AMARO:**

Which we contract but we own the buses.

**MS. LOLIS:**

Correct.

**LEG. D'AMARO:**

Okay. So even though technically the County, as the owner of the vehicle, should pay the ticket, we have by contract passed that down to the operator.

**MS. LOLIS:**

Right, almost like that indemnification type of --

**LEG. D'AMARO:**

Right. So does that somehow -- does that delay that extra step, allow the time to run in order to contest the violation?

**MS. LOLIS:**

No.

**LEG. D'AMARO:**

No. So if I'm the operator and I get this list of violations, you know, after the County determines who was responsible for operating that bus by under what contract. If I'm the operator of the

company, can I contest that violation?

**MS. LOLIS:**

We actually have a very informal way of doing it.

**LEG. D'AMARO:**

Okay.

**MS. LOLIS:**

They will -- the operator will contact us and say, *Hey, I took a look at this video, we don't think that we should be responsible for this*, and then we'll take a look at it and we'll say, *You know what? We agree with you in those circumstances.*

**LEG. D'AMARO:**

No, no. But what I'm saying is when an individual gets a red light ticket, right, they get it in the mail.

**MS. LOLIS:**

Right, it's going to the owner of the vehicle.

**LEG. D'AMARO:**

Right, to the owner. When the owner gets the ticket in the mail, they have a certain length of time to contest it, right?

**MS. LOLIS:**

Yes.

**LEG. D'AMARO:**

So does the bus company still have a length of time to contest once they're notified of the violation?

**MS. LOLIS:**

I don't believe we have like a set time that if they don't notify us within X amount of days they cannot seek to contest it.

**LEG. D'AMARO:**

Right. Okay, so then what's happening is so at the operator or owner level, you're working almost informally with the bus companies --

**MS. LOLIS:**

Yes.

**LEG. D'AMARO:**

-- in settling these tickets. But then if the bus company's held responsible, they're going to the driver and having them reimbursed.

**MS. LOLIS:**

Yes, that --

**LEG. D'AMARO:**

Is that what's happening?

**MS. LOLIS:**

That would be part of what the operators collective bargaining would be --

**LEG. D'AMARO:**

Right, I agree.

**MS. LOLIS:**

-- with the drivers. We're not involved in that, other than we have asked for if a driver violates a first time, and I don't have it in front of me so I can't tell you, we would ask the operator to seek a certain level of progressive discipline. They still have to go through the same disciplinary process with their employees like we would go through with our employees.

**LEG. D'AMARO:**

Right. So -- but I think the point being made is that if the ultimate driver, the person responsible for the violation, is not given an opportunity to object, it's being done for them, but that's between the owner of the company and the driver.

**MS. LOLIS:**

Correct, and I guess they would be able to prove that in their disciplinary proceedings.

**LEG. D'AMARO:**

Right. But do we, by contracting with the bus company, have the ability to ask the owners of the company to somehow give the drivers an opportunity to contest the violation?

**MS. LOLIS:**

I don't know what authority we would have to do that because, again, you're getting into their collective bargaining agreement.

**LEG. D'AMARO:**

Right.

**MS. LOLIS:**

I mean, we could ask them to negotiate something.

**LEG. D'AMARO:**

Right. And it's not like it's not being reviewed, at the owner level it's being reviewed. And if the --

**MS. LOLIS:**

It's being reviewed.

**LEG. D'AMARO:**

If the owner of the bus company feels they shouldn't have to pay the violation, they're talking to the County about that.

**MS. LOLIS:**

I mean, I'm just involved with one, two weeks ago.

**LEG. D'AMARO:**

What happens with County employees? Let's say I'm driving a County car which the County owns and I get a red light ticket; what happens there?

**MS. LOLIS:**

We seek -- depending upon the type of violation, there's progressive discipline, starting from a verbal --

**LEG. D'AMARO:**

No, but, I mean, who pays? Who contests it? Can we contest it?

**MS. LOLIS:**

The employee -- the employee will pay if we prove at a disciplinary proceeding that they violated the Vehicle & Traffic Law --

**LEG. D'AMARO:**

So they get their --

**MS. LOLIS:**

We will ask them for a \$50 penalty.

**LEG. D'AMARO:**

So they get their day in court.

**MS. LOLIS:**

They -- yes, they get their day.

**LEG. D'AMARO:**

Okay.

**MS. LOLIS:**

And then we can only impose any kind of financial penalty. I mean, with any disciplinary proceeding, I believe the max we could impose is a \$200 fine or whatever. We would ask for \$50. And it may be higher if they're a repeated violator, then we may seek more --

**LEG. D'AMARO:**

What if the bus company negotiates with their employees, the drivers of the bus that, yes, we'll give you -- when we hand down this fine to you, we'll give you an opportunity to contest. Would the County somehow make an exception and extend the time in which you have to contest the ticket?

**MS. LOLIS:**

They're contesting it internally. Again, they're not being officially -- they're not receiving an official citation.

**LEG. D'AMARO:**

Right, I understand. But they're ultimately being held responsible for the fine.

**MS. LOLIS:**

Through some type of disciplinary proceeding. The employee would have to be found guilty of the disciplinary proceeding.

**LEG. D'AMARO:**

See, I think our contract with the bus company should say that when we, the County, notify you, the bus company owner, of the tickets, they must immediately notify the driver, so that the driver of the bus at least has an opportunity to -- they can't come into the County system and contest because they don't own the vehicle, but at least they have notice of the fact that they may be hit with a fine, and then they have to work it out with the ownership of the bus company as to how they're going to deal with that.

**MS. LOLIS:**

I'll double check the contract, because I'm sure we could always negotiate some type of an addendum to it.

**LEG. D'AMARO:**

I mean, it's inherently unfair if you drive that bus and ultimately your employer comes to you and says, *You went through a red light, you're guilty, pay it*, and you never get a chance to have your say. And that's the unfairness, I think, that, you know, they're talking about, so that needs to be addressed. But that has nothing to do with reauthorizing this program.

**MS. LOLIS:**

Nothing at all.

**LEG. D'AMARO:**

Right, okay. All right, thank you. Thanks, Gail, Dennis.

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

Okay. Legislator Browning.

**LEG. BROWNING:**

Okay. Lou, I'll give you an example. One of the infractions the union rep, union president showed to me yesterday, it was dated back in April, however, the bus company didn't receive it until July; that's just wrong. And when they say that they have discipline action against County workers, I'm just curious if any of our Legislators who have County cars ever got a red light camera. What policy are we going to institute if a Legislator or any County employee or appointee goes through a red light camera with a County car? Are we going to take the car away? What are we going to do there?

I did speak with Dan Farrell. There is no written policy with AME, and I understand that's something that they're going to have to negotiate with the union. But they do not have a written policy today with County workers when they go through a red light camera.

**LEG. D'AMARO:**

Uh-huh.

**LEG. BROWNING:**

However, with the bus drivers, there is a written policy. And like John said, there is no warnings, there is no required trainings, right off the bat, the first thing you get, two days suspension and you can't even challenge that ticket.

**MS. LOLIS:**

Actually, there is a written policy and the employees do know about it.

**LEG. BROWNING:**

A written policy for who?

**MS. LOLIS:**

For the employees.

**LEG. BROWNING:**

What employees, the bus drivers?

**MS. LOLIS:**

For County employees. For County employees, there is a written policy --

**LEG. BROWNING:**

Well, no, the union president just told me there's none.

**MS. LOLIS:**

Well, there is and there has been, I've seen it. And it was prepared I think in 2012.

**LEG. D'AMARO:**

Kate, can I ask you a question on what you just said? In the case of the three-month lag where the violation came to the bus company, did the bus company have an opportunity to contest that violation?

**LEG. BROWNING:**

No, it's my understanding when I spoke with the president yesterday, there is -- the time line to challenge a ticket, just like if you or in our car, has expired.

**LEG. D'AMARO:**

Well, but so is that true, Dennis? I mean, is that --

**MR. BROWN:**

That's not the case. Because if you received a notice of liability, it has the time which by -- you have to either like pay within 30-days or you can plead not guilty.

**LEG. D'AMARO:**

So they didn't even get it for 90-days.

**LEG. BROWNING:**

But if you don't pay in 30-days you tack on the fees on top of that.

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

Let Mr. Brown answer the question.

**MR. BROWN:**

As far as the notice of liability -- now, you have to remember, the notice of liability goes to the owner, not to the operator. So they could plead guilty or they could plead not guilty, and if they plead not guilty they're assigned a hearing date.

As far as County employees are concerned, as far as operators are concerned, operators meaning drivers, as far as drivers are concerned, they do not receive notices of liability. And if they are going -- so if the owner, vis-à-vis the County, is trying to seek the payment of the fine, that is done through the disciplinary process.

**LEG. BROWNING:**

Okay. But if the bus company doesn't receive the notice for three months, you have to pay in 30-days, or then they start tacking all the late fees, correct? So your 30-days does not kick in -- if you don't give them the citations -- or I shouldn't call them citations. If you don't give them the notifications for 90-days, that 30-days hasn't kicked in yet.

**MR. BROWN:**

I would have -- I don't -- I can't address that situation because I've never heard it. So I don't know if the \$50 fine, the civil penalty --

**LEG. BROWNING:**

It's actually 80.

**MR. BROWN:**

Well --

**LEG. BROWNING:**

Fifty plus 30.

**MR. BROWN:**

That's another discussion, that's the surcharge. But you have \$50 civil liability, you have a \$25 late charge, and then you have also, you have the surcharge. But I do -- I can't address that specific question that you raise, that it's because of the lag, the time lag in answering the notice of liability that the \$75 is auto -- I'm sorry, that the \$25 late charge is automatically being tagged on to the penalty. And you're correct, that's a legitimate point.

But also, with all due respect, like Legislator D'Amaro says, that doesn't have anything to do with this bill. So there might be some legitimate things that you have, some legitimate points that you have, but I also think that you have a promise from Lisa about a meeting that's upcoming on Thursday and revisiting the issue, and I just heard about it the first time this morning. So if it's important to revisit the issue, the issue will be revisited. And I think --

**LEG. BROWNING:**

Well, and to be honest with you, we wouldn't be sitting here debating this if the president got a response in August and the Administration met back then. So this is why we're all sitting here, is because this is typical MO of this Administration, I'm sorry, is that when they get phone calls to respond, hold on a minute. This is not the first time. Talk to the Deputy Sheriffs. When they -- no, no, no, August; same thing for them, five phone calls, no response, cancellations. Come on, really? This is the problem, is when these people call -- why did she -- the president's telling me that she reached out to County Executive Mangano, has had two meetings since. She's been the President since the end of July, has had two meetings in Nassau County with regards to this issue, and somehow we cannot get our act together and meet with her and give her the respect to address this issue with her membership. And if you had done it in August, we wouldn't be sitting here today and you wouldn't be worrying about tabling it and you wouldn't be worried about your revenue.

**P.O. GREGORY:**

Okay. All right, we still have a long list. Legislator Schneiderman?

**LEG. D'AMARO:**

Well, I wasn't really finished yet.

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

Because I switched. After you --

**LEG. D'AMARO:**

Oh, you switched, I didn't switch.

*(\*Laughter\*)*

I just asked a question.

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

We'll put you back on the list.

**LEG. D'AMARO:**

Back on the list. That's the best you're going to do for me?

**MR. VAUGHN:**

Mr. Presiding Officer?

**LEG. D'AMARO:**

Back on the list?

**P.O. GREGORY:**

All right, all right, hold on, hold on. All right, I stepped out of the room. Legislator D'Amaro had the floor, so I'm going to give him the floor so we can get through this. We have several people on the list.

**LEG. D'AMARO:**

Okay, I'll be quick.

**P.O. GREGORY:**

All right. Let's try to wrap it up.

**LEG. D'AMARO:**

No, I asked Legislator Browning a question, that's all.

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

She had her time and then there was a speaker after her, several.

**LEG. D'AMARO:**

Oh, okay.

**LEG. BROWNING:**

You had a question?

**LEG. D'AMARO:**

I'll make a motion to reconsider the Montauk vote.

*(\*Laughter\*)*

**P.O. GREGORY:**

Mr. Vaughn.

**LEG. D'AMARO:**

All right. So my final point is only I want to understand that when a bus company has a citation, or what are we calling them, notice of something?

**MR. BROWN:**

Liability.

**LEG. D'AMARO:**

Notice of liability issued against them, that they are getting -- they meaning the bus owners, the companies are getting those notices timely.

**MR. BROWN:**

They are not.

**LEG. D'AMARO:**

Why would they not get those? So -- I understand there's another step.

**LEG. KENNEDY:**

Pay in the first instance.

**LEG. D'AMARO:**

Right, I understand there's another step involved in identifying which company should get the ticket, or the notice of --

**MR. BROWN:**

Liability.

**LEG. D'AMARO:**

Liability. But you can't send that note -- you can't have a delay in sending that notice and then tack on a late fee if we're the one causing the delay; we the County.

**MR. BROWN:**

I don't know if that's happening.

**LEG. D'AMARO:**

Oh, okay.

**MR. BROWN:**

That's a legitimate point. I don't know if that's happening.

**LEG. D'AMARO:**

That's what I'm hearing. And then whether or not the bus driver has an opportunity to contest the violation is really between the bus company and their employees.

**MR. BROWN:**

As it is between us and our employees, yes.

**LEG. D'AMARO:**

Right, okay. All right, thank you.

**P.O. GREGORY:**

Legislator Schneiderman.

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

I'm going to be really brief. We've been debating this for a good hour. I mean, I don't think anybody is asking that we end the Red Light Camera Program, we need to move it forward. There's important issues that have been raised on one particular issue here and, you know, we need to examine those. But, you know, we shouldn't be holding this program up while we examine these issues. You know, I think there's been a sincere effort, there's a commitment that's been made. You know, maybe a subcommittee, Legislator Browning, Legislator D'Amaro, those who really want to work on a new policy or fixing this little issue within it is fine, but there's no way we should hold the program hostage. I think we've got to move this bill, sorry.

**P.O. GREGORY:**

Okay, Legislator Martinez.

**LEG. MARTINEZ:**

When the motion to table went forth, I am in agreement with Legislator Browning and Kennedy, because when I did meet with the president of Local 252, something does need to be done. But also knowing that there is a time restraint on this and making sure that we get it done by December 1st, I just want, obviously, assurance. And you, the Administration, have said that you have set a meeting already and I thank you for that, because yesterday when we did tell you about it you did move forward with it and you were able to set a meeting with Local 252. So I do appreciate that. But I do think that we do need to move forward with this bill, just because we are under the gun kind of deal with the time. So, thank you.

**P.O. GREGORY:**

Legislator Kennedy?

**LEG. KENNEDY:**

Mr. Chair, I'm going to ask all my colleagues to go ahead and strongly consider -- and thank you, Legislator Martinez. But you know, as the Administration laid out, it is not an impossibility to go ahead and have this issue addressed before November 18th.

More importantly, more importantly, but for this reauthorization, none of us would be sitting here attempting to try to rectify what is clearly an unfair situation that none of us were aware of and none of us, quite frankly, would support. We're talking about eight bus companies who have something embedded in the contract that takes drivers and puts them in a lesser position. It is unfair, they are not timely remitting.

And I just want to, on the side here, Dennis, I'll give it to you right off the TVB site; *Failure to pay the fine or contest liability prior to the due date of notice of liability is an admission of liability. And failure to appear at a hearing after having requested a hearing, admission of liability.* It is in a bus operator's best interest to pay and not give that operator the opportunity to challenge. They're in the business to run routes and make money, not give their drivers the chance to exercise of due process right to challenge. We're putting them in a lesser situation than any other motorist and that's wrong. And you know what? It's not going to get fixed unless we table it now and go ahead and pick it up on the 18th.

**MR. VAUGHN:**

You know what, Legislator Kennedy? I take severe objection to that.

**LEG. KENNEDY:**

Go ahead.

**MR. VAUGHN:**

Pardon me, Mr. Presiding Officer. I have with every single -- with every single time that I have stood before this body and we have committed to doing something, I am pretty positive, you can all go back and check the record, that this Administration, we have stood at this podium and committed to doing something, we've come through with it. You might not like the end result, but when we have committed to doing something, we have done it. We committed to meeting with those individuals, I take severe offense over the notion that we would not after we promised that we would. And you know what, Legislator Kennedy? If you want to table the bill, then I strongly suggest that you also remove the revenue from the budget process as you go through it. This legislation --

**LEG. KENNEDY:**

We might very well.

**MR. VAUGHN:**

The legislation was filed timely, this is an important piece, this is an important piece of legislation, it's an important public safety program, and more to the point, we think this needs to go tonight, with all due respect.

*(\*The following was taken by Lucia Braaten - Court Stenographer and transcribed by Kim Castiglione - Legislative Secretary\*)*

**LEG. KENNEDY:**

You know, listen, I've laid out to you what is clearly an underlying flaw in the operations. You're talking about meeting with the best operators from 252. Does that reflect all eight of our contract operators? And, more importantly, now I want to know, is that embedded in the RFP that's going to be put out, because apparently we have new bidders that are on this. We don't know. We don't -- see, we got too many we-don't-knows.

**MR. VAUGHN:**

So, apparently, we should hold up a Local Law that impacts the entire County because we don't know what the -- what the language is in an RFP for a bus contract?

**LEG. KENNEDY:**

Because we're talking about people, a \$40 million Federal program that carries 22,000 riders, employs 3700 individuals, and we put them in a lesser situation.

**MR. VAUGHN:**

And we're also protecting the public safety of those riders, sir.

**LEG. KENNEDY:**

You know what, public safety, every one of us, if you got a cement truck coming behind a bus, guess what, they go through the red light. And that's their due process right to sit before a hearing officer. Otherwise, let's just forget about it all and we'll call ourselves Russia.

**P.O. GREGORY:**

All right. All right. I'm going to call the vote. I mean, we've discussed this for an hour.

**LEG. BROWNING:**

DuWayne.

**P.O. GREGORY:**

I think we'll have several opportunities --

**LEG. BROWNING:**

Wait. They did say that there is a written policy with the County. I'd like to see a copy of the written policy with the County. And also, responding on the homeless buses, the buses for the homeless children that is through DSS, I'd like to see a copy, if there is a policy with them. And also with the other bus company that responds -- that drives the East End. So that -- they don't seem to have information on that. I think we should be provided with that information.

**P.O. GREGORY:**

Okay. All right. This is an important, important bill. It's in our budget. I think the two issues are separate. I think -- you know, I understand the -- your concerns. No, I understand your concerns.

**LEG. BROWNING:**

But DuWayne --

**P.O. GREGORY:**

But I don't --

**LEG. BROWNING:**

But hold on a minute. When she called in August, their response to her was --

**P.O. GREGORY:**

I understand that.

**LEG. BROWNING:**

-- "The RFP has gone out, and so we're not meeting with you until after the RFP has come back."

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

The Presiding Officer has the floor.

**P.O. GREGORY:**

Kate.

**LEG. BROWNING:**

And that's got nothing to do with that either.

**P.O. GREGORY:**

Kate.

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

It's not a back and forth.

**P.O. GREGORY:**

Kate, I understand that. I understand that, but, you know, my position is we shouldn't be asking for more than what she's asking for. I mean, she -- you know, Barbara -- Debbie came here earlier, she didn't ask us to table the bill. She, in good faith, or she feels in good faith that the Administration is going to deal with her. So, you know, I'm not ready and prepared to ask for more than that, you know.

And I think it's important that we send this -- you know, the timeline is important that we pass this today, and if they're -- you know, if they don't follow through on what they have already shown that they're willing to do, then, you know, then I think their credibility is going to be tarnished. But I think, you know -- I think there were two speakers here earlier, Roger and Ms. Hagan, who didn't say that we shouldn't move forward with it. She obviously expressed that there's concerns, and I think there should be concerns.

I think our policy should mirror whatever policies are being forced upon our contractees, and then -- and John Corrado and his organization, I think he's a reputable person. I think he -- you know, he should be brought to the table as well. I don't know why this policy was implemented, but I don't agree with it, I'll tell you that, but I don't necessarily think this is the mechanism to which to change that policy.

Okay. So there are two -- two motions. There's a motion to table and there's a motion to approve. The tabling motion goes first. Roll call.

*(\*Roll Called by Mr. Richberg, Chief Deputy Clerk of the Legislature\*)*

**LEG. BROWNING:**

Yes to table.

**LEG. KENNEDY:**

Yes.

**LEG. SPENCER:**

No to table.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. MC CAFFREY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

No.

**LEG. LINDSAY:**

No.

**LEG. CALARCO:**

No.

**LEG. ANKER:**

No.

**LEG. HAHN:**

No.

**LEG. MURATORE:**

No.

**LEG. KRUPSKI:**

No.

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

No.

**P.O. GREGORY:**

No.

**MR. RICHBERG:**

Two.

**P.O. SCHNEIDERMAN:**

It's got to be more than two.

**MR. LAUBE:**

Five.

**MR. RICHBERG:**

Five.

**(Laughter)**

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

It's his first day. Come on, give him a break.

**P.O. GREGORY:**

Two plus five. Too bad you're not doing the Red Light Camera Program.

**LEG. BROWNING:**

Common Core math?

**P.O. GREGORY:**

All right. Motion to approve. There's a motion to approve and a second. All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

Opposed.

**LEG. TROTТА:**

Opposed.

**LEG. CILMI:**

Opposed.

**LEG. BROWNING:**

Abstain. I'm abstain.

**MR. LAUBE:**

Fourteen.

**P.O. GREGORY:**

All right. I.R. 17 -- actually, I see Mr. Ronayne who's been waiting patiently back there. Let's see if we can get him out of here. Vets and Seniors on page ten. I'll make a motion to take I.R. 1836 out of order. ***I.R. 1836 - Enhancing outreach and service delivery to homeless veterans in Suffolk County (Stern)***. Motion by Legislator Stern.

**LEG. MURATORE:**

Second.

**P.O. GREGORY:**

To take it out of order. Second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. STERN:**

Motion to approve.

**P.O. GREGORY:**

Motion to approve by Legislator Stern. Second by Legislator Barraga. Any questions? Okay. Approve? Disapprove? Abstain?

**LEG. CALARCO:**

Cosponsor.

**MR. LAUBE:**

Oh, you took it out of order.

**P.O. GREGORY:**

Yes, did both.

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. All right. I'm also going to make a motion to take ***I.R. 1837 - Authorizing action to end veterans homelessness in Suffolk County ("Housing Our Homeless Heroes Act") (Stern)***. Second by Legislator Stern to take out of order. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Legislator Stern makes a motion to approve. Second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. All right. Back to page eight. ***I.R. 1742 - Amending Suffolk County Resolution Nos. 1055-1984 and 1262-1985, establishing a Uniform Motor Vehicle Traffic Accident Report within the County of Suffolk (Co. Exec.)***. Motion by Legislator Browning. Second. Any questions?

**LEG. CILMI:**

Yes.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

Could I just ask, through the Chair, to Chairwoman Browning what the testimony was about this if you recall? Or if the County Executive's Office has some input here, one way or the other on this form.

**LEG. BROWNING:**

Yeah. This was a third party form.

**LEG. CILMI:**

This was the form that Joe Rizzo, Legislator Rizzo, sort of created, right, years and years ago.

**LEG. BROWNING:**

Did he?

**LEG. CILMI:**

And I have a big picture of Legislator Rizzo in my office and I just want to make sure what's going on here.

**LEG. BROWNING:**

Maybe Tom wants to jump in on that one.

**MR. VAUGHN:**

Sure, Legislator Cilmi. So there is a number of information that is being captured on our current police forms, which they could probably speak to far more eloquently than I could, that lends itself to digitization, and that is the direction that the Police Department is going. One of the forms that does not lend itself to digitization is the form that we are currently -- that is included in this legislation.

The Police Department has found that in the past the form was not being particularly utilized by those individuals who we were handing it to, and it's difficult to decipher because of it's mostly a form where you write, handwrite stuff out.

**LEG. CILMI:**

Can I just stop you there for one second? Not being used by those who they hand it to, but do they hand to every --

**MR. VAUGHN:**

Yes.

**LEG. CILMI:**

I mean, are the Police Officers using it or making it available to every accident victim?

**MR. VAUGHN:**

That is what they testified to.

**LEG. CILMI:**

Okay.

**MR. VAUGHN:**

That is what they testified to at the Public Safety --

**LEG. CILMI:**

Okay.

**MR. VAUGHN:**

So what we did was we looked at the form and we amended it slightly to make it a third party witness form, so that way we could change the procedure and how the form was implemented slightly, and that is it will now -- rather than just handed out like a deck of cards, they will be given to third party witnesses. This will cut down on the number of reports that are being -- the number of pieces of paper being handed out, the number that we are getting back, and it will make the report much more easier to attach to the record in those cases when we get it.

**LEG. CILMI:**

Okay. So -- I'm sorry. There's a lot of things going on next to me. I think I caught you correctly. So you replaced this form with another form?

**MR. VAUGHN:**

No, sir. All we did was amend the title of the form and how we're going to use the form slightly.

**LEG. CILMI:**

Okay. So the form remains.

**MR. VAUGHN:**

The form remains in existence.

**LEG. CILMI:**

The form remains the same to paraphrase.

**MR. VAUGHN:**

The form remains the same to paraphrase.

**LEG. CILMI:**

There may be somebody on the Legislature who knows what I'm getting at with that. Thank you. And the form remains the same, you just changed the title and now you're giving it to?

**MR. VAUGHN:**

To people who are a third party witness during a traffic accident.

**LEG. CILMI:**

And previously they were providing it to?

**MR. VAUGHN:**

Everybody and anybody. So, for example, they would be providing that form to both drivers as well, but what the Police Department testified to during the Public Safety meeting was that the information that would have been captured on the forms for the drivers was available on the other pieces of paper that are being handed out. So this is a -- basically a third redundancy.

**LEG. CILMI:**

So it was duplicative.

**MR. VAUGHN:**

It was duplicative. So -- but what we -- during the committee process, what was vetted through the committee process, was really there was a concern about the -- while the driver information is captured on the two forms, that there may be a gap that this form could continue to fill, which would be the third party witness.

**LEG. CILMI:**

Okay. All right. Thanks, Tom.

**P.O. GREGORY:**

Okay. All right. We have a motion and a second.

**MR. LAUBE:**

Who was the motion and second on that again?

**P.O. GREGORY:**

Legislator Browning and I second it.

**MR. LAUBE:**

Thank you.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1763 - Establishing an Anti-Graffiti Task Force (Muratore).*

**LEG. MURATORE:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Muratore. Was there a second?

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

By Legislator Hahn. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Did you call it? Tim, did you call it?

**MR. LAUBE:**

I did, 18.

**P.O. GREGORY:**

Ok, I missed it. Okay. *I.R. 1774 - Approving a temporary increase to the fleet for the Suffolk County Police Department's Narcotics Section at no cost to the County through the use of Task Force Reimbursement Funds (Co. Exec.).*

**LEG. CALARCO:**

Motion.

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

Second.

**P.O. GREGORY:**

Motion by Legislator Calarco, second by Legislator Schneiderman. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1781 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the purchase of Custom Fitted Ballistic Soft Body Armor Vests for the Suffolk County Auxiliary Police Program (CP 3517) (Co. Exec.).***

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco, second by Legislator Schneiderman. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Cosponsor. ***I.R. 1781A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$100,000 bonds to finance the cost of custom fitted ballistic soft body armor vests for the Suffolk County Auxiliary Police Program (CP 3517.510)).*** Same motion, same second. Roll call.

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

**LEG. CALARCO:**

Yes.

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

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. TROTТА:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. BROWNING:**

(Not Present).

**LEG. KRUPSKI:**

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

Okay. *I.R. 1760 - Amending Resolution No. 132-2014, creating a Tick Control Advisory Committee (Schneiderman).*

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

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Schneiderman.

**LEG. KRUPSKI:**

(Raised hand).

**P.O. GREGORY:**

Second by Legislator Krupski. Any questions?

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

Thank you for creating and extending it. It seems to be a work in progress. I don't think spraying the County for ticks is going to be the answer, but they seem to be open to exploring all remedies.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. 1764 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Rehabilitation of Various Bridges and Embankments (CP 5850).***

**LEG. KRUPSKI:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Krupski. I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. -- Bond Resolution I.R. 1764A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,000,000 in bonds to finance the rehabilitation of various bridges and embankments (CP 5850.327)). Same motion, same second. Roll call.***

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

**LEG. KRUPSKI:**

Yes.

**P.O. GREGORY:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

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.

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

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***J.R. 1765 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Reconstruction of Shinnecock Canal Locks (CP 5343).***

Motion by Legislator Schneiderman, second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Browning)

**P.O. GREGORY:**

***J.R. 1765A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$600,000 Bonds to finance a portion of the cost of the reconstruction of the Shinnecock***

**Canal Locks, Town of Southampton (CP 5343.314).** Same motion, same second. Roll call.

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

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

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

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:**

(Not Present).

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. 1766 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Strengthening and Improving County Roads (CP 5014)(Co. Exec.).*** Motion by Legislator Krupski. I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Who was the second?

**P.O. GREGORY:**

Me.

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Bond Resolution ***1766A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$1,000,000 in Bonds to finance the cost of strengthening and improving of County roads (CP 5014.355).*** Same motion, same second. Roll call.

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

**LEG. KRUPSKI:**

Yes.

**P.O. GREGORY:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

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:**

(Not Present).

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

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. 1777 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 11 - Selden (CP 8117)(Co. Exec.).***

**LEG. MURATORE:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Muratore, second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Browning)

**P.O. GREGORY:**

***I.R. 1777A (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$1,000,000 Bonds to finance the cost of construction of improvements to Suffolk County Sewer District No. 11 - Selden (CP 8117.313).*** Roll call. I'm sorry. Same motion, same second. Roll call.

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

**LEG. MURATORE:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MC CAFFREY:**

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. BROWNING:**

(Not Present).

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

Yes.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. GREGORY:**

***I.R. 1802 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 9 - College Park (CP 8163)(Co. Exec.)***. I'll make a motion.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Browning)

**P.O. GREGORY:**

***I.R. 1803 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 10 - Stony Brook (CP 8175)(Co. Exec.)***.

**LEG. HAHN:**

On the motion.

**P.O. GREGORY:**

Motion by Legislator Hahn?

**LEG. CALARCO:**

Second.

**LEG. HAHN:**

No.

**P.O. GREGORY:**

I'll make the motion, second by Legislator Calarco. On the motion, Legislator Hahn.

**LEG. HAHN:**

Gil. I know this is only calling for a hearing, but can you just explain to me the improvements of the facilities? Does this include any kind of leaching field?

**COMMISSIONER ANDERSON:**

This is part of the continuation of the existing work that's going on now, so this is some additional funding that's needed to complete the work. And this is, again, is just calling for a public hearing.

**LEG. HAHN:**

Right. There's no new leaching field in this.

**COMMISSIONER ANDERSON:**

No.

**LEG. HAHN:**

Thank you.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1804 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 14 - Parkland (CP 8151)(Co. Exec.).*

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco.

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1805 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 5 - Strathmore Huntington (CP 8115)(Co. Exec.).*

**LEG. SPENCER:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Spencer.

**LEG. KRUPSKI:**

Second.

**P.O. GREGORY:**

Second by Legislator Krupski.

**LEG. D'AMARO:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, to Commissioner Anderson if he's available. Commissioner, the bill calls for an increase, proposed increase. What type of increase is it?

**COMMISSIONER ANDERSON:**

Sorry.

**LEG. D'AMARO:**

It's all right.

**COMMISSIONER ANDERSON:**

This is 1805?

**LEG. D'AMARO:**

1805, Strathmore Huntington. It's just a public hearing, but it's a public hearing for a proposed increase and improvements.

**COMMISSIONER ANDERSON:**

It's improvements to the treatment facility. Project involves site evaluation, remediation of contaminated soil from an abandoned wastewater lagoon and the estimated cost is 500,000.

**LEG. D'AMARO:**

Right, but what's the increase?

**COMMISSIONER ANDERSON:**

The increase per?

**LEG. D'AMARO:**

Is that an increase in the charge to homeowners?

**MR. LIPP:**

It's ASRF funds, so in that case it wouldn't be.

**COMMISSIONER ANDERSON:**

It's stabilized, so they automatically get a 3% increase every annual.

**LEG. D'AMARO:**

Okay. So if the increase is more than 3% it would be made up by the fund.

**MR. LIPP:**

The actual funding, according to the resolution, would be not serial bonds, but rather from -- basically I guess a loan from the ASRF. It's unclear when it would have to be paid back. It would keep their taxes down, though.

**LEG. D'AMARO:**

But it's an increase in sewer rates?

**MR. LIPP:**

No, because the ASRF would hold it harmless. It's just basically a loan.

**COMMISSIONER ANDERSON:**

It stabilizes it 3% every year.

**LEG. D'AMARO:**

Right. But there is an increase in the sewer rate, but it's stabilized.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. D'AMARO:**

Okay. All right. Thank you.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1809 - Calling for a public hearing for the purpose of modifying the plan of service for Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126)(Co. Exec.)*. Motion by Legislator Kennedy.

**LEG. KENNEDY:**

Yes, yes, yes.

**LEG. CILMI:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

*I.R. 1815 - Appoint member to the LIPA Legislative Oversight Committee (Irving Like)(Pres. Off.)*.

**LEG. D'AMARO:**

Mr. Presiding Officer, please note my recusal on the record. Thank you.

**LEG. HAHN:**

Mr. Presiding Officer, same here, recusal.

**P.O. GREGORY:**

Motion by Legislator Muratore, I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn)

**P.O. GREGORY:**

*I.R. 1816 - Appoint member to the LIPA Legislative Oversight Committee (Lawrence F. Britt)(Muratore)*.

**LEG. MURATORE:**

Motion.

**P.O. GREGORY:**

Same motion, same second, same recusals?

**LEG. HAHN:**

Yes.

**LEG. D'AMARO:**

Same recusal, yes.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn)

**P.O. GREGORY:**

***I.R. 1817 - Appoint member to the LIPA Legislative Oversight Committee (Sheldon R. Sackstein) (Muratore).*** Same motion, same second, same recusals?

**LEG. D'AMARO:**

Same.

**P.O. GREGORY:**

All in favor? Opposed? Abstentions?

**LEG. D'AMARO:**

Recuse.

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn)

**P.O. GREGORY:**

***I.R. 1818 - Appoint member to the LIPA Legislative Oversight Committee (Frederick J. Gorman) (Muratore).*** Same motion, same second, same recusals. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn)

**P.O. GREGORY:**

***I.R. 1820 - Appoint member to the LIPA Legislative Oversight Committee (Peter Quinn) (Barraga).*** Legislator Barraga makes a motion, Legislator Muratore seconds. Legislator D'Amaro and Hahn recuse. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn)

**P.O. GREGORY:**

Okay. ***I.R. 1824 - Accepting a United States Environmental Protection Agency Grant and amending the 2014 Capital Budget and Program and appropriating funds in connection with construction of a portion of Suffolk County Sewer District No. 3 – Southwest, Outfall Replacement Project (CP 8108) (Co. Exec.).***

**LEG. D'AMARO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator D'Amaro.

**LEG. MC CAFFREY:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1842 - Authorizing the acquisition of land in connection with the acquisition of properties to be acquired for the reconstruction of CR 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York (CP 5526, Phase 2)(Co. Exec.).***

Motion by Legislator Krupski. I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1851 - Appoint member to the LIPA Legislative Oversight Committee (Joe Schroeder)(Pres. Off.).***

**LEG. HAHN:**

Recuse.

**P.O. GREGORY:**

Motion by Legislator Krupski. Second by Legislator --

**LEG. D'AMARO:**

Please note my recusal.

**P.O. GREGORY:**

-- Muratore. Recusals by Legislators Hahn and D'Amaro.

**LEG. HAHN:**

Thank you.

**P.O. GREGORY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Recusal - Legislators D'Amaro and Hahn). Can I get a check on the motion and second?

**P.O. GREGORY:**

Krupski and Muratore.

**MR. LAUBE:**

Thank you.

**P.O. GREGORY:**

Okay. I've been asked to take CN I.R. 1934, since it deals with Public Works we can get Mr. Anderson out of here, out of order. So I'm going to make a motion to take out of order ***I.R. 1934 - Calling a public hearing for the purpose of considering the proposed establishment of Suffolk County Sewer District No. 26 – Melville Huntington (Pres. Off.)***. Second by Legislator Stern. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Legislator Stern makes the motion to approve.

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

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. I'm just going -- we only have a few left, all right. We're going to get to you all, we're coming. All right.

**Ways and Means**

***I.R. 1756 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Marie K. Smith a/k/a Marie Ruller (Barraga).***

**LEG. BARRAGA:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Barraga.

**LEG. KENNEDY:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1761 - Approving payment to General Code Publishers for Administrative Code Pages (Pres. Off.)***.

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I make a motion to approve, second by Legislator Calarco.

**LEG. CILMI:**

On the motion.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

Do we need to continue to do this? Anyone?

**P.O. GREGORY:**

Mr. Clerk?

**LEG. CILMI:**

Anyone from the County Attorney's Office or the Clerk?

**MR. LAUBE:**

I didn't hear the question. I'm sorry.

**LEG. CILMI:**

Why do we need to continue to do this? Is anyone actually looking at General Code books any longer?

**MR. LAUBE:**

Well, we pay for more than just the books. Actually we have whittled the books down over the years. When I got here in 2006 there were dozens and dozens, maybe even 100. I would have to go back and look. We've actually parsed that down because we've encouraged people to use the online version. What General Code does for us is they manage that website.

**LEG. CILMI:**

Thank you.

**P.O. GREGORY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1769 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Brian E. Callaghan (SCTM No. 0400-025.00-03.00-007.000)(Co. Exec.).***

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion by Legislator Calarco. Second?

**LEG. D'AMARO:**

Second.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1770 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 The Nature Conservancy (SCTM No. 0600-030.00-03.00-030.000)(Co. Exec.)***. Motion by Legislator Calarco, seconded by Legislator -- I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***J.R. 1783 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Tristate Capital Holdings LLC (SCTM No. 1000-057.00-02.00-007.000)(Co. Exec.)***. I'll make a motion. Second by Legislator Calarco.

**LEG. KENNEDY:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

George, is this the one that I recused on? It's got a different caption. I recused on McCarthy and Zuk.

**MR. NOLAN:**

I don't know, John. I don't remember.

**LEG. KENNEDY:**

Yeah. Because this is a Southold Town property, that's the reason. The one I recused on was a Southold Town property.

**P.O. GREGORY:**

Yeah, I forget.

**LEG. STERN:**

John, it was 1794.

**LEG. KENNEDY:**

It was 1794? Okay. Thank you. Steve's just telling me no, it's not this one. Okay.

**LEG. STERN:**

That's on the Consent Calendar, not this.

**LEG. KENNEDY:**

Oh, all right. Good enough.

**P.O. GREGORY:**

There you voted for it. Cosponsor. All right.

**LEG. KENNEDY:**

I made my best efforts and screwed up anyhow. Add it to the list.

**P.O. GREGORY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1798 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Raymond Crump (SCTM No. 0900-140.00-02.00-072.000)(Co. Exec.)***

I make a motion to approve. Second by Legislator Schneiderman. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. We go to the manila folder. ***I.R. 1900 - Accepting and appropriating a grant award from the State University of New York (SUNY), for an Innovative Instruction Technology Grant (IITG) entitled, "Creating Mobile "Makerspaces" to support Experiential Learning", 100% reimbursed by State funds at Suffolk County Community College (Co. Exec.)***

Motion. Second by Legislator Schneiderman.

**LEG. HAHN:**

Oh, motion.

**P.O. GREGORY:**

I made the motion. All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***I.R. 1915 - Accepting and appropriating a grant in the amount of \$300,000 from the New York State Division of Homeland Security and Emergency Services for the State Law Enforcement Terrorism Prevention Program (SLETPP) FFY2014 with 100% support (Co. Exec.)***

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

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

***Procedural Motion Resolution Number 25 - Amending Procedural Motion No. 21-2014, setting land acquisition priorities in accordance with "AAA Program" requirements (Phase 2-2014)(Hahn)***. Motion by Legislator Krupski, second by Legislator Hahn. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. Go to the red folder. Okay. *I.R. 1334 - Directing the Department of Health Services to test groundwater for 1,4 Dioxane (Hahn).*

Motion by Legislator Hahn.

**LEG. KRUPSKI:**

Second.

**P.O. GREGORY:**

Second by Legislator Krupski. Any questions?

**LEG. KRUPSKI:**

On the motion.

**P.O. GREGORY:**

On the motion, Legislator Krupski.

**LEG. KRUPSKI:**

Can I ask a question of how extensive this testing is going to be?

**LEG. HAHN:**

Luckily we have Walter here.

**LEG. KRUPSKI:**

We do.

**MR. DAWYDIAK:**

Legislator Krupski -- Walter Dawydiak, Director of Environmental Quality. Our plan right now is to implement testing at non-community supply wells and private wells. Right now the public water supplies are being tested under the Unregulated Contaminant Monitoring Rule. This testing is not required for us. It is an emerging contaminant. We are concerned about it. Our goal is to make sure that anybody who's drinking the water knows whether Dioxane is in the water. It would be approximately 1500 to 2000 samples a year that we're talking about in the year 2015 out of our total quota of about 6,000 groundwater/drinking water samples.

**LEG. KRUPSKI:**

Thank you.

**P.O. GREGORY:**

Okay. Anyone else? No? Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

All right. *I.R. 1810 - Allocating and appropriating funds (Phase XII) in connection with the Suffolk County Downtown Revitalization Program (CP 6412)(Co. Exec.).*

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

Motion.

**P.O. GREGORY:**

Motion by Legislator Schneiderman.

**LEG. MC CAFFREY:**

Second.

**P.O. GREGORY:**

Second by Legislator McCaffrey.

**P.O. GREGORY:**

Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. ***I.R. 1810A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 in bonds to finance the cost of the Downtown Revitalization Program (Phase ZII) (CP 6412.320).*** Same motion, same second. Roll call.

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

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

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

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.

**P.O. GREGORY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. *I.R. 1910 - Authorizing the County Executive to apply for and execute an agreement related to New York Works II Environmental Restoration Project funding for the former Ronkonkoma Wallpaper Site (SCTM No. 0500-063.00-03.00-041.001) (Co. Exec.).*

**LEG. CALARCO:**

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Calarco. Second by Legislator D'Amaro. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

*I.R. 1947 - Declaring October 10th "Taiwan Day" in Suffolk County (Martinez).* Motion by Legislator Martinez.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco.

**LEG. BARRAGA:**

On the resolution.

**P.O. GREGORY:**

On the resolution, Legislator Barraga.

**LEG. BARRAGA:**

This October 10th day is in perpetuity. Once it's established every October 10th it will be the day of the Republic of China Taiwan Day in Suffolk County. I guess my question to the sponsor, does Taiwan have a specific day set aside for Suffolk County Day in Taiwan?

**LEG. MARTINEZ:**

I could inquire for you but we could make that possible.

(\*Laughter\*)

**P.O. GREGORY:**

Okay. Any further questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

I.R. 1950 -- authorizing execution of an intermunicipal agreement with the Town of East Hampton -- oh, we did this. I'm sorry.

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

Let's not do it again.

**LEG. KRUPSKI:**

Let's do it again.

**P.O. GREGORY:**

***I.R. 1944 - Authorizing the County to enter into the required Subrecipient Agreement with the Housing Trust Fund Corporation as required in the implementation of the NY State Community Development Block Grant Disaster Recovery (CDBG-DR) Program and to authorize the County to sign any and all documents required in the implementation of the program (Co. Exec.).***

**LEG. CALARCO:**

Motion.

**LEG. KRUPSKI:**

Second.

**P.O. GREGORY:**

Motion by Legislator Calarco, second by Legislator Muratore. There we go again, right? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

I'm getting tired. All right. *I.R. 1955 - To relevy certain unpaid taxes (Co. Exec.).*

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

Motion.

**P.O. GREGORY:**

Motion to approve by Legislator Schneiderman. I'll second. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. I'd like to waive the rules to lay the following resolutions on the table: I.R. 1942, set a public hearing for November 18th, 2:30 P.M. in Hauppauge, Public Works; I.R. 1943, Government Ops; I.R. 1945, Government Ops; I.R. 1946, Public Safety; I.R. 1948, Health; I.R. 1949, Public Safety; I.R. 1952, Economic Development; I.R. 1953, Economic Development; I.R. 1954, Ways and Means. Do I have a second?

**LEG. CILMI:**

Second.

**LEG. CILMI:**

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

**MR. LAUBE:**

Eighteen.

**LEG. KRUPSKI:**

Please, just for the record. Everyone's supposed to take a pumpkin home, and if you have children at home there's a bag by the door so please take one for every additional child, because if you have more than one child you can't take one pumpkin home.

***(Applause)***

**P.O. GREGORY:**

Okay. All right. That is our agenda. We stand adjourned. Thank you.

***(\*The meeting was adjourned at 7:34 p.m. \*)***