

**SUFFOLK COUNTY LEGISLATURE**

***SPECIAL MEETING***

**THIRTEENTH DAY**

***November 5, 2014***

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING  
IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM**

**725 VETERANS MEMORIAL HIGHWAY**

**SMITHTOWN, NEW YORK**

***Minutes Taken By:***

***Lucia Braaten & Diana Flesher - Court Stenographers***

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

*(\*The meeting was called to order at 1:03 p.m. \*)*

**P.O. GREGORY:**

Mr. Clerk, could you do the roll call?

*(Roll Called by Mr. Richberg, Chief Deputy Clerk of the Legislature)*

**LEG. KRUPSKI:**

Yup, here.

**LEG. BROWNING:**

Here.

**LEG. MURATORE:**

Here.

**LEG. HAHN:**

(Not Present)

**LEG. ANKER:**

Here.

**LEG. CALARCO:**

Here.

**LEG. LINDSAY:**

Here.

**LEG. MARTINEZ:**

Here.

**LEG. CILMI:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Yeah.

**LEG. TROTTA:**

Here.

**LEG. MC CAFFREY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. SPENCER:**

Here.

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

Here.

**P.O. GREGORY:**

Here.

**MR. RICHBERG:**

Seventeen. (Not Present: Legislator Hahn)

**P.O. GREGORY:**

Okay. If you'll all please rise, we're going to have the salute to the flag, led by Legislator Tom Barraga.

***Salutation***

**P.O. GREGORY:**

Legislator Barraga will introduce the West Islip High School Chorale, directed by the West Islip High School Choral Director, Ms. Nicole Morace.

**LEG. BARRAGA:**

Come on up. While the group is coming up, I just want to make one or two comments. As you can see, they're a very handsome group, and a talented one as well. If I had known they were all going to wear tuxedos, I feel like I'm a little underdressed here, but I'll make the best of it.

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

The group of students joining us today are the West Islip High School's most advanced Choral ensemble, the Chorale. Many of the students are in more than one performing ensemble. They are members of the Tri-M Music Honor Society because of their high level of musicianship, academic success, and commitment to community service. In the past, members of this group were invited to perform at Disney World. Several of these students will be performing in the All-County and All-State Musical Festival this winter.

Today, this talented group of dedicated musicians will be singing for you the Star Spangled Banner, as arranged by Darmon Meader, and conducted by Ms. Nicole Morace, Choral Director of the West Islip High School. Also in attendance today is Mr. Eric Albinder, Director of Arts and Music Education in the West Islip School District. Ms. Morace, it's all yours.

***(The West Islip High School Chorale performed the Star Spangled Banner)***

**LEG. BARRAGA:**

Thank you. That was beautiful.

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

It is a pleasure to have with us today the Reverend Craig Thomas Robinson, Jr., who is new to Long

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Island, having recently been appointed Pastor of the Bethel AME Church in Bay Shore. Previously, Reverend Robinson was the Pastor Resident at the historical Charles Street AME Church of Boston. Reverend Robinson is a graduate of Morehouse College in Atlanta, where he earned a Bachelor of Arts Degree in History. While at Morehouse, Reverend Robinson was a dedicated Vice President of the world renowned Morehouse College Chapel Assistance Program in the Martin Luther King, Jr. International Chapel. Following undergraduate studies, Reverend Robinson attended Yale Divinity School, where he obtained Master of Divinity and Master of Sacred Theology Degrees.

I learned a long time ago, especially in the State Legislature, you can learn a great deal from people in the clergy, from men and women in the clergy. They are terrific speakers. I think you could probably name several that you've seen on television over the years. And I heard Pastor Robinson speak several weeks ago at a Chamber of Commerce meeting. And I was sitting there and I'm saying to myself, you know, he sounds -- he sounds just like, and he does when he gives a presentation, not an invocation, he sounds just like DuWayne Gregory. So, in spite of that, I invited him anyway.

*(\*Laughter\*)*

Reverend Robinson.

### **REVEREND ROBINSON:**

Thank you so much. In these few moments, won't you center with me in a few moments of silence.

Our Father, our Mother, our Friend, once again, dear Creator, you have elected to surprise us with one more day; one more day to live, one more day to love, one more day to remember, to dream, to hope and to build. In the stillness of this moment, we acknowledge the life that is in us and all around us, and we are grateful for this gift, and for this we give you praise. And we also acknowledge the anxiousness of life, and lift up the cares and concerns of your people. We lift up the panic of fear, the torture of insecurity, the ache of hunger in our nation, and even in our communities. And we confess that in moments of anxious existence, we are led to engage in self-centered maneuvering. We confess that we are proud, shortsighted, and have done much to harbor bitterness in this world. Forgive us all of our sins against our neighbor by what we have done and by what we have left undone.

As we sit in your presence, Great Spirit, fully aware of your holiness, search our hearts, and ignite our spirits anew, so that the work of community-building can commence. Fill the minds of these Legislatures -- Legislators with wisdom and understanding. Grant them guidance and show them the way that they should go. Order their steps in these moments of conferencing and decision-making towards the goal of equality, peace and abundant life for all the citizens of this region.

In the hands of these men and women in power, be strengthened in the common task of seeking to build a more just, fair and friendly world, of friendly people under a friendly sky.

Eternal Friend, hear our simple prayer which we share this afternoon in thanksgiving, joy and confidence. Amen.

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

If you'll all please remain standing for a moment of silence. Let us also remember all those men and women who put themselves in harm's way every day to protect our country. And this year on Veterans Day, let us recognize the service of our veterans, and renew our national promise to fulfill our sacred obligations to our veterans and their families, who have sacrificed so much that we can live free.

*(\*Moment of Silence\*)*

Okay. Thank you all for being here today. Before we get started, I would like to take a moment to congratulate our colleague in his election as Comptroller-elect. I look forward to working with him, you know, collaboratively next year as our Comptroller, and for the benefit of all Suffolk County residents. Congratulations, John.

**LEG. KENNEDY:**

Thank you, Mr. Chair.

*(\*Applause\*)*

Thank you very much.

**P.O. GREGORY:**

Thank you.

**LEG. D'AMARO:**

A motion to defund Comptroller's Office.

*(\*Laughter\*)*

**LEG. KENNEDY:**

It's going to be interesting being on the other side.

*(\*Laughter\*)*

**P.O. GREGORY:**

Okay. I have to read the Special Meeting notice. This Special Meeting is being held pursuant to Section 2-6(B) of the Suffolk County Administrative Code for the following purpose:

One, there will be a one-hour Public Portion.

Also, to consider and vote on budget amendments to the Mandated and Discretionary portions of the proposed 2015 County Operating Budget.

Three, to consider Certificate of Necessity for I.R. 1994-2014, amending the 2014 Capital Budget and Program, and appropriating funds in connection with the purchase of protective gear for the Fire, Rescue and Emergency Services, which is Capital Project 3518, and the accompanying bond resolution.

And to lay certain bills on the table as set by public hearings.

Okay. Notice is read. We'll start off with the presentation by Robert Lipp and the BRO Office. Also, I want to thank BRO for all their efforts in the budget process, as well as my colleagues on the Budget Working Group. You know, putting together the budget is never an easy task, and I thank you all for your patience, and your diligence, and all your hard work. And I'm proud of the budget that was put forward. Not everyone is 100% happy with everything, so that kind of tells me it's just about right. But I think it's something that we can be proud of. We're certainly -- we're not out of the darkness of the fiscal abyss that we've seen since 2008, but we're certainly, I feel, heading in the right direction, albeit slowly.

So, Dr. Lipp, I will give the floor to you.

**MR. LIPP:**

Thank you. So what I'm going to do is a brief overview of the Budget Amendments Number 1 and 2, which are the omnibus resolutions. Budget Amended 1 is mandated; Budget Amendment 2 is discretionary. And I'm going to give you just a brief overview, not a summary of the index, but, rather, I'll categorize things into four categories here.

So, first I'll talk about addressing budget shortfalls, which portions of the omnibus do that. Enhancing services will be next, then recognizing budget surpluses, that is where the Working Group decided to increase revenues and reduce expenditures. And lastly, a category called "other".

So, without further ado, addressing budget shortfalls, there were four categories here. First, what we did is we reduced projected revenues where we thought they were too high, in particular for red light camera fines, and for Clerk fees were most of that, and that came to about \$4.3 million.

Next, what we did is the next two items, we reduced revenue, or we increased expenditures mostly for debt service. In part, we had the benefit of the most recent serial bond, which the recommended budget did not have. So we saw that even the revenues related to premiums on debt, or the expenditures themselves were -- needed to be adjusted, so that came to a total of \$2.8 million that we added -- we had to add to the budget.

Then, lastly, there were -- there's a same category of, and I won't go over it, just other stuff that related to addressing budget shortfalls. So other things being equal, if this was the only thing we did, we increased the size of the budget, or we created a deficit of seven-and-a-half million dollars. What we did do, though, is we balanced everything. There was no net increase or decrease in property taxes from recommended to adopted.

Okay. The next category would be Enhancing Services. So what we did with Enhancing Services, there was a large category of either increasing permanent salaries or creating positions. First, what we did is we -- in order to maintain staffing levels, there were certain areas where the funding for permanent salaries was below what would be needed to pay for existing positions. And, also, there were a couple of areas where we felt we needed to guard against increases in overtime, so we made a few increases there. In addition to that, we increased staffing for some pointed specific service areas, in particular for public health Sanitarians, because that was a problematic area, at least in terms of what the Working Group felt was a staffing shortfall area. We also added a Public Health Sanitarian Trainee, Spanish-speaking. In addition, we funded two -- I'm sorry, one vacant Veterans Service Officer, and we created -- and we created and funded two new -- two new Veteran Service Officers. In addition to -- so what we did is as a service enhancing there, the area of veterans services.

Next, in the Sheriff's Office, we created and funded a Caseworker related to post release case management, to better, I guess, improve on the recidivism rate for the jail.

After that, in the area of Health, we added and funded a Chemist in Public Health -- Public and Environmental Health Lab, and an Entomologist to start a tick program.

In the Treasurer's Office, we created and funded a Clerk Typist to assist with the backlog of tax grievances that we've spoken about in the past to -- in order to be able to reduce that backlog, which would reduce interest expenses, and, therefore, would reduce expenditures on the tax warrant.

And lastly, we created four new Junior Assistant District Attorney positions as -- at the behest of the District Attorney. There was apparently a shortage in that area.

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We -- next, what we did in the same area is we increased a net of contract agency funding of \$358,000, with an emphasis on youth programs, drug treatment outpatient programs, food pantries, Megan's Law, domestic violence, and there were two Touro College programs for legal support, one for child support enforcement, and the other for assistance for the elderly.

We also, in terms of service enhancement, increased the bus fares, just the full fares, not students, or seniors, or disabled, just the full fares on lines that were not at 2.25. We increased them from two to 2.25, and that money would be sort of a neutral impact. Public Works will vet this out, and the intention is to use that funding to expand Sunday and evening bus service.

Lastly, there were a couple of Police District programs that were funded in the area of contract agencies for youth, high risk intervention programs, and that was \$100,000. And, lastly, for \$20,000, we added some money for carbon monoxide detectors for Police District.

Okay. Now, in order to pay for all of that, we recognize budget surpluses; that is, we increased revenues or decreased expenditures in a variety of areas to pay for those areas that we noted that we either filled holes, or took advantage of Legislative initiatives to enhance services. And the funding we got, which totaled 9.4 million, the majority of it was a little less than 5 million associated with increasing the sales tax by an eighth of a percent growth in each of 2014 and 2015 from the recommended level.

Next, we received information from the Treasurer's Office. They revised their estimate on 2014 property tax revenue collections, and we, as a result of that, increased property taxes by revenue that we would recognize by 820,000. There was a small increase in revenue associated with airport fees and rents, and also interest earnings in the General Fund to the tune of \$395,000 that we were able to recognize. In addition to that, what we did was we reduced expenditures in DSS related to State billing backlogs to the tune of \$2 million. We increased a variety of other areas by 719,000 for a few different areas, which I won't go into specifics unless requested. And lastly, we eliminated certain positions and selectively reduced permanent salaries in a few different areas to the tune of \$540,000.

In terms of the other category -- almost done. Almost done, hang in there, then we'll take questions if asked. We had a couple of Resolved Clauses, in particular, related State-enabling legislation, no money in the budget; that is, that we would -- that we should consider State-enabling legislation to receive some recurring revenue by increasing the motor vehicle registration surcharge. Nassau charges more than us, for instance. And we could receive as much as -- well, approximately \$10 million if we go up to Nassau's level. Similarly, with pistol licensing fees, Nassau, as well as New York City, has much higher pistol licensing fees, so there is a Resolved Clause, two Resolved Clauses actually, in the omnibus resolution seeking State-enabling legislation, or at least considering it. Then there were several areas where what we did is we recommended minor changes in the budget, simply for better presentation, to make it more -- the budget document that is, to make it more transparent and accurate, minor things there.

So that was a quick overview of the big-ticket areas. Didn't go into any specifics, so if you'd like me to, I will do my best.

**P.O. GREGORY:**

Okay. Thank you, Robert. Anybody have any questions?

**LEG. KENNEDY:**

(Raised hand).

**P.O. GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Robert, you and I have -- first of all, you did a great job with the Budget Working Group. And having had the opportunity to sit in and be a part of it, and among the many things I've gotten to do as Legislator, I think I'm going to miss that the most, being able to sit there and go hour after hour after hour through what we have in the budget. But, you know, all kidding aside, for a whole variety of reasons, I'm pretty keyed into what sales tax projections are, having heard an awful lot about it in many different places.

You and I talked quite a bit about what my sense was as far as what we might realize in 2015, and you gave me what, as an economist and an expert in this area, your sense was. I went so far as to actually introduce a stand-alone. And I'm going to ask my colleagues to at least possibly consider that before we go to the Omni, because a little bit of what I've seen and what I've read as recently as the Federal reserve projections here in October, do not look like they're talking about a 4.875% sales tax growth in 2015. So can you talk a little bit about that, please?

**MR. LIPP:**

Okay. So, first, to make things clear, I don't think the Fed was talking about Suffolk County sales tax growth rates. Okay. That being said, so we have a fairly sophisticated model, and we did say in the review that we -- you know, there is a forecasting error that makes it problematic to actually hit it on the head. And for every 1%, plus or minus, you have over \$13 million swing either way, and that is a 1% change in the growth rate.

We also did say that there is no statistically significant difference between what's in the recommended budget for the sales tax growth rates and what -- how our forecast projection was. That being said, we did forecast a quarter percent higher in each of 2014 and 2015 than the recommended budget; that is, the recommended budget had 2.75% growth for this year and 4.75% next year. In our review, we projected that it would be -- it would not be 4.75, but 3% even, and not 4.75 next year, but 5% even. That being said, the Working Group decided to go halfway, that is increase it not by the quarter percent growth rate, but by an eighth a percent growth rate. So it would be two-and-seven-eighths and four-and seven-eighths is what's -- what's in front of you is part of the omnibus resolution.

Part of the explanation for why we're observing the growth rates that we're projecting is the way the cash comes in, which is -- which is we're observing that the growth rate is going to be higher for a couple of reasons. Number one, the way the economy is improving, we see it especially strong in the fourth quarter and the first quarter, and then to start to slowly decrease the growth rate after that. And at the end of the day, that translated into the growth rates that we were projecting, number one.

Number two, if you look at how the cash comes in in terms of the adjustments, and this is the hard part, there are a lot of adjustments in the cash that make sort of a disconnect between the actual consumer spending and what we receive, and we -- and the way we projected that, it looks like we will do better than we did in the fourth quarter last year compared to this year. We should do better because we had a weak fourth quarter in terms of adjustments last year, ditto with the first quarter next year.

**LEG. KENNEDY:**

The ability to project and the ability to go ahead and do it based on some logic and some sound principles is important, but one of the things we talked about is what, in fact, we've actually realized -- I don't know, whenever we talked about it last. Maybe it was like a week or two weeks

ago, as far as actual sales tax increase in 2014 year-to-date, and my recollection is that we talked about a 1.9% actual increase.

**MR. LIPP:**

I could speak to that. If you give me one second, I'm going call up the file.

**LEG. KENNEDY:**

Okay.

**MR. LIPP:**

So we just got another check today, and I'll be the first to admit, I hate to look at just one check for the month. But in spite of that hatred, I'm going to speak to it.

So where we're at right now is we have a very strong one check. As you said, last time we spoke at the end of the quarter, we were year-to-date 1.9%. Now we're at 2.28%, almost 3% -- no, almost 2.3%. And if we continue for the rest of the quarter at a growth rate after this first check, that is of the quarter at 4.85%, we'll come in as we're expecting.

And, as I said before, since our view of the economy is it will be improving, labor markets picking up as an example, since it will be improving, we see the 4.8 -- and also the adjustments work in our favor, we see that happening, number one. Number two, I think what's important to note, too, is sales tax is just a part of the budget and we do budget projections, and we actually speak to those budget projections in April, is what we did last. And the way I look at the budget is, the whole thing, not just sales tax, as a probabilistic model. So is there a chance that sales tax will not come in on target? Of course. But we know there are certain things, like, for instance, with the debt service, that it will 100%, it won't come in. Okay? We had to change those.

So what we're looking at here is, at least from a budgeting point of view, my preference would be I'm more than willing to take the risk, if that's what you want to call it, that it's not 100% likely that this will happen, and -- but a high probability, and, therefore, take that money and fill holes that I know are a much higher probability of happening. That being said, not all of the money will be sprinkled towards filling holes, but, rather, some of it will go, which -- you know, which is part of the negotiating process, will go towards Legislative initiatives.

**LEG. KENNEDY:**

I don't want to keep going on this. We could probably talk all afternoon, and that's not fair to my colleagues. But I guess the last thing that I'll just ask, then, so 2.3% with the check you received, yet the Omni contemplates a 3% increase here in '14, and we're talking about achieving that in the last quarter. Just so that I make sure that I understand, last quarter means November, December, and January of '15, or just the balance of November and December of '14?

**MR. LIPP:**

Through January, plus a little over a half of February, we accrue back a little over half of February's receipts to the previous year.

**LEG. KENNEDY:**

So the answer is this quarter is going to run through the end of January 15th?

**MR. LIPP:**

The answer is it's going to run through about -- over 50% of February '15.

**LEG. KENNEDY:**

Okay. All right. I'll yield.

**P.O. GREGORY:**

Okay. Legislator Browning.

**LEG. BROWNING:**

Okay. Again, I'd like to say thank you to the Working Group for the work you do, and also to our Budget Office, because it's kind of like we have a quarter and we need to spend a dollar. And I know tough -- times are tough still.

But I do have a couple of questions. I don't know if anybody from the Administration can answer some of it, too. It's not necessarily just for our Budget Office. A couple of things that I'm interested in was the hiring of the three Probation Officers or Probation Investigators, Probation Officers and the Psychiatric Social Worker. I like the program. I think it's -- it will be helpful. But a couple of questions.

I see there was \$500,000 for the contract agencies. I'm just curious when the Administration plans to roll this out. And is there going to be RFPs for the contract agencies? And, you know, I'm just curious if the 289,000 is sufficient for the salaries for those seven employees. So I don't know if anybody can respond from the Administration on the program, the County program. Nobody? Okay.

**MR. VAUGHN:**

Good afternoon, Legislator Browning. How are you?

**LEG. BROWNING:**

Good, thank you.

**MR. VAUGHN:**

I'm sorry. Could you do me a favor and repeat the question?

**LEG. BROWNING:**

Okay. The Probation, there's a new Comprehensive Alternative to Incarceration Program, where it requires -- oh, good. I guess the guy who knows the answer is here.

**MR. VAUGHN:**

Are you implying that I am not the guy who knows the answer to this question?

**LEG. BROWNING:**

Tim is right behind you.

*(\*Laughter\*)*

**MR. VAUGHN:**

I see him. I felt him walk in. He just has a presence about him. I'll turn it over to Mr. Sini.

**LEG. BROWNING:**

Do I need to repeat, Tim, or --

**MR. SINI:**

I may have missed the end of some of your questions.

**LEG. BROWNING:**

Okay. There are seven new titles for this CATI Program, and \$500,000 for contract agencies,

so -- and I see 289,000 for salaries. I just want to make sure that's a sufficient amount of money for the salaries for seven employees, a Psychiatric Social Worker, three Probation Officers and three Probation Investigators. I see also 500,000 for the contract agencies, and I'm wondering is that -- are we going to use just contract agencies that we currently have, and then enhance their budget, or are we going to putting out RFPs?

**MR. SINI:**

For the positions, for the half a million dollars, that's going to be RFP'd. And, generally, the idea is that as we divert people out of the jails, we're going to have to provide more services. And we're looking at in particular substance abuse service providers, mental health service providers, and job -- service providers that deal will joblessness, and that's, of course, because those three things are the main contributors to criminality. It may be that we expand existing service providers. It may be that, through the RFP process, we bring in new service providers. The specifics I think should be worked out through the CJCC. So, as we pilot programs, I think the CJCC needs to work with the Legal Department and put out the appropriate RFP.

**LEG. BROWNING:**

Okay. And when do you expect to roll this out? I mean, obviously, the less people we hold in our jail cells and the more probation we get, the better.

**MR. SINI:**

That's right. I mean, we want to move as soon as possible. We've started the pilot program already, we started last Monday. This pilot program was focused on supervised release. It made personnel, plus structural, changes to supervised release, with the idea to increase the amount of people enrolled in the supervised release program. We're targeting low bail defendants, essentially defendants who are kept on -- kept in jail on relatively low amounts of money. These are people who tend to be on the border in terms of the Judges' minds. You know, if they were supervised and monitored, I'd feel comfortable, but I certainly do not feel comfortable putting them out with nothing.

So we've designed a program where Probation now is going to be recommending, specifically recommending supervised release for certain defendants, which is a change in the past, where they just passed on eligibility. And we're going to be doing that recommendation at the outset, which is where those ROR Investigators, the Probation Investigators are going to become key. And we also need additional Probation Officers to supervise the people, the increased number of defendants who will be put on supervised release. And that's a long way of saying the more people we put on supervised release, the more services we're going to have to provide, because these people can't just -- they're not just going to be supervised, they're not just going to be monitored, they're going to have to enroll in programs that deal with the underlying problems that have led them to crime to begin with, whether it be substance abuse, mental health, or joblessness, or a combination of the three.

So I anticipate that perhaps the first RFP would be in connection with providing additional services to the increased number of defendants going on supervised release. And I should report that just in the one week we've been piloting this, we have seen an increase in the amount of defendants put on supervised release.

**LEG. BROWNING:**

So early part of next year you're going to be having this roll-out?

**MR. SINI:**

Oh, I hope so, yes, yes.

**LEG. BROWNING:**

Okay, that's good to hear.

**MR. SINI:**

And one way we're going to be doing it, and I was actually going to reach out to you in the very near future about this, is to create working groups within the CJCC. The CJCC is a great body to deal with criminal justice reforms, but I think it's best that we really get into the nitty-gritty on this stuff, and smaller groups within the CJCC may be the more appropriate route to go.

**LEG. BROWNING:**

Well, I'd appreciate it. I have one more Probation question, but I'm not sure if you can answer this one. I've been hearing that our Principal Accountant might be retiring next year. I actually tried to reach out to her to confirm it, but I'm hearing that it's pretty definite she's leaving. So she's pretty much our only budget person in Probation. So I don't know if I saw -- is there a plan to hire anybody to replace her, bring them in before she actually retires? Because I can't see having a person coming in to replace her and not having any kind of training time or ability to know what's going on before the Senior Accountant -- the Principal Accountant leaves. Do you have any information on that?

**MR. SINI:**

I apologize, Legislator, I don't have any real knowledge on that topic. I can certainly reach out to the Director of Probation and get back to you on that as soon as possible. I can make a phone call now, if you'd like.

**LEG. BROWNING:**

That -- yeah, that would be nice, because, again, I can't see -- we've only got one budget person in there, and to throw somebody in there as she leaves, I don't think that's going to be doing the Department any good. Budget Review, Robert, do you have anything on that?

**MR. LIPP:**

In terms of when that person will be hired? That's totally up to the County Executive.

**LEG. BROWNING:**

Right, right. But we have money in the budget for that position, right?

**MR. LIPP:**

We did speak to it, yeah. There is --

**LEG. BROWNING:**

Yeah.

**MR. LIPP:**

-- I believe some money, but it's up to the County Executive whether they want to hire.

**LEG. BROWNING:**

Okay.

**MR. LIPP:**

The person that's in that position is highly able.

**LEG. BROWNING:**

Okay. You know, there's a few more issues. I also want to say thank you to the Working Group, because I see that -- I know that the budget was only allowed for, I believe, a class of 40

Corrections Officers, but there's actually enough money there to hire 60. But I believe that's still kind of leaving us low on the Commission of Corrections' mandate. And that's one of my concerns, is that if we don't have enough Corrections Officers, and we lose our variances, it ultimately is going to cost us more money. So what are we doing? I mean, are we having conversations with the Commission of Corrections? Is he okay with this number, or new classes? Because we're going to have a lot of retirements, and I know they're waiting to resolve a contract, which could be another issue, is once -- you know, generally, when the guys get a new contract, and the women I should say, when they get a new contract, you might see more retirements. So, you know, are we going to be prepared for possible increase number of retirements if we resolve a contract next year? And, you know, the Jail Medical Unit is in full operation. The Commission of Corrections is requiring that we have more COs because of that. So how confident are you that we're going to be properly staffed and adequately staffed in the jail and not lose variances?

**MR. SINI:**

In terms of the staffing and the labor issues involving Corrections Officers, that's outside my areas of expertise. I can say, though, that the Administration, along with the Sheriff, has been in contact with the COC regarding variances and the mandate for the -- for new construction, for new jail construction. And we've been working very closely with the Sheriff in having those conversations, which is a good thing.

In terms of the specifics regarding the Corrections Officers, I can't speak to that.

**LEG. BROWNING:**

Okay.

**MR. SINI:**

I don't know if --

**LEG. BROWNING:**

I guess nobody can. That's okay. I appreciate you giving me the information on Probation. I'm happy to see that program rolling. I think it's a great idea.

**MR. SINI:**

Yeah. I think we should be very aggressive with it. And what's nice is that there's a real consensus when we have these conversations, as you know, because you've been involved in many of them. There isn't a debate about whether or not it needs to be done, it's just a matter of, you know, what's most effective, and, you know, the details of how to get it done, which is good.

**LEG. BROWNING:**

Okay. Maybe Robert, or anybody that was on the Working Group, DuWayne, we -- you know, we used to have a Salary Contingency Fund, and we have four bargaining units who still do not have a contract. Hopefully, that can come. Robert, I believe no Salary Contingency Fund anymore, it's -- pretty much, it's zero, correct?

**MR. LIPP:**

Correct.

**LEG. BROWNING:**

So I don't know if the Administration can respond, because I know that we have had -- the Deputy Sheriffs came to talk about the \$4 million, and we have four contracts that have yet to be negotiated, and I'm assuming there will be salary increases. And what's the Administration's plan if they resolve all four contracts by the --

**P.O. GREGORY:**

Kate.

**LEG. BROWNING:**

In 2015?

**P.O. GREGORY:**

If you could suffer an interruption.

**LEG. BROWNING:**

Sure.

**P.O. GREGORY:**

We still have to get to the Public Portion.

**LEG. BROWNING:**

Oh, okay. I forgot about that.

**P.O. GREGORY:**

Yeah. And I wanted -- I really wanted the public to have the benefit of BRO's presentation, but I didn't want to get too far into the weeds.

**LEG. BROWNING:**

Okay.

**P.O. GREGORY:**

So we could go through that.

**LEG. BROWNING:**

Okay. Then I'll hold off.

**P.O. GREGORY:**

We only have three cards, and then we'll come back to you.

**LEG. BROWNING:**

I figured, you know, there was no cards, being that we were --

**P.O. GREGORY:**

No, there are.

**LEG. BROWNING:**

-- having a discussion. Okay. I'll wait. I'll go back to that question later.

**P.O. GREGORY:**

All right. Thank you. So we're going to go to the Public Portion. The first speaker is Steven Couzzo.

**MR. COUZZO:**

Good afternoon, everybody, Ladies and Gentlemen of the great Suffolk County Legislature. Truly a privilege to be here today and speak with you, and all the attendees. My name is Steven Couzzo. I'm a founder of an advocacy group for the disabled, I am disabled myself and legally blind, visually impaired, called Americans with Disabilities Awareness Movement. We are the disabled in the community, in your communities and your counties. We'd like to thank you first for all the County's efforts. It's well known to us through the 501 charities and the not-for-profits, and all the aids we

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get for, you know, reconstructing our lives after dealing with, you know, life's challenges that you support, the great help, and thank you for that. You know, your efforts are well-known to us and appreciated.

Our goal is to bring face-to-face encounters and meetings with the Legislators and the politicians, townships, and the counties, and the State levels. So to get an idea of who we are, you know, what we're able to do. Most of us have been trained to go back into some type of work ethic and contribute to our communities.

Since we are not a 501 or a not-for-profit, we ask for no budgetary -- we ask for no legislation. We like to liaison with the politicians and the officials in our communities to get them aware of what's going on in the community, in the disabled community. Some great stories, kind of like you see on Channel 5, of great people who -- selfless people who give of themselves, that are not disabled, for the disabled community, and the disabled people that reach out to make a difference in our communities. And that the demographic of -- I was over at the Department -- Suffolk County Department of Labor, 300,000, I believe the number was, of disabled in Suffolk County, and the percentage of unemployed is 75% plus, which is -- you know, could be worked on. But, you know, a lot of that has to do with awareness and knowing what our capabilities are, what we're willing to do. And most of us are just willing to -- you know, want to just go back and contribute to our communities in whatever capacities that could be. Private sector is one thing, and the civil sector, the State, the County and the Townships, they're helping, trying to put us back into usable, you know, contributing people in our communities, is really what we want, and that's our goal. Like I said, usually when we go in meetings, and we've met with a couple of -- couple of the County Legislators.

**P.O. GREGORY:**

Mr. Cuozzo.

**MR. CUOZZO:**

William --

**P.O. GREGORY:**

Mr. Cuozzo, I'm sorry, your time is expired, if you could please wrap up.

**MR. CUOZZO:**

Well, thank you for your time.

**P.O. GREGORY:**

Thank you, sir. Okay. Next, I have Margaretha Maimone. Did I pronounce that correctly? Maimone.

**MS. MAIMONE:**

Thank you for allowing me to speak to you today. I will speak to you about the arts. I am Margaretha Maimone, Director and founder of the nonprofit concert series, Ridotto Concerts With a Touch of Theater. I am a concert violinist, a theater professional and a writer. We have been presenting concerts in Huntington since 1992, when I emigrated Amsterdam, The Netherlands, I guess that gives me away here, I brought with me the concept of concerts with a touch of theater. What I could not bring with me was the generous funding of IBM Europe.

Allow me, please, to highlight a few key aspects of our unique concert series. Ridotto Concerts With a Touched of Theater are designed around a theme, which means that music shares the stage with any arts that is relevant to the theme of the concert. Strong chamber music of all centuries enhanced by anything, by dance, by pas de deux, by film, by poetry, literature. Even marionettes

have served in a Spanish program.

Ridotto concerts are truly a feast, as they should be. Ridotto attracts a wide range of performers, world class musicians, and fabulous local artists and instrumentalists. In Suffolk County, Ridotto collaborates with ballet groups, with poets, with universities, and certainly with Stony Brook University, but also with Suffolk Community College, which has an outstanding costume department, but with choirs and theaters as well.

On the other side, off stage, we work together with youngsters, troubled youngsters, often who take on tasks in nonperforming aspects. We pay them well, and we're quite proud to incorporate them in our organization.

The New York Times called Ridotto concerts adventurous and new. But we liked Newsday even better, because they called us egalitarian. You see, you don't need a PhD to enjoy classical music concerts. You don't need anything else than just simply great curiosity. Anyone can join for a fair ticket price and enjoy once a month a fascinating, beautiful concert.

I'm standing here today asking your help. Your decision will mean expansion of local collaborations, especially in troubled South Huntington. It will also need -- help renew energy to continue hard work in presenting concerts. Your help will also mean the calming of our perennial fears, that programs need to be adjusted for financial reason.

Ridotto concerts truly are a feast, and as the Ridotto Director and founder, I have every intention to add many great programs for years to come.

**P.O. GREGORY:**

Ms. Maimone, your time is up. The curtain call is --

*(\*Laughter\*)*

**MS. MAIMONE:**

Thank you. Thank you very much.

**LEG. SPENCER:**

No, thank you.

**P.O. GREGORY:**

All right. Thank you. Sorry for the pun. All right. Dan Farrell. Dan, where's Dan? There he is.

**MR. FARRELL:**

Good afternoon. I hope everybody's recuperated from last night. I'd like to wish a congratulations to Legislator Kennedy, who just walked out of the room, I guess. But congratulations to Legislator Kennedy.

I was here two weeks ago for the Budget Committee, and I handed out my analysis, which I'll be rehanding out here again. I just want to say that I'm very disappointed once again for probably the eighth year running. I've come here asking for a General Fund tax increase and there is no General Fund tax increase. It's very disheartening.

Back in 1995, the General Fund collected \$104 million, and, as we know now, it's down to \$49 million, and that just doesn't cut it. And I've had conversations with most of you on the Legislature about this, and I know you have a 2% cap, and 2% of \$49 million is \$1 million, I can do that math. But maybe we can take a page out of the Sewer Tax Fund, where automatically there's

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a 3% increase every year. And if we'd had done that over the last ten years, our budget would be a lot easier to work with. We'd have a lot more funding to deal with these issues.

And since 95, we've had a dramatic decrease in positions filled overall in the County. There were 13,000 filled positions; now there are 9500. So what does that mean? That means to all of us who work for the County, we're doing a lot more with a lot less. And the members are really working hard to try and get their work done, but when you're down 4500 people, 3500 people, it's difficult to get the work done.

One thing that did come out of the committee meeting was -- there's a performance team here, and what I'd like to know is let's set some benchmarks for that performance team to see if we're meeting them or not meeting them, because that's what we need to do here. Because if we're not getting the job done, then maybe, just maybe, we need to find money somewhere and hire more people. Thank you very much.

**LEG. KENNEDY:**

Mr. Chair.

**P.O. GREGORY:**

Thank you, Dan.

**LEG. KENNEDY:**

Mr. Chair.

**P.O. GREGORY:**

This is Public Portion.

**LEG. KENNEDY:**

Oh, fine. When we get out of Public Portion, I do just want to recognize AME. Thank you.

**P.O. GREGORY:**

All right. Thank you, Dan. All right. Sean Collins.

**MR. COLLINS:**

Every one of you here was an awkward teenager at some point, I was no exception. At the time, I spent all my free time with my best friend, hanging out at his house, going to the mall, just driving around wasting time. The only difference between my experience and probably yours is that I was growing up gay. And when my best friend's parents found out that we were a couple, they pelted us with rocks in the driveway and kicked us out of their home, and he was never welcomed back again. That's the sad reality of what it is to be growing up gay on Long Island, still to this day. Things haven't changed much, and, unfortunately, we have very few services on Long Island to help deal with issues such as, you know, problems at home, bullying in school, HIV and AIDS infection rates, which are skyrocketing in our community. We only really have one outlet to turn to on Long Island, and that is the Long Island GLBT Services Network. They are a tremendous organization that, you know, even during my time as a youth, they were there for me. They sat down -- the current Executive Director was actually one of the only people working there at the time. He sat down with my parents, helped them through understanding what it meant to be parents of a gay child, helped us, you know, all work together to grow together as a family, and they still are there today to help all the new kids going through the same issues I went through. It's crucially important that this body continues their commitment to expanding -- expanding rights for everyone, to protecting underserved communities, and that they continue -- that you all continue to support and fund this organization, which is doing a real tremendous service to this County. That's all. Thank you.

**P.O. GREGORY:**

Thank you, Sean. Okay. Next, Daniel Karpen.

*(\*The following was taken and transcribed by  
Diana Flesher - Court Stenographer\*)*

**MR. KARPEN:**

My name is Daniel Karpen. I'm a professional engineer. I reside at 3 Harbor Hill Drive, Huntington, New York. I am an avid fisherman and sometimes go down to Heckscher Park Pond in Huntington to catch a large mouth bass. This is a picture (indicating) of a four-pound, four-ounce bass that came out of Heckscher Park Pond. However, the Town of Huntington has put up illegal "no fishing" signs at Heckscher Park Pond.

I'm circulating a letter dated 2007 and 2009 from the New York State Department of Environmental Conservation to the Supervisor of the Town of Huntington to ask him to have the "no fishing" signs removed. The Supervisor, Frank Petrone, has still not removed the "no fishing" signs.

This year I went down fishing in Heckscher Park Pond. I went down three times, late summer and early fall. Each time a public security person from the Town of Huntington called up the Suffolk County Police to get -- to have me stop fishing at the pond. The first time I ran out of worms so by the time they came -- there were six officers. This is incredible. I have a New York State Fishing License. And New York State owns the fishing pond. The signs are illegal because they are in violation of the Freshwater Wetlands Act, the State Environmental Conservation Law, SEQRA, State Environmental Quality Review Act. And because the State owns the fish, the Town has no jurisdiction over who fishes there.

The second time one officer came. I showed him my fishing license. I told him to get lost and he disappeared. The third time six officers showed up from Suffolk County Police. And this Officer Dyer, D-y-e-r, told me to stop fishing illegally in violation of my rights. I had to stop fishing illegally. He was harassing me in violation of the Environmental Conservation Law hindering my ability to fish.

Let me point out to the Legislature this is an enormous waste of police resources to chase me away from Heckscher Park Pond. There is enormous amount of crime in Huntington Station. Why aren't the cops down in Huntington Station cleaning up the crime situation instead of harassing me who's legally fishing? I am demanding the resignation of the Commanding Officer of the Second Precinct because of his inability to control his troops.

**P.O. GREGORY:**

Are you finished, sir. Mr. Karpen?

**MR. KARPEN:**

I am finished.

**P.O. GREGORY:**

Okay. Thank you very much. That's all the cards that we have. Is there anyone else that would like to speak, please come forward. Sounds like a job for the Comptroller elect. (Laughter) All right. I'll make the motion to close.

**LEG. KENNEDY:**

We'll get some Performance Management on that (Laughter).

**P.O. GREGORY:**

I'll make a motion to close the Public Portion; second by Legislator Spencer. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. GREGORY:**

Okay. Okay, we'll get back to -- prior to Public Portion Legislator Browning had some questions left. But then we're going to get to Legislator Barraga. Legislator Browning.

**LEG. BROWNING:**

Okay. I think I got the answer on that. Bargaining units, I think that's where I was. I don't know if the Administration has an answer, if we -- if the Executive's Office negotiates these four contracts and there's potential salary increases, plus the \$4 million that was not in the budget. I'm just curious how they propose to handle that.

**MR. VAUGHN:**

Legislator Browning, I feel that we have kind of covered this ground either at -- I believe it was at the last Public Safety meeting when you asked me about the contracts. And essentially my answer remains the same; and that is we are not negotiating in public. And that's -- that's all we have to say on the matter.

**LEG. BROWNING:**

Okay. But, however, budgetarily we have to be concerned about the fact that there's no money in the budget for pay raises and the \$4 million, which is something that the Administration should have considered when they had the opportunity to do their budget; so, again, we have that issue. So I can move on.

The County Executive has proposed some positions for the Administration. I also see that Labor and Consumer Affairs are looking to change some Consumer Investigator positions. And they will now be re-titled to Consumer Investigators or Investigator Specialists, I'm sorry. And I know that there's a test list for Consumer Investigators. And I don't know if that's something that they -- what kind of discussions have they had with -- has occurred with Civil Service with regards to the people that are on the test list for investigators? Are they going to be able to be transferred over to the specialists' list? Or are they just -- are we just going to tell them, "sorry, you're going to have to retake a test and pay another 50 bucks, whatever it is, to take the test." Was there any discussion in the Working Group with these changes of titles?

**P.O. GREGORY:**

I don't recall this -- the conversation relating to this particular job classification, but there was mention that there were changes in classifications, but I don't remember the specific conversation regarding this, though.

**LEG. BROWNING:**

Okay. Maybe the Administration can respond to the nine positions that are being requested to be filled -- or not filled. I'm just trying to get the rationale why we need to create some new positions in the Administration; how much money is in the budget; are they all fully funded; are they partially funded; is there any intent on the Administration to fill any of these positions?

**MR. VAUGHN:**

So, Legislator Browning, I think there were a number of questions there and I'd like to do my best to try and answer --

**LEG. BROWNING:**

Good.

**MR. VAUGHN:**

-- as many of them as possible.

**LEG. BROWNING:**

Okay. Yeah, let's go -- let's go to the nine new positions. Are any of them the veterans services -- the veterans services' positions, they're separate from the -- those nine; correct?

**MR. VAUGHN:**

Well, Legislator Browning, as you know, we have received the changes that have been proposed by the budget -- by the Budget Working Group. We have not yet worked our way through all those changes. I think that just as you guys had the opportunity to review the work that we did, we would kind of the opportunity to review the work that the Budget Working Group did. I would like to quote Robert Lipp when he spoke about our budget was that, *it looks pretty good, devil's in the details*. I think that we feel the same way about the product that the Working Group has come up with right now. We just would like kind of the opportunity to review it a little bit more.

Based on the preliminary review, I do understand -- or it is my understanding that additional positions in Veterans Services are not the nine positions that you were talking about. I believe those are separate.

**LEG. BROWNING:**

Okay. And, again, the nine new positions, obviously, the Administration put in some positions. I know that the Working Group didn't agree with all of them. You know, clearly there are some of those positions that are certainly needed with DPW, the Health Sanitarians. I mean there are a number of those I can certainly agree with and absolutely we do need. I'm assuming that they will be Civil Service tested or possibly come off the preferred list. But, again, you know, there was a fiscal emergency declared by the County Executive which prohibits the other elected officials, the Comptroller and our Comptroller elect, will not be allowed to fill positions in his department if there's a fiscal emergency declared as with the Clerk or the Sheriff. So that -- that's -- my concern is, is where is the County Executive's Office going to be on filling positions in his department when we know those other departments cannot?

**MR. VAUGHN:**

Well, Legislator Browning, quite frankly, I think I disagree with the premise of the question. To the best of my knowledge, and I'm certainly not an expert on how we declare fiscal emergencies, but I do believe that the fiscal emergency runs out at the end of this year. And then in the beginning of next year we'll have to make a decision then. But I thought that fiscal emergencies run year to year.

**LEG. BROWNING:**

Okay.

**MR. VAUGHN:**

So I think it's a hypothetical question that is awfully difficult to answer on November, whatever today's date is, November 5th.

**LEG. BROWNING:**

So then I can assume, then, that if there is no fiscal emergency declared next year, the Comptroller will be allowed to fill positions that he sees needed filled. The Sheriff will be able to do the same as

with all the other elected's. I'm hoping that that's the case. However, at this point in time I guess -- I don't think I quite got the answer yet that, is there a plan by the Administration to fill any of those nine positions next year? I mean they were originated by the Administration in the budget.

**MR. VAUGHN:**

Again, I would just say that, first of all, I said the only part about what I just said was that it's awfully difficult for me to comment on a fiscal emergency that has not yet been declared.

**LEG. BROWNING:**

Let's take away the fiscal emergency.

**MR. VAUGHN:**

Okay.

**LEG. BROWNING:**

Let's take the fact that we have -- hundreds of people got laid off, County employees. We have a preferred list of people who still are not working. I can tell you about the woman that came to my office who is still not working. She was a County employee. She's collecting Social Services. Her daughter's on Medicaid, needs surgery. You know, this is my concern. I see the faces of these people who are still not working and having a hard time finding work. So, you know, when I see that, and then I see nine positions being hired, and I see a Director of Performance Management at almost \$100,000, and, you know, I see all these other positions, it certainly makes me wonder why would you even consider putting in positions in the first place?

**MR. VAUGHN:**

Well, I would say first of all that a number of the positions that were added by the County Executive to the budget were completely unfunded. Most of the positions, however, that were added to the budget by the County Executive, not including the nine that we're talking about, were almost all Civil Service positions. And those Civil Service positions were largely positions that the County Executive did fund in the budget. I'm not certain which nine you are referring to. I do know that the working group has also made changes to what is funded and what is not funded. But if you could kind of narrow down the nine that we're talking about, I would be happy to try and answer the question a little bit more directly.

**LEG. BROWNING:**

Okay. Robert, do you have the list of those nine positions?

**MR. LIPP:**

Are you talking about Labor and Consumer Affairs?

**LEG. BROWNING:**

No, no, no. Administration. County Executive's. Are they new, are they --

**MR. LIPP:**

If you look on the screen, you'll see County Executive starting over in the middle here so there's one -- oops. Let me highlight that. So there's one, two, three, four, five, six -- there's nine positions total. You can see in the last column two of them are -- there are two of each of two of them and the others are single ones so they add up to nine.

**LEG. BROWNING:**

Right.

**MR. LIPP:**

And only -- you can see on the top is the new positions.

**LEG. BROWNING:**

Are each of those positions funded? Or how are they funded? Is there funding in place for all of them or any of them?

**MR. VAUGHN:**

Mr. Lipp, I have a -- I have a list here, sir. And on my list I have a County Executive Assistant I, County Executive Assistant I, a secretary, a secretary, a government liaison, a neighborhood aide. Unfortunately my eyes are not what they used to be and I can't read that screen. However, the information that I have in front of me says that of the one, two, three, four, five, six positions that I just read off are not funded. They were not funded in our version of the budget; I don't believe they're funded in your version of the budget either.

**LEG. BROWNING:**

So let me ask why you would put them even in the budget if you're not funding them. Why would you even now create new positions when you don't have funds for it?

**MR. VAUGHN:**

Well, Legislator Browning, I think as you know the staffing levels in the County Executive's Office, I believe, are pretty much at an all time low. We did add the positions to provide flexibility but should we choose to attempt to hire somebody, but I don't think that -- without funding in the budget, that is a little bit more of a challenge than it would be if the funding was in the budget.

**LEG. BROWNING:**

Okay. Well, again, when you say you're at an all time low, so is the Suffolk County Police Department. We have a hundred less police officers since '09.

**MR. VAUGHN:**

I don't get disagree with that. We certainly --

**LEG. BROWNING:**

We have a lot less Corrections Officers. We have less Probation Officers. We have less workers in DPW. I think we heard Mr. Farrell talk about the shortage in their departments. And, you know, so -- my concern is I don't want to see a do-what-I-say, not-what-I-do.

**MR. VAUGHN:**

And I would say that in terms of what we did, the majority of the positions that we added to the budget -- and certainly more than the majority of positions that we added to the budget that we funded were Civil Service titles to go into departments to --

**LEG. BROWNING:**

Oh, absolutely. However in the Administration --

**P.O. GREGORY:**

We should keep the dialogue to questions. I don't want to get into a debate issue.

**LEG. BROWNING:**

Well, yeah. But, again, you know, I'm not really getting the answers like I asked. Why would you put positions in the budget if you're not going to fund them? And where do you find the money if you -- so I don't see the sense in putting positions in a budget that you don't have money for, especially in this economy when we had shortage in our Police Departments; we have shortage in

Corrections; we have shortage everywhere in Suffolk County. And, you know, my concern is, is there an intent to fill them at some point?

**P.O. GREGORY:**

I guess the simple answer would be, and Robert can correct me if I'm wrong, when we had our discussions in the Budget Working Group is, you know, adding the titles to the budget without the funding allows an opportunity to manage the budget so that they're not necessarily getting more positions, they're just going to have to do, you know -- you know, fill the vacancies with the money that they have. So they'll have more positions. I mean you can have, for example, ten positions but only funding for five. So you're still going to have the monies -- you know, if you want to hire a secretary as opposed to an aide, that's your decision. But the money's there to -- the title's there to give you that flexibility. So you're going to have more --

**LEG. BROWNING:**

But there's no money so you shouldn't be able to hire.

**P.O. GREGORY:**

Well, there's no money that was associated with adding the position, but there's monies, as I understand it, for vacancies that already exist.

**MR. VAUGHN:**

So an example --

**LEG. BROWNING:**

Which goes back to, if you have funding for positions that already exist, we have a lot of positions within the County that need to be filled, that I think would be definitely more critical positions when it comes to public safety and health, rather than a secretary. I'm sorry, I don't see the need. If we're so short in the Police Department, we're so short in Corrections, we're short in Probation, we're short in DPW, you know, these are the people we need more than anything.

**P.O. GREGORY:**

The funding for the vacancies that exist are within the Executive's Department. We're not talking about vacancies that exist in the Police Department or Probation or any other department, which there are vacancies --

**LEG. BROWNING:**

Okay.

**P.O. GREGORY:**

-- could be.

**LEG. BROWNING:**

And while those vacancies exist and while we continue to have a preferred list of people who are still not working, my message to the Administration is lead by example. We do not have the money to fill the positions. And until you can fill the positions in the critical areas in Suffolk County government, then we shouldn't be filling positions on the 12th floor. I just think it's unfair to do that. So I will be hoping that we were not -- we are not going to be seeing a lot of new people coming in and still looking at our other departments short. Public safety's important; public health is important. And to say that you need a new secretary, we need a new police officer. And granted while it's two different departments, the fact of the matter is, is do more with less and lead by example.

**P.O. GREGORY:**

Thank you, Legislator Browning. Legislator Barraga who's been waiting patiently. You had some

questions?

**LEG. BARRAGA:**

Yes. Well, for the record I do have some concerns with reference to the sales tax figures that are being adopted today. When I originally read the Executive budget, I certainly didn't have a problem with the 2.75% increase in sales tax in 2014. But I have to be candid. When I saw 4.75% for 2015, I thought that percentage was rather optimistic and aggressive. Budget Review, when they did their analysis, they were recommending an increase of one quarter percent for 2014 and '15. And as you pointed out, Mr. Lipp, you agreed on 1/8th of a percent in the Budget Working Group.

My concern is this: When you speak to a CEO of a company, any large corporation, their visibility in terms of the future's about 60 or 90 days. You're projecting out maybe 12 to 15 months. You're using some economic parameters, projected growth and national consumer spending but so much of the sales tax, to my way of thinking, is predicated on disposable income. Disposable income that our people have in Suffolk County. And a lot of that is dictated by the expenses that they have to incur in Suffolk County.

To give you an example, we could say gasoline prices have gone down so there's more disposable income. By the same token, PSE&G in the last two months has increased their supply cost to consumers by 50%. So you take a look at an electric bill, say if you're on a plan of \$200 a month, 50% increase on that \$100 figure will bring it up to 150 bucks. That's a lot of money. And their rationale is that we should have charged more four or five months ago but now we're coming back and really hitting you. Well, the more I have to give PSE&G, the less money I have to spend, all right, on other items that we contribute toward the sales tax.

My concern was that at 4.75% I had some discomfort. At 4.87 I think you're too optimistic. I don't know how you do that projection. And the question is if you're taking a look at that and coming up with a figure in terms of like the initial 5 or \$6 million for the two years, if you're spending that, if you've committed those funds some place and the revenue isn't materialized, there's a problem. And that sales tax, as you well know, it's increasing dramatically. I think it was 53% of the General Fund in 2013; now it's going to be 58% this year. It's going to go to 64% in 2015 or '16. It keeps on growing. So the margin of error, I think, increases. I would rather see us, if anything, go with the 4.75%. But I think -- I don't want to -- I don't want to be too -- I don't want to have a situation we're too -- we're too optimistic only to find ourselves later on with a deficit reality as far as the revenue side based on sales tax not coming about the way you anticipated it.

**MR. LIPP:**

Okay, just to give you some comfort level as to what extent you think will happen or not, clearly, you know, we have to project out well over a year in order to adopt a budget clearly. As I said earlier it's a probabilistic model so you're dealing with a lot of variables, not just the sales tax.

In terms of the energy prices, well, gasoline prices are going down, number one. LIPA prices -- let me finish.

**LEG. BARRAGA:**

Go ahead.

**MR. LIPP:**

LIPA prices have actually only increased by 3.3% through the year based upon their new billing methodology after having conversations with Joe Schroeder from our office that they -- it's a month forward thing, so it sort of likes whips back and forth, but over all it's only been an increase of 3.3% for the year. If you look at most reports in the press, in terms of the impact of energy, you could look at it as actually a fiscal stimulus program by the government in the sense that, you know,

energy prices are going down, the price of a barrel of oil has actually gone below \$80 and it's been over \$100 for three or four years.

So in terms of energy prices, that's a plus in terms of our forecast even though we don't explicitly have that calculated in some of our analysis, although we do do with and without the home energy portion of the sales tax to see if it made a difference. We discovered it didn't make a difference but -- yeah -- no, there -- you're better off -- you're 100% correct. You're better off being more conservative than less conservative, but nevertheless our projections did show this. And the wisdom of the Working Group was to go halfway. And, you know, in the perfect world, we'd be more conservative and absolutely from a budgeting point of view, I'd much prefer to be more conservative. But there are a lot of pluses and minuses in the budget that we have to deal with and it's not a perfect world.

**LEG. BARRAGA:**

I'm just using PSE&G as a reality where prices can fluctuate dramatically, acutely in a short period of time.

**MR. LIPP:**

Oh, no doubt. Right.

**LEG. BARRAGA:**

So I think it's extremely difficult when you're trying to project out 12 to 15 months, even though you say you're required to do so. If you're required to do so, I even think the 4.75% is too optimistic. And yet your position is, if you could, if the group had adopted it, you would have gone to 5%.

**MR. LIPP:**

One of the interesting nuances of the forecasting methodology that we used was the consumer spending growth rate is perhaps, and I don't want to overstate it, but let's say 1% less than what we're projecting. And what I mean by that is looking at the detail of the changes from consumer spending to the actual cash adjustment, there are a lot of adjustments to the data. And when you look at the relationship between the consumer spending and those adjustments, that's where we come up with the 1% higher growth rate than we would have suggested just purely on consumer spending, economic factors.

**LEG. BARRAGA:**

All right. I'll go back to my original premise. I just frankly on a personal level I think the projections are just too high for the sales tax revenue for 2015. There are too many variables that could take place that would really --

**MR. LIPP:**

I don't disagree with you.

**LEG. BARRAGA:**

-- play havoc with that particular percentage.

**MR. LIPP:**

I don't disagree with that statement.

**LEG. BARRAGA:**

And, you know, 1% as you pointed out, either way it's \$13 million lost. It has to be made up somewhere or you cut programs. All right, thank you.

**P.O. GREGORY:**

Okay. I'm going to make a motion to approve Budget Amendment 1.

**LEG. CALARCO:**

Second.

**P.O. GREGORY:**

Second by Legislator Calarco. Any conversation?

**LEG. KENNEDY:**

Mr. Chair?

**P.O. GREGORY:**

Yes.

**LEG. KENNEDY:**

As I had said in my comments before, I'm going to ask if we can take up the Budget Amendment that I had put forward. I believe it's 5 and 6, that actually would lower the sales tax projection. My Budget Amendment, actually it's a standalone that goes to 4.25% as opposed to the 4.75%. While this is a typical in order and we typically take up the Omnibus first, it's my understanding that if we do not consider that Amendment first, then adopting the Omnibus would basically eliminate or obviate any attempt to take up that Budget Amendment. Is that true, Robert? I'm sorry, through the Chair.

**MR. LIPP:**

Sure. So I explained to Legislator Kennedy when he -- when he requested the standalone, a resolution which would be Budget Amendments number 5 and 6, which are listed on the board there under the index, that if the Omnibus resolutions passed, which increase the sales tax, his would conflict because they'd be moving in the opposite direction of the Omnibus. So if you decided to -- so, in other words, if you vote on the Omnibus first, then his gets knocked out of the box, it will not be considered. If you decide to change the order from what it is right now and vote on his first, then what basically we've done is, is we've used up the offsets, if you will, from the Omnibus. And the Omnibus just simply wouldn't work.

**MR. NOLAN:**

You can't. You can't.

**LEG. KENNEDY:**

Let me go back to Robert again because I'm not quite sure of the last line in the explanation. The offsets that we use to lower the tax projection, we basically took up what would be Social Security contribution, but I don't believe that we took in the balance of the other surpluses that we identified. Did we, Robert?

**MR. LIPP:**

Yes. So what we did is we -- we basically used 1.6 million of the six million and change, I believe, it was reduction in sales tax. 1.6 came as an offset from Social Security. The remainder were offsets that were also used in the Omnibus resolutions.

**LEG. KENNEDY:**

So we used the offsets. What did we do about the revenue projections or the revenue enhancements? Did we consider them or no?

**MR. LIPP:**

Yeah. We -- what we did is we used the expenditure decreases and the revenue increases that were implicit in the Omnibus resolution we used for your resolution 2 and made up the difference by reducing Social Security. And the reason why we were able to use that is because the only way your resolution in the order that it's presented would be considered is if the Omnibus resolution failed. And then those -- those offsets would be fair game at that point.

**LEG. KENNEDY:**

Well, okay. So but then let me make sure that I understand. If -- if we were to take up 5 and 6 first and if 5 and 6 were to pass, if we were to lower the sales tax projections, do we still have the ability to go ahead and have budget resolution 1 be able to be adopted or no?

**MR. LIPP:**

No.

**LEG. KENNEDY:**

It precludes it.

**MR. LIPP:**

Correct.

**LEG. SCHNEIDERMAN:**

Puts a hole in the budget.

**MR. NOLAN:**

You have to do the Omnibus first, John.

**MR. KENNEDY:**

Well, we -- you know, listen, we could go line by line if we wanted. My primary -- the primary reason that I put this forward was because of my concern that the 4.875% sales tax projection for 2015, as I had said when we, you know, we were there in the Budget Working Group, in my opinion, and I am not an economist, but I talked about some of what we've read, I think we're being overly optimistic. As a matter of fact -- you know, we all know that we strike a fine balance between trying to fulfill what we believe is our mark on the budget to deliver services to our constituents, but at the same time to a certain extent, we are responsible for the revenues that we embrace as we put forward the budget, so.

**P.O. GREGORY:**

Are you done, John?

**LEG. KENNEDY:**

Sure.

**P.O. GREGORY:**

All right. Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, just to respond, excuse me, I'm not talking about the substance of whether or not -- you know what number we should adopt.

**LEG. KENNEDY:**

Right.

**LEG. D'AMARO:**

I'm just talking about procedurally. When we say the -- let's say we adopted a lower sales tax estimate, which is what you're talking about or proposing, the Omnibus as written wouldn't work, but it doesn't mean that we can't correct it while we're here. Okay? Because -- so we have less in effect. There's less funds to spend if we adopt your standalone. So we'd have to go back into the Omnibus and then make adjustments.

**LEG. KENNEDY:**

Yes.

**LEG. D'AMARO:**

So. It's not that you can't do it. It's just that -- you know, I guess the bill as it's set right now would be out of balance, but we could put it back into balance. And so -- but that leads me to a question for Counsel, don't we normally have to first take a vote to consider these resolutions together? I thought --

**MR. NOLAN:**

No, I mean -- the resolution is presented in Omnibus form. And I think years back there were proposal to -- I think perhaps this is actually the overrides; on some of the overrides there was a question could we take the override votes line by line. We never did that. We've always done it in Omnibus fashion. And I don't think there's ever been an attempt to take the Omnibus resolution for the Operating Budget and considered what's in them line by line. I don't think we've ever considered that. I know we have never done that.

**LEG. D'AMARO:**

Yeah, maybe it was only with respect to overrides.

**MR. NOLAN:**

I think so.

**LEG. D'AMARO:**

They were bundled, so to speak.

**MR. NOLAN:**

Right.

**LEG. D'AMARO:**

A motion was made to consider them as an Omnibus motion, as opposed to --

**MR. NOLAN:**

I think it was presented in Omnibus fashion and perhaps maybe it was even you who said "let's take one by one," but I believe that was always voted down.

**LEG. D'AMARO:**

Right.

**MR. NOLAN:**

And we've always taken them as an Omnibus.

**LEG. D'AMARO:**

Right. So if we -- if we adopt - if we make any change to the Omnibus, then we need to make a corresponding or an offset change to accommodate, if we lower revenue, let's say.

**MR. NOLAN:**

Yeah. I mean we've never -- in my experience here we've always -- we always, always vote the Omnibus resolutions first and then do the standalones. I think it would be chaotic if we started taking the standalones first and then trying to work around what we do with those resolutions.

**LEG. D'AMARO:**

I understand that but -- you know, so then how would you ever pass a bill that disagrees with the sales tax projection in the budget, in the Omnibus? Let's say -- let's say --

**MR. NOLAN:**

You'd have to vote against the Omnibus, I guess, if you don't agree with the sales tax projection.

**LEG. D'AMARO:**

Right. So that would -- I agree with you. So if you vote against the Omnibus, then you go to standalones -- but now you're left with having to go back and adopt a budget on a line by line basis.

**MR. NOLAN:**

Not necessarily. If you voted down the Omnibus --

**LEG. D'AMARO:**

Right.

**MR. NOLAN:**

-- and then you did the standalones, you'd be done basically. It basically would be the County Executive's budget with those minor changes from the -- any standalones that might be adopted.

**LEG. D'AMARO:**

Unless we recessed and adjusted -- like if you adopted the standalone first and then recessed and adopted and adjusted the Omnibus, you can still vote on it.

**MR. NOLAN:**

I guess that's theoretically possible. I don't know how practical that is. You'd have to pitch that --

**LEG. D'AMARO:**

Oh, we've done it in the past. I remember one time voting on the Operating Budget where I think there was a conflict for someone to vote on a portion of the budget or the Omnibus resolution for Foley, I think it was, the Foley Center. And we took a couple hours break and the budget was brought back to be recalculated so to speak and adjusted.

**MR. NOLAN:**

I think this would be many more hours probably --

**LEG. D'AMARO:**

Yeah.

**MR. NOLAN:**

-- fixing the budget if you lowered this sales tax projection.

**LEG. D'AMARO:**

Yeah, you're probably right about that. Yeah. Okay. All right. Thank you, Mr. Presiding Officer.

**P.O. GREGORY:**

Okay. All right. Legislator Krupski; and then Legislator Schneiderman.

**LEG. KRUPSKI:**

I think -- thank you, DuWayne. I think a lot of my questions were asked by Legislator D'Amaro and answered by George Nolan. It was just mechanical. If the -- Legislator Kennedy's standalones passed, there'd be a \$6 million hole and how would we -- how -- and when would we fill that hole? And that -- I -- it wasn't six million and change -- excuse me. And how would -- so is -- are there specifics anywhere as to -- I guess to the sponsor of the standalone, are there any specifics of where the six million would come from?

**LEG. KENNEDY:**

Well, I -- through the Chair, can I, Mr. Chair?

**P.O. GREGORY:**

Yes.

**LEG. KENNEDY:**

Part of the discussion that we had with BRO was the first, I guess, it is 1.6 million were going to be backed out of whatever appropriations were for Social Security?

**MR. LIPP:**

Yes.

**LEG. KENNEDY:**

Okay. And so then we would be looking at --

**MR. LIPP:**

Well, here's the problem:

**LEG. KENNEDY:**

Four point four.

**MR. LIPP:**

Here's the problem --

**LEG. KENNEDY:**

-- that we would have to back out.

**MR. LIPP:**

So let's go to Social Security for a second. So you're reducing sales tax by six million and change. Okay.

**LEG. KENNEDY:**

Yes.

**MR. LIPP:**

The Omnibus is raising sales tax by almost five million. So that's a swing of eleven million. So the point is that if we passed your resolution and we went back to the Omnibus, we'd have to find over \$11 million to make the adjustment.

**LEG. KENNEDY:**

Eleven million if we went back --

**MR. LIPP:**

Yeah, that would be the exercise.

**P.O. GREGORY:**

So you're done, Legislator Kennedy?

**LEG. KRUPSKI:**

I actually had the question. So that question wasn't really answered where the -- I thought six million and change, but I stand corrected, 11 million and change. And then when would that happen? What's -- and maybe this is to Dr. Lipp -- what's the timeline here if we decide we want to cut eleven million and change out of the Operating Budget? What's the timeline? Do we have 'til like 5:00 tonight or do we have until tomorrow morning. What's the --

**MR. NOLAN:**

The Legislature has until November 10th to adopt a budget. So probably what you'd have to do is, if you adopted Legislator Kennedy's resolutions, you'd have to probably recess this meeting and get the Working Group back together and try to come up with a plan to make up that money.

**LEG. KRUPSKI:**

Thank you.

**LEG. KENNEDY:**

To that point, to Legislator Krupski's point, I think the real threshold question then becomes is it a majority of the body that's willing to go ahead and support and embrace a 4.875% projection for 2015? If that's the case, then the rest of it is just simple, almost procedural. The threshold issue is did ten get to that? If not, then we look at -- you know, we can talk about 6 million, we can talk about 11 million. The threshold issue really is what does the majority of the body, what are they willing to embrace for a reasonable and a rational base projection for the economic activity in 2015. And perhaps it's just implicit in what's in there. That's all.

**LEG. KRUPSKI:**

Well, I mean I don't -- you know, I don't resent the fact that you'd want to look at that number. But, you know, you and I both sat in all the Working Group meetings.

**LEG. KENNEDY:**

We did.

**LEG. KRUPSKI:**

And I honestly think everyone did a pretty good job. And if it was me running it, I think we could have cut here and there.

**LEG. KENNEDY:**

Yes.

**LEG. KRUPSKI:**

I'm not sure where -- if it was only me making the decisions, we would have found -- I would have found \$11 million.

**LEG. KENNEDY:**

Well, I don't know that we would have found \$11 million, but you're right, I mean what we did do is, is we voted yay and nay on many different things. I mean, in particular when we talked about 40 new positions, you know, several of us, you know -- well, some of us felt that that was overreaching, but the majority went for it. So this may simply be just my single objection or

concern, although my colleague here has said he equally feels concerned that that 4.875 is unachievable. But, again, I mean it's just a simple -- if ten embrace 4.875, then the rest is almost just, you know, one, two, three.

**P.O. GREGORY:**

Okay. Legislator Schneiderman.

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

Thank you. I wasn't on the Working Group but I attended most if not all of the meetings. First, you know, let me say this: That the -- you know, Robert Lipp, you know, has a -- Dr. Lipp, you know, he's in that position for a reason. He's got the expertise to make these kind of projections. And we have given him the tools, I believe, to do these complex analysis. Again, nobody has a crystal ball. Nobody knows exactly what these sales tax numbers, the growth of the economy will be. We have a pretty good idea about 2014. 2015 is far more speculative. But the working group didn't go with Dr. Lipp's projections. They went less than that. And they took the money for the most part and used it to fill other speculative or maybe some less than speculative holes in the budget. So it wasn't they went on a spending spree or anything. They used the money to correct what they saw as either errors or omissions in the County Executive's budget.

I don't see, and I could ask the sponsor this, but this is -- an \$11 million hole would be created by passing this. And I don't know where you're going to come up with the \$11 million. And if you don't have the offsets, then it would be irresponsible to move forward with this. So maybe we should just vote on it, but I'd want to give our Comptroller elect at least an opportunity if you can identify some savings along the way, or some revenue enhancements, let me know. But I don't see any, so let's end the discussion if --

**LEG. KENNEDY:**

Well, we're not cutting the Comptroller's budget. I can tell you that much. (Laughter)

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

So there really are no offsets.

**LEG. KENNEDY:**

Well, I don't know that there's no offsets. And, you know, I'm not proposing that we redo two weeks worth of, you know, meeting in group now. But, you know, I simply wanted to bring forward a method to express some concern about what it is the revenue projection is that we're being asked to support for 2015. It's the most important thing we do. And most times I go for the budget, but I have some real strong reservations with this one. That's all.

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

Lastly, you know, again, it's a guess. And I just through the years -- and I been here, I guess, 11 years now and I've known Robert for quite a number of those years, he tends to be conservative. If he says it's going to come in at three as the upper limit or four or five in case of next year, that's a conservative guess. So we went below that. So we're being even more conservative than our advisor.

**LEG. KENNEDY:**

Okay.

**P.O. GREGORY:**

Okay. We have a motion and a second. I'm going to call the vote. No, on Budget Amendment 1. That's the only motion we have. Okay. All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

(Raised hand)

**LEG. TROTTA:**

(Raised hand)

**LEG. CILMI:**

Opposed.

**MR. LAUBE:**

Fifteen.

**P.O. GREGORY:**

Okay. Same motion, same second -- same second on Budget Amendment 2, discretionary budget. Okay, all in favor? Opposed? Abstentions?

**LEG. CILMI:**

(Raised hand)

**LEG. KENNEDY:**

Opposed.

**LEG. TROTTA:**

(Raised hand)

**LEG. McCAFFREY:**

(Raised hand)

**MR. LAUBE:**

Fourteen.

**P.O. GREGORY:**

Okay, Budget Amendment 3. Legislator Spencer, you have the floor. I'll read the description. Budget Amendment 3, it adds \$5,000 in 2015 for the -- there we go -- Ridotto Arts Organization in the Department of Economic Development and Planning and reduces funding by 5,000 in 2015 for light, power and water in the Department of Public Works.

**LEG. SPENCER:**

Thank you everyone. First of all, I appreciate the work of the Budget Working Group. And I realize the hours and they're really tough decisions. And I really loathe putting in any standalones when you're doing that kind of work. And so I needed to give an explanation. And my explanation is not so much as to the organization, because I know that everyone made tough choices and cut out very worthy organizations. And so it would seem strange that why does he think he can put \$5,000 for a classical music group. This was -- came about somewhat of an emergency basis. And I don't know if any of you guys are aware and I say this in all sincerity, this isn't me politicizing just a very tragic event in my district. But I'm sure you've heard about the murder of the young woman.

And one of the things that's happened over the last couple of weeks is that there has been such an atmosphere of fear and outrage. And some of that has led to members of my community that are blaming issues of housing on minorities, the housing authorities, Section 8 vouchers; where there was an arrest that was recently made and it turned out that the young man that was responsible was someone that kind of grew up in the suburbs and fit none of the profiles that everyone

expected.

But the issue is I've been working with the Police, the County Executive because people are looking for answers. And our focus has been on Gang Task Force, police patrols, police annexes, lighting. And we're looking at the problem as with -- you know, using a hammer, hammer, hammer. But one of the problems with Huntington Station is that there are not enough programs that engage our young people. And young people that are either in high school or not in college are pushed out of the community. And there's been such a paucity of legitimate programs.

And so one of the things I was -- I found out, and I appreciate Legislator D'Amaro's and the Omnibus when we look at the Tri CYA that has an anti-gang program. And really gang -- gang violence is a -- is an enterprise. And in order for it to function, you need money, which we have on the north shore of Long Island, but you also need -- you need soldiers. You need young people that you can kind of come in and capture their hearts and minds and they take advantage of young people that are not engaged.

And I was impressed with this particular program, because not only this -- you've heard from Margaretha, who spoke very passionately, but what she didn't say, which I felt was the most important thing, is that she is going out and employing youth in Huntington Station and giving them an opportunity if they show talent towards classical music; or letting them attend the programs. And she's subsidizing those programs.

I went to the concert and you're literally talking about world class musicians that are now interacting with young people that are out of school, that -- they have dropped out, that are being caught up in the gang situations. So this is a crisis in my Legislative district. I have asked for the police. They've stepped up. The County Executive has. And I am really struggling to find ways to engage them. And I have -- besides the Tri CYA, ACT-SO through the NAACP, and this gives me a third outlet.

I found a reasonable outset, but I'm asking my colleagues as an emergency that you see there's been four murders over the last 4 months of young people in my Legislative District. And I am pleading for you to support this for me. So I hope that someone will second it. And I ask if you would give me this \$5,000 to help me fight this very difficult situation.

**P.O. GREGORY:**

Okay, we have a motion by Doc. I would just say that, you know, I appreciate what the community's going through, and Miss Maimone's comments earlier. We had similar discussions going through the Budget Working Group and funding for organizations like this was -- absolutely felt that it should come out of the Hotel/Motel Tax Funding, the cultural funding. I think it would be more appropriate for the organization Ridotto to go through maybe the CAB, the Citizens Advisory Board. They have a competitive program where they can -- she will have an opportunity to get monies for her program as opposed to taking it out of the, you know, General Fund.

**LEG. SPENCER:**

I'll take it from wherever I can get it.

**P.O. GREGORY:**

I know you will.

**P.O. GREGORY:**

Help me.

**LEG. CALARCO:**

Well, if I can add to that and just to your point, Presiding Officer, we also put some funding in the budget specifically within the Police Department for them to fund programs in some of our communities that are struggling, like Huntington and the Brentwood area, the Port Jeff Station area, which had some issues lately. Over in Bellport they deal with high risk youth. So if this program is actually going to be pulling kids into it to help, you know, give them outlets and actually connecting with those kids, then perhaps that's the avenue to go to for funding as well.

**LEG. SPENCER:**

I had thought that -- and maybe Dr. Lipp could -- you know, we sought counseling in terms of where we could get the funding and where it was appropriate. And I'm not sure -- we were given some indication that -- that those other funding sources wouldn't be appropriate for this? I don't know if you could comment, if there's a way that I could get it.

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

So the funding sources are competitive programs you have to apply to during the year, like the Cultural Advisory Board or the, you know, the police money.

**LEG. SPENCER:**

Well, I'd be happy to do that but I'm asking for \$5,000 in a \$2.7 billion budget for a murder that's happened and -- four murders that have happened. And, you know, I -- I need this now. I mean, just -- you know, help me.

**P.O. GREGORY:**

All right. Does anyone want to second Doc's motion?

**LEG. D'AMARO:**

I'm going to second the motion.

**P.O. GREGORY:**

Second by Legislator D'Amaro.

**LEG. D'AMARO:**

On the motion I just want to point out that it's important that we categorize and make sure we're taking funding from the right areas. I agree with that. We work very hard on the Working Group in doing that, but at the end of the day it's all taxpayer money. And so I think -- I think that the sponsor of this bill has explained it sufficiently. And I think probably next year this funding would probably come out of Hotel/Motel where it's more appropriate. But right now if we can give one more youth in Huntington Station an opportunity with a program to keep them out of trouble, I think, this is very worthwhile. You get a lot of bang for your buck here. So I would urge you to vote for this.

**P.O. GREGORY:**

Okay. All right. So we have a motion. We have a second. I'm going to call the vote.

**LEG. CALARCO:**

On the motion quickly. And this is just to a bigger -- a bigger issue, not to the specific resolution. But, Robert, I vote no to almost all of -- the standalones are looking to the same line for an offset. Can you tell me exactly how much that totals if I were to support every standalone resolution we had before us? And do we really have that much money? I know oil prices are down, but as Legislator Barraga pointed out so well, our PSE&G prices are going up.

**MR. LIPP:**

So there are four resolutions -- actually three. Two of them are combined mandated discretionary. Sorry. Okay. But the light, power and water offset comes to a total over all of them of 463,000 and change. We did not recommend BRO to reduce that expenditure but it does say on page 261 of our report that our projection was that 1.2 million less than what was recommended. And the reason why we didn't -- we didn't choose to recommend that as a reduction is because that line item's highly volatile; for instance, the conversation that we had with Legislator Barraga before, energy prices are highly volatile so we didn't feel comfortable reducing it, but we did say on page 261 that we thought that the expense would be 1.2 million less than was recommended.

**LEG. CALARCO:**

So you feel comfortable if we were to decrease that line by -- sounds like --

**MR. LIPP:**

No.

**LEG. CALARCO:**

-- just a half a million dollars.

**MR. LIPP:**

No, comfortable's not the right word. You know, we -- we --

**LEG. CALARCO:**

(Laughter) Well, I'm looking for a comfort level from you, Dr. Lipp, in terms of what we actually can afford to do here. I mean, I don't want to run into a situation where we have to start borrowing from another line in order to keep the lights on in any of our buildings.

**MR. LIPP:**

Okay. So there are two ways of looking at it. Number one, as I said before, what we -- we thought that it could be sized 1.2 million less. That being said, we recognize we have a structural budget deficit and we don't recommend any offsets. That's our party line.

**LEG. CALARCO:**

Okay. Thank you, Dr. Lipp. Legislator Spencer, is this program -- is this a concert program or is this a program where they're dealing interacting with youth. How does it work? Do they actually bring the kids in and teach them --

**LEG. SPENCER:**

They bring the kids --

**LEG. CALARCO:**

-- these different arts and teach them how to get engaged and involved and --

**LEG. SPENCER:**

Yes.

**LEG. CALARCO:**

You know, hone their talents and see what kids out there have some special talents that we don't know about yet?

**LEG. SPENCER:**

They are. And when they find kids that are so promising, they're getting them in front of really

some of the leaders in that industry to --

**LEG. CALARCO:**

But do they -- is it -- is it a concert, is it a show or -- you know, these stars in the industry now come and do these concerts? Or is it the kids are learning how to perform?

**LEG. SPENCER:**

It's both.

**LEG. CALARCO:**

Both, okay.

**LEG. SPENCER:**

Yes.

**P.O. GREGORY:**

Okay, we have a motion and a second. I'm going to call the vote. All in favor?

**LEG. KRUPSKI:**

Opposed.

**P.O. GREGORY:**

I didn't get to opposed. Opposed?

**LEG. BROWNING:**

Opposed.

**LEG. MURATORE:**

Opposed.

**LEG. HAHN:**

Opposed.

**P.O. GREGORY:**

I'm opposed. Abstentions?

**MR. LAUBE:**

Can I get a roll call on that?

**P.O. GREGORY:**

All right. Let's do a roll call, Mr. Clerk.

**MR. LAUBE:**

Thank you.

**(Roll Called by Mr. Richberg, Chief Deputy Clerk of the Legislature)**

**LEG. SPENCER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. KRUPSKI:**

No.

**LEG. BROWNING:**

No.

**LEG. MURATORE:**

No.

**LEG. HAHN:**

No.

**LEG. ANKER:**

No.

**LEG. CALARCO:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. CILMI:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. McCAFFREY:**

No.

**LEG. STERN:**

Yes.

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

No.

**P.O. GREGORY:**

No.

**LEG. CALARCO:**

Mr. Clerk, please change my vote to yes.

**MR. LAUBE:**

Eight.

**LEG. KENNEDY:**

Do a Budget Amendment in January.

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

Take it out of the Vanderbilt.

**P.O. GREGORY:**

Just take it out of the Twelfth Legislative District. I hear they're getting a new Legislator, he won't know the difference. He or she. (Laughter) All right.

**LEG. CALARCO:**

Smithtown Library. Smithtown Library has a lot of money.

**P.O. GREGORY:**

Don't worry, we can use the Comptroller as an offset. All right, Budget Amendment 4, Legislator Browning.

**LEG. BROWNING:**

I'd like to make a motion.

**P.O. GREGORY:**

Let me -- I'll read the description real quickly. Adds a total of 115,000 to the Sheriff's Office in 2015 for the purchase of 200 standing issue Glock 19 guns and holsters for 25% of the 776 existing Correction Officer employees, which is offset by a reduction of \$115,000 in light, power, water and the Department of Public Works. Motion by Legislator Browning.

**LEG. BROWNING:**

I make a motion.

**P.O. GREGORY:**

Second by Legislator Muratore. On the motion.

**LEG. KENNEDY:**

On the motion, Mr. Chair? We have a motion and a second?

**P.O. GREGORY:**

Yes, we do.

**LEG. KENNEDY:**

Okay. I simply, if I can, would like to ask if -- do we have anybody from the Sheriff's Office here?

**LEG. BROWNING:**

Yeah, we do.

**LEG. KENNEDY:**

All right. Could Chief -- Chief, could you just speak to this for a second?

**LEG. BROWNING:**

Well, I put it in and -- you know, basically it's --

**LEG. KENNEDY:**

I support it, as a matter of fact, and I intend to go ahead and vote for it, to the sponsor. I just want to hear from the Chief as far as what the rationale from the department is, if that's okay.

**LEG. BROWNING:**

Yeah, I mean I've had a number of -- it's an issue -- go ahead, sit down. There's been a number of issues having a lot of Correction Officers in my district, you know, being out with their families and children. They are Peace Officers. They are legally allowed to carry weapons when they're off duty as are Police Officers. And, you know, when I'm talking to them and saying that they're at places with their families and, you know, somebody walking up to them and saying, "hey, CO, how you're doing," is a little unnerving because they're --

**LEG. KENNEDY:**

I completely support the premise and the concept. I just wanted to hear from the Chief on behalf of the Sheriff, I guess, as far as this is -- to me, I think, a new policy, but one that the Sheriff is looking to embrace or have us embrace through this funding.

**CHIEF SHARKEY:**

Yeah, I could tell you that we would support this standalone resolution. The Correction Officers, as a law enforcement title, I would say have more direct contact with the largest number of criminals on a regular basis than any other law enforcement entity. And as such then have much more chance for contact with them outside of the correctional setting. And that is kind of the impetus behind -- doing sort of a phase-in of this program.

**LEG. KENNEDY:**

How many -- so we have in total what, about 900 members, I guess; 900 COs? Somewhere in that neighborhood?

**CHIEF SHARKEY:**

Mid-eight hundreds.

**LEG. KENNEDY:**

Okay. In this first round, Chief, this first iteration or whatever, how many will wind up being issued the weapons?

**CHIEF SHARKEY:**

This amount of funding would allow for approximately 200.

**LEG. KENNEDY:**

Okay.

**CHIEF SHARKEY:**

And we have also previously been able to slowly phase in for the Superior Officers. They have already been outfitted in previous budgets.

**LEG. KENNEDY:**

Tell me just a little bit so that I understand also, then, with the issuance of the weapons, then, do -- will we have -- like our Police Officers have to periodically, I think, range-qualify or do something to demonstrate that they have proficiency with a weapon. Will that be involved with this also? Or will this just be simply for off-duty carrier, whatever?

**CHIEF SHARKEY:**

Correction Officers already are given firearms training annually so there'd be no increase in the training that's needed.

**LEG. KENNEDY:**

Okay. Great. Thank you very much. Thank you, Mr. Chair.

**P.O. GREGORY:**

Legislator Calarco then Krupski.

**LEG. CALARCO:**

Chief Sharkey, if you could stay, please, just -- I have a quick question for you, because I was on the Working Group. We went over many, many, many different things during the process. And I know I missed some of the Public Safety hearing so I may have missed the discussion then. But was this in your -- in your requested budget? I'm just trying to figure out why we missed this.

**CHIEF SHARKEY:**

This was not our initiative. This was something --

**LEG. BROWNING:**

Mine.

**CHIEF SHARKEY:**

-- that was discussed with the Correction Officers Association through the Legislature but we do support the initiative.

**LEG. CALARCO:**

Okay, so you -- your department did not request this funding.

**CHIEF SHARKEY:**

We didn't request it but we support it.

**LEG. CALARCO:**

Okay. I understand that. So when was this -- when was this brought up? Because it never was brought up during our working group process. And we were --

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

**LEG. BROWNING:**

I think --

**LEG. CALARCO:**

I guess that's -- I'm trying to figure out how we missed it. It sounds like it's an important thing. I certainly would like to support it. I know we need to make sure our Correction Officers are given the tools and the resources they need. But I just don't know when this came up, and how it didn't make it into our process, because I think the Working Group probably would have supported it had it been there.

**LEG. BROWNING:**

Yeah. And I could have sworn that I had brought up the issue with DuWayne at one point.

**P.O. GREGORY:**

It was after --

**LEG. BROWNING:**

And, Robert, did I -- I didn't have the conversation with you either before -- during the Working Group?

**LEG. CALARCO:**

Well, it's just -- I mean, I know our budget amendments were due in before we finished our Work Group's business.

**MR. LIPP:**

My knowledge was we -- I vetted it out with Legislator Browning on the last day of stand-alones.

**LEG. BROWNING:**

Right, right.

**MR. LIPP:**

Which was Friday, the 24th of October.

**LEG. CALARCO:**

It was the day after we finished our Work Group.

**MR. LIPP:**

Correct.

**LEG. BROWNING:**

And, you know, again, I generally am not a big fan of stand-alones, but I think when it comes to public safety and the safety of our officers -- I've heard too many Corrections Officers telling me how they've been in positions where they have a met up with former inmates, and especially with their family and their kids, it's a little unnerving. So, you know, I'd appreciate your support on it. Again, it's about their public safety.

**P.O. GREGORY:**

Legislator Krupski, then Legislator Hahn.

**LEG. KRUPSKI:**

No, I'm good. Thank you.

**P.O. GREGORY:**

Legislator Hahn.

**LEG. HAHN:**

I guess I just don't understand. I mean, again, this is what -- it's just frustrating that this is just coming before us now. We're not -- do we have anywhere detailed what exactly is getting done here? I don't -- I'm not quite following. George, do you, or who can explain giving --

**LEG. BROWNING:**

No. I mean, I'm trying to figure out what you're asking. This is --

**LEG. HAHN:**

We're giving people new guns?

**LEG. BROWNING:**

Okay. Our Police Officers, our Deputy Sheriffs, I believe most Probation Officers are issued weapons. Corrections Officers, there's a select group of Corrections Officers that are issued weapons. Obviously, if you work -- when you go to work and you go into work where the jail cells are, clearly, you do not carry a weapon. But things have changed a lot, not even just, you know, for them and their own personal safety, but, you know, with the heroin problems that are going on, you know, pharmacies being robbed, banks being robbed, you know, again, it's putting them in a position also. Now some of them do buy their own weapons, but don't you think that we should be making sure that they're protected and providing them with what they need to protect themselves, just like any other law enforcement officer that we have?

**P.O. GREGORY:**

Anyone else? Oh, Legislator Martinez.

**LEG. MARTINEZ:**

Good afternoon, Chief. Quick question. Legislator Browning just said selected officers are issued weapons. How do you -- how do you do that process? What process is that in selecting which officers will carry the guns and which will not?

**CHIEF SHARKEY:**

I can give you two answers to that. There are certain posts that require weapons. In that case, the weapon is not actually issued to the Correction Officer. He or she are using the weapon and then returning it into the office at the end of the shift. And then over the course of the last few years, we have been able to -- through available budget funds, we've been able to issue weapons to our Superior Officers from the ranks of Sergeant up. So, in reality, we don't really have to still cover 850 officers, we've already outfitted some of them, and this would allow us to outfit another 200.

**LEG. MARTINEZ:**

And this would be off-duty officers as well?

**LEG. BROWNING:**

It's when they're off duty that -- they are legally allowed to carry a weapon when they're off duty, just like our Police Officers.

**LEG. MARTINEZ:**

So now why hasn't this been done prior; why now?

**LEG. BROWNING:**

Well, it should have been done prior, but it's something that was brought to my attention this year, you know, having spoken with some officers. And, clearly, this isn't going to equip every officer. I kind of look at this as seed money to start -- to start doing this. And I did check with some other Corrections, like in the City, officers have been issued weapons. So it's not uncommon, like other Corrections Officers, to be equipped with a weapon and being part of -- you know, they get their uniform, they get a gun. And, you know, so I think in this day and age, I think it's important, you know, with the drug problems, the crime, terrorism, you name it. It gives them an opportunity to be able to respond if they're put in a position.

**LEG. MARTINEZ:**

And, Chief, in the selection of the approximately 200 officers, that would also go through the process you currently hold right now and who will be given the weapon at that point?

**CHIEF SHARKEY:**

We really have not gotten into the specifics of how we're going to, you know, choose 200 out of 650, 700 officers that still have to be outfitted.

**LEG. MARTINEZ:**

Thank you.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

Hi, Chief. So these weapons would be for use by our Corrections Officers when they're off duty?

**CHIEF SHARKEY:**

Well, it could be on duty or off duty. It would --

**LEG. CILMI:**

You said there are some posts that require an on-duty weapon.

**CHIEF SHARKEY:**

Right. There would be no longer a need to maintain a cache of post weapons, because you wouldn't have to -- you wouldn't have to come in and be handed a post weapon, you'd already have an issued weapon. So it would be used if you were on a post that required a weapon, and it could also, obviously, be carried off duty.

**LEG. CILMI:**

How many posts are there within your whole system that require weapons?

**CHIEF SHARKEY:**

I don't have that information.

**LEG. CILMI:**

I mean, is it a dozen, is it three, is it -- it's 20, 40, 60?

**CHIEF SHARKEY:**

It's a minority of posts. I can't -- I can't put a number to it, it's a minority of posts.

**LEG. CILMI:**

Okay.

**CHIEF SHARKEY:**

Most posts are in housing areas, etcetera, where you cannot carry a weapon.

**LEG. CILMI:**

And what -- to what extent does the law permit a Corrections Officer, or any off-duty officer for that matter, maybe it differs between different types of officers, to utilize their weapon off -- while they're off duty?

**CHIEF SHARKEY:**

A Correction Officer, or a Police Officer, or a Deputy Sheriff are all authorized. They carry it on their Police or Peace Officer I.D. They're not required to have a separate pistol license.

**LEG. CILMI:**

So they're authorized to carry, but under what circumstances are they authorized to draw their weapon or to use their weapon?

**CHIEF SHARKEY:**

That's defined in the Deadly Physical Force sections of the C.P.L., but I don't know how in depth you want to get with that.

**LEG. CILMI:**

Is it -- if we had civilians that were permitted to carry, would they have the same rights that the off-duty officer would have under that same law?

**CHIEF SHARKEY:**

No. That addresses Police and Peace Officers. A civilian would have to carry a weapon on a pistol license, which would then -- there's various types of pistol licenses which would delineate when they can carry it, where they can carry it, and how they can use it.

**LEG. CILMI:**

Okay. So --

**CHIEF SHARKEY:**

Overall, to cut to the chase, Article 35 basically says you use the weapon in defense of yourself or another against deadly physical force.

**LEG. CILMI:**

Okay. So it's fair to say, then, that if there's a threat to the Correction Officer, or to other individuals, that could be mitigated by that officer drawing a weapon or having a weapon, then it's appropriate for that officer to do so? And to that extent, then, it's a benefit to public safety for those officers to care those weapons?

**CHIEF SHARKEY:**

It is.

**LEG. CILMI:**

Okay. Thank you.

**P.O. GREGORY:**

Legislator Barraga.

**LEG. BARRAGA:**

Just one quick question. The Correction Officers who already have their own weapons, say Barraga is a Correction Officer, I have my own weapon, I would not be participating in this program, right? I went out and got a weapon, I paid for it, it's my weapon, all right, I can legally carry it. So if this funding goes through, I would think that it would be geared towards those individuals who have not purchased a weapon.

**CHIEF SHARKEY:**

That was part of our discussion. That would go back to Legislator Martinez' question as to how we would prioritize who would be issued. If the funding only allows for a certain portion, we certainly would prioritize the officers that don't have a personally-owned weapon.

**LEG. BARRAGA:**

Well, why would you possibly give monies to someone who's already purchased a weapon?

**CHIEF SHARKEY:**

I think the -- again, I have to go back to the -- you know, this was not an issue that we asked for. I'm telling you here that we're supporting it, so I don't know. I haven't contemplated beyond the seed money that we're talking about here.

**LEG. BARRAGA:**

Kate.

**CHIEF SHARKEY:**

But there's just --

**LEG. BARRAGA:**

Kate Browning.

**LEG. BROWNING:**

Sorry, go ahead.

**LEG. BARRAGA:**

The appropriation, why would there be any reason to give any of these monies to someone, a Correction Officer, who's already purchased his or own -- his or her own weapon?

**LEG. BROWNING:**

Oh, no, hold on. We have some new classes coming in.

**LEG. BARRAGA:**

No, no, that's fine.

**LEG. BROWNING:**

And --

**LEG. BARRAGA:**

I'm talking about somebody who's been on the job. Say it's me.

**LEG. BROWNING:**

Right.

**LEG. BARRAGA:**

I'm on the job for ten years, I went out years ago and purchased my own weapon. I don't think I should be participating in this funding.

**LEG. BROWNING:**

Right. And I think the Sheriff's Department will use the discretion to look at the ones who do not currently carry, the new classes coming in. So, like I said, this is kind of like seed money to start it, so any new guys coming in would be provided with a weapon. Now, if you already have one, that's fine. We're not -- we're not saying we're going to necessarily --

**LEG. BARRAGA:**

I just want to make sure that if I already have one, or someone already has one, they're not also going to get some of these monies. It should go to someone who has it.

**LEG. BROWNING:**

They're not going to be reimbursed for the one that they currently own.

**LEG. BARRAGA:**

Well, that's all I want to make sure of.

**LEG. BROWNING:**

Yeah. No, no, no, they're not going to be reimbursed for a weapon they currently own, but --

**LEG. BARRAGA:**

This is for new, the new Correction Officers, or for Officers on the job who have not purchased a weapon?

**LEG. BROWNING:**

The discretion would be up to the Sheriff's Department where they would want to start. And I would assume that new Officers coming in, the new classes coming in would be the start. And I would think that probably -- I think this covers for about 200 officers, you know, and I'm sure there are officers who's don't have weapons.

**LEG. BARRAGA:**

I just -- I would hope that those who have weapons, who have paid for their own weapons, would be excluded from any of these monies, okay? That's what I would hope. Thank you.

**LEG. BROWNING:**

Thank you.

**P.O. GREGORY:**

Okay. Anyone else? I saw you standing up, Mr. Vaughn. Did you have a comment?

**MR. VAUGHN:**

Just that I think that we're still trying to fully understand the impact of what is being proposed in the budget amendment. I know that our Police -- our Police Officers, and I know this because I just passed, our Police Officers are assigned a weapon. They have to purchase an off-duty weapon if they choose to carry an off-duty weapon. I'm confused as to whether or not this would -- this is primarily for off-duty weapons and general day-to-day use, or if this is for use on the job. If we have a number of posts that we feel should have additional weapons that we are not -- if it's for a need on the job that we are currently not facilitating. It's just a -- it's just a lack of understanding on our part of the amendment.

**P.O. GREGORY:**

Legislator Browning.

**LEG. BROWNING:**

I'm sorry. Can you say this again, because we're having separate questions here.

**MR. VAUGHN:**

So, Legislator Browning, we were -- and thank you, Mr. Presiding Officer, for the opportunity to ask the question, but we are just curious. Are we saying that there is a number of posts in the Sheriff's Office that should have weapons that do not currently have weapons, or are we talking about outfitting individuals with weapons primarily for them to be able to carry while they are off duty? And the reason that we ask is that, specifically, the Suffolk County Police Officers, they have their -- the weapon that is issued to them while they are on duty. But, should they choose to carry a separate weapon while they are off duty for their person protection, maybe they wanted a smaller or a larger weapon, whatever the case might be, it would be on them for them to purchase that additional weapon. So I'm just trying to understand.

**LEG. BROWNING:**

Right, but they do not have to carry a personal weapon, they can carry their own weapon, the weapon that's issued to them all the time. They don't have to buy a separate weapon.

**MR. VAUGHN:**

Sure, but --

**LEG. BROWNING:**

And I know we have some people here --

**LEG. KENNEDY:**

Mr. Chair, could we -- I don't mean to interject, but we have the head of the Correction Officers Union who's most familiar with the situation and might be able to shed some light. Through the Chair, could we ask him to join the conversation?

**LEG. BROWNING:**

That might help.

**P.O. GREGORY:**

Sure.

**MR. DAGNELLO:**

Yes. Thank you for calling me up to explain. My name is Vito Dagnello. I'm President of the Suffolk County Correction Officers Association.

Recently, over the last year or so, we've had a number of incidents off the job, to and from work while we're in uniform, and mostly the officers are all carrying their own personal weapons that they've purchased. Just recently, over this last week, at a church function in Port Jeff, an officer, with his family, was approached by an ex-inmate, who was a problem inmate in the facility. Being it was a church function and they were members of the church, in the directory was their number, phone number and address. Well, when they got home, that same ex-inmate was on the phone speaking to the wife, where the Sheriff -- I got a call, and I had to call the Sheriff, and that officer had to have an unmarked vehicle sit in front of his house all night. These are just some of the incidents that are going on right now.

Gang, the gang members are in an increase in our facility. Just a couple of weeks ago, an inmate was slashed by another gang member. These are the same inmates that our officers, ex-inmates, too, since we were going to the -- let them out and put them into different programs, okay, alternatives to incarceration, they're out on the street, and the officers are running into them on a daily basis now, okay?

And I feel this appropriation, it's a start to give the protection to the officers. That's the responsibility of the County to give them the equipment to protect themselves, and their family, and the public. So if there's more questions, I will answer more.

**P.O. GREGORY:**

All right. We have Legislator Calarco. Are you finished, Rob?

**LEG. CALARCO:**

I'm sorry. I just had one quick question, because I want to clarify what I heard. And I don't know if Vito is the right person, or Chief Sharkey. Well, I guess I'll ask Chief Sharkey, because he could probably answer the shorter question and it will be easier.

Your Deputy Sheriffs, Deputy Sheriff gets a service weapon that is his service weapon or her service weapon. When that Deputy Sheriff is off duty, are they permitted to carry that service weapon?

**CHIEF SHARKEY:**

Yes.

**LEG. CALARCO:**

Okay, because that's -- I thought I was hearing something different. Police Officers, I don't know if anybody's got the answer to this one, when our Police Officers have their service weapon, they're allowed to carry that weapon whether they're on or off duty; is that correct?

**CHIEF SHARKEY:**

Yeah.

**LEG. CALARCO:**

So they both have the option of carrying their own personal weapons, as well as our COs right now. But the big difference is that COs are all issued a service weapon, so they not all have that ability to carry their service weapon. Okay. That's my question. Thank you.

**P.O. GREGORY:**

Okay. Legislator Cilmi had a question.

**LEG. CILMI:**

I just want to reiterate my question for the Chief to Vito. The bottom line here, just correct me if I'm wrong, but the bottom line is that if our CO is equipped with a weapon, which we provide to them, and they're off duty, and they encounter some emergent situation that requires a firearm, they are in a position, just as our Police Officers would be, just as our Deputy Sheriffs would be, to address that situation as appropriate with that weapon, and, therefore, protecting public safety, protecting the public?

**MR. DAGNELLO:**

Correct. We get the same training and we have meet the same qualifications as a Police Officer or Deputy Sheriff. We're certified in the State of New York as Peace Officers, sworn Peace Officers.

**LEG. CILMI:**

Terrific. Thank you.

**P.O. GREGORY:**

Okay. All right. Legislator Schneiderman.

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

Vito, thanks for answering questions. I appreciate your service to the County. I just want to make sure I understand this before I vote.

So this is not for the Correction Officers who are given weapons by the County, because they already have weapons that they can take home and use. This is for Correction Officers who aren't issued weapons by the County; is that right?

**MR. DAGNELLO:**

Correct. Our Supervisors are issued weapons, and Correction Officer I's who are investigators are. But the frontline Correction Officers that are in that facility that are working on posts, dealing with the inmates on a daily basis, are not issued weapons.

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

They don't have weapons while they're working?

**MR. DAGNELLO:**

Not all -- well, not all the officers, no.

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

Okay. And how many are we talking about; it's about 200 of them?

**MR. DAGNELLO:**

Approximately that, yeah. Somewhere between two and maybe 400. But it will be a process that the Sheriff has discussed with me, that they would go and look --

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

That is -- I guess there's a reason why they don't have weapons while they're working; is that correct?

**MR. DAGNELLO:**

They don't want it used against you.

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

Right.

**MR. DAGNELLO:**

They're not allowed in the facility.

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

Okay, they're not allowed in the facility. But outside the facility, they could be in danger, you're saying, at night, or something, you know, when they're not working. So this would then cover that, the fact that they don't have a County-issued weapon?

**MR. DAGNELLO:**

When you report to work, if you're working an armed post, you go to the armory and you pick up a gun that's been there, don't know how long they're last seen, it was cleaned or anything, but that's the -- that's the weapon you're going to use on that armed post.

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

And are --

**MR. DAGNELLO:**

And being issued a weapon, you won't have to do that.

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

Now these Glock 19s, is that the same weapon that the other officers have; is it different?

**MR. DAGNELLO:**

Correct, it's the same Department-issued weapons that the Deputy Sheriffs and the Correction Officers that were issued weapons.

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

Okay. Thank you. That answers my question.

**P.O. GREGORY:**

All right. Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. Legislator Schneiderman asked most of my questions, Vito. But just to be clear, if there is a CO that is issued a weapon because of a particular post, it's from an armory, so it's checked out and then it's checked back in. Those are officers that wouldn't be carrying them outside of their post?

**MR. DAGNELLO:**

Correct. It gets put in the armory, which is a box, and it's secured there until the next officer comes.

**LEG. STERN:**

Thank you.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

I'm sorry. Vito, one more question. So what's -- how are our officers indemnified? If they -- if they encounter a situation and they're required to use their weapon while off duty, are they protected by the County in terms of insurance, and what have you?

**MR. DAGNELLO:**

Correct. They go through the same process as a Police Officer off duty makes an apprehension or uses that weapon. We receive the same training that all law enforcement officers, Police Officers do.

**LEG. CILMI:**

To me, this is -- this is an ability for us to supplement the -- our police force, basically. They're not doing investigative work, they're not doing -- they're not doing patrol work, but if they're -- if they find themselves in a situation where they can protect the public, why not equip them with the tools to do that? They're trained, they're well trained, just as our Police Officers are. I don't see any reason why not to equip them with the tools to be able to protect the public. So, thank you, Vito.

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

Just real quick, I guess more for Mr. Vaughn, because it sounds like it's something that's needed. I think, Tom, the concern you were trying to raise is that there might be other departments, Police Department or maybe Probation Officers, where we -- once we did this for one, we'd have to do it for others; was that your concern?

**MR. VAUGHN:**

My concern, Legislator Schneiderman, was trying to understand if there are -- if there are posts right now that currently should have weapons that currently do not have weapons. And to go further, if the answer is yes, well that's one track. But if the answer is no, and that these weapons are primarily for individuals to carry while they are not in the facility, while they are not on duty, then I think that that raises other issues, specifically all of our Police Officers are carrying their weapons and the weapons that they carry off duty as a result of their on-duty responsibilities. If -- I think that what we are talking about is possibly altering -- or what we're trying to understand is whether or not we're talking about possibly altering either responsibilities or the need to carry the weapon. If the individuals did not have a need for the weapon prior to -- prior to us adopting this, are we now -- are we now changing a policy here? And I think that there are perhaps bigger ramifications

that are not being -- that because of the nature of a stand-alone, just like the nature of a --

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

With the COs, you know, clearly some carry and some do not carry --

**MR. VAUGHN:**

Right.

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

-- as part of their daily work responsibilities.

**MR. VAUGHN:**

Sure.

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

With the Police Officers, they all carry, correct?

**MR. VAUGHN:**

Correct, which is why they all have weapons.

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

Right. So this wouldn't then create -- you know, open up a can of worms, or whatever, that would carry over to the Police Department, unlike --

**MR. VAUGHN:**

Well, I would say this, and I would like -- you know, I am at a disadvantage because I'm certainly not a Labor Relations individual, but I certainly would also like to make sure that it's not in contract, or appears to be some type of benefit that we have not negotiated with our -- with any of our other Police unions, because this primarily seems to be -- my understanding, this primarily seems to be an off-duty weapon, it doesn't seem to be -- unless I'm completely missing the point, and I very well could be, it wouldn't be the first thing I'd be wrong about today, but this primarily seems to be talking about arming individuals while they are off duty, which does not seem to be -- our Police Officers carry weapons, because during their on-duty responsibilities, they need to use that weapon. That's what we're trying to understand.

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

Okay. And, George, I don't know really, but the issue of whether this would have to be negotiated, it doesn't seem like to me it would trigger something -- I'm sorry for the -- no pun intended -- anything in terms of collective bargaining. I mean, if we wanted to provide additional equipment to the Sheriffs, it sounds like we could do that without having to go through a contract negotiation; is that correct?

**MR. NOLAN:**

I would have to get back to you on that, Jay, to be honest with you. I don't know.

**MR. DAGNELLO:**

Can I just add something? Correction Officers deal with society's castoffs. They can't operate, they can't -- you put them in jail because they broke the law. They've committed a crime against the public. We deal with them 24/7. Here's a guy that can't -- an individual who can't get along with -- in the public, he's breaking the law, and I've got to tell him to get up in the morning, mop the floor, sweep the floor. That's what we deal with in jail. We have to force them to do things they don't want to do, and we're keeping them in the facility, okay?

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

Don't get me wrong, because, personally, I completely --

**MR. DAGNELLO:**

Now we've got to see them in the street.

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

I completely understand the situation they're in. I mean, they are in harm's way, they are vulnerable outside of that jail. And what you're asking for to me seems perfectly reasonable. It seems like it's something we ought to be providing for those officers. So, you know, I just wanted to make sure we didn't have any technical problems with it, which I don't believe we do. So there are others who wanted to speak.

**P.O. GREGORY:**

I'm sorry. Legislator Hahn.

**LEG. HAHN:**

So, Tom, Mr. Vaughn, I'm going to have to just respectfully disagree slightly. I do believe that, you know, this is hard hearing this for the first time here and having to like hash this all out. I think we're all having the same kind of frustrations, not knowing all the details of this request before today. And so I think what -- the way I'm sorting it out in my head is that their on-duty responsibilities put them at risk and in jeopardy when they're off duty. And, therefore, it is our responsibility, as the employer of the Correctional Officers, to make sure that they are equipped to protect themselves from the risk that we are -- in doing their job for us they are exposed to. And so I think that that -- you know, whether or not they have the gun while they are performing their duties, in my mind, is irrelevant. You don't want to put them at risk when they're performing their duties on the job. But the risk is there because of the job they are doing for us. And so, you know, given that, I think -- I think I'm working my way around.

This is hard, because, again, we haven't -- you know, we haven't had an opportunity. This hasn't gone through committee. We haven't had an opportunity to ask folks questions outside of this venue here. We haven't had an opportunity to gather all the facts that we may need on -- you know, to make a decision here. But that's how I'm -- you know, the understanding that I'm coming to, and understand the sponsor's motivations.

**MR. VAUGHN:**

And, Legislator Hahn, I would just like to say, you know, our questions here are certainly not to denigrate the fine work that these men and women do on our behalf. It's just trying to understand is there a piece of equipment that they need while they are on the job that they are not being provided, or is -- or is this for, as you've stated, for their personal protection while they are off duty? And it's just trying to understand where we are at with all this, and those -- that is the nature of our questions.

**LEG. HAHN:**

I think it's been explained.

**P.O. GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I agree with Legislator Hahn. I think you made the point precisely as I would have made it, that -- to Mr. Vaughn, I would say, yeah, we are making a policy change here. We are -- it is for the purpose of providing a weapon to an officer off duty, that's exactly what we're doing,

because when they're on duty, they can't have the weapon. The policy is that they shouldn't have the weapon, and as the -- Mr. Dagnello explained, that, you know, you don't want that weapon turned around and used against you. And there are reasons on how you run a jail. And I'm not an expert in all that, but if you're telling me that the Corrections Officers shouldn't have the weapon in the jail, then they're not going to have it. The problem is when they leave, by the very nature and virtue of what they do on the job, they're just as at risk as a Police Officer, because they're the ones that are hanging out with all the criminals all day and telling them what to do. So I think it really is a policy change, and I think it's in the right direction. And, Legislator Hahn, I agree with you, it's by -- it's by the nature of what they do. I know, it's shocking, isn't it?

*(\*Laughter\*)*

It's by the nature of what they do that necessitates issuing a weapon to this particular group of County employees, because they are in public safety, just like Police Officers are, and there is a need to do this. So I would support the amendment.

As far as collective bargaining, this just provides the funding. I mean, the collective bargaining laws are going to determine whether or not that's something that needs to be done or not done, and that's, you know, above my pay grade, and the attorneys can look at that. But, certainly, if it can be done, I think it should be done. I think it's a positive policy, and I think we should provide the funding for it.

**MR. VAUGHN:**

And, Legislator D'Amaro, I don't --

**LEG. D'AMARO:**

You don't have to respond.

**MR. VAUGHN:**

I --

**LEG. D'AMARO:**

You don't have to respond.

**MR. VAUGHN:**

I don't disagree. We're just trying --

**LEG. D'AMARO:**

You're responding.

*(\*Laughter\*)*

**MR. VAUGHN:**

Some days I just can't help it.

**P.O. GREGORY:**

And, Legislator D'Amaro, I absolutely agree with you, and the comments that Legislator Hahn made. And, I mean, we're not talking about issuing Glockes to, you know, Clerk Typists. You know, these are people that are in the jails. They know -- you know, they know -- you know, these are a criminal element, it's not a suspicion. These people are in jail and they -- in the increasingly small world that we live in, we -- you know, it's not uncommon to run into these people on off-duty hours. So Legislator McCaffrey had a comment.

**LEG. MC CAFFREY:**

Yeah, very quickly. I also want to go on record as supporting Legislator Hahn. I don't always have an opportunity to do that, but in this case, I wanted to.

*(\*Laughter\*)*

**LEG. D'AMARO:**

She fainted.

**LEG. MC CAFFREY:**

And, Vito, I want to thank you and your members for all the work that you do, and you deal with the worst of the worst out there. And they don't always like the way that they're treated, even though they are not mistreated in there. They just don't like being there. And just by virtue of the atmosphere in there, they're not going to like the people who they meet in there.

And I believe that you should have those off-duty guns. I think we need to -- I agree with Legislator Barraga, that we need to make sure that it's -- the people that don't have them now get them first, the new guys coming in, possibly. I think that's the way it should be done. But you guys run into some very bad people, and when you see them on the street, you should have the guns. The Police already -- the Police Officer and the Sheriffs already are issued guns, they can carry them off duty. The County always pays -- already pays for them. We should pay for these for your members. Thank you.

**MR. DAGNELLO:**

Thank you.

**P.O. GREGORY:**

Legislator Cilmi.

**LEG. CILMI:**

If I could just offer a suggestion or make a request. It seems like, as Legislator D'Amaro pointed out, this is a budgetary matter today, but it doesn't have to remain a budgetary matter. Why don't we approve the funding today, and then ask the Department to come back to us through the Public Safety Committee, possibly, in our next cycle, or whenever they can, and just provide us with a plan as to how they're going to implement? I mean, it sounds like that might answer a lot of questions, and we can get today's business done and we can move on.

**LEG. BROWNING:**

Sounds like a deal.

**P.O. GREGORY:**

Okay. All right. We have a motion and a second. A man of reason. All right. A motion and a second. All in favor? Opposed? Abstentions? Abstentions?

**MR. RICHBERG:**

Eighteen.

**P.O. GREGORY:**

Okay. Stand-alone Number 4.

**MR. LIPP:**

Okay. So that was Stand-alone Number 4.

**P.O. GREGORY:**

Right.

**MR. LIPP:**

And you can't consider Numbers 5 and 6. Those were the -- decreasing the sales tax ones. So it would conflict with the Omnibus. So now you're going to go to 7.

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

Mr. Presiding Officer, I actually had a request from Legislator McCaffrey to reconsider Number 2, Omnibus Number 2. I think he wanted to support the majority on that amendment, and I think had voted against it, and would like to reconsider it so he could vote in favor of it. So I'll make a motion to reconsider Number 2.

**P.O. GREGORY:**

Second by Legislator Cilmi to reconsider Budget Amendment 2. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

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

I'll make the motion to approve Number 2.

**P.O. GREGORY:**

Motion to approve Budget Amendment 2 --

**LEG. D'AMARO:**

Second.

**P.O. GREGORY:**

-- by Legislator Schneiderman, second by Legislator D'Amaro.

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

Just quickly, just on the motion one thing, because I didn't get to say this before. Very, very briefly, I just wanted to say something on the record, because last year I did not support the budget and this year I did.

First of all, to my Presiding Officer, who Chaired the Working Group, I think he did a great job on putting this together, and, of course, Robert in doing the report and working with the Working Group. But two things I wanted to point out. One is last year, because of the ASRF issue, I thought that that needed to go before the voters. It did go before the voters yesterday, it did pass, so now we do have voter approval of our ability to use ASRF in this purpose. So I think that's important to note as we approve this.

And also, the Police revenue sharing issue in the past, last year, which I felt did not comply with the County Charter, C46J of the County Charter, so I didn't support that about the budget this year. The East End and all the areas outside the Police District, including Amityville, are funded at sufficient levels, and I support -- I wanted to thank the County Executive for giving us a proposed budget that had a fair distribution of sales tax for our Police.

**LEG. CALARCO:**

Okay. Call the vote.

**P.O. GREGORY:**

Okay. All in favor? Opposed?

**LEG. CILMI:**

Opposed.

**LEG. KENNEDY:**

Opposed.

**LEG. TROTTA:**

Opposed.

**P.O. GREGORY:**

Abstentions?

**MR. RICHBERG:**

Fifteen.

**P.O. GREGORY:**

All right. Budget Amendment 2 passes. All right. We're up to ***Budget Amendment 7, increases -- by Legislator -- introduced by Legislator Krupski. It increases permanent salary and benefit funding in the General Fund for four positions, one each from applicable department, to be transferred from the Water Quality Protection Fund 477 through the General Fund. The expenses are offset by equal reduction in Light, Power and Water in the Department of Public Works.***

**LEG. KRUPSKI:**

I'll make that motion.

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

Motion by Legislator Krupski, seconded by Legislator Hahn. On the motion, Legislator Calarco.

**LEG. CALARCO:**

Just quickly, Robert, what's the dollar amount on this?

**MR. LIPP:**

Three-thirty-eight-three-ninety-five is the offset from light, power and water.

**LEG. CALARCO:**

So if we add in the 115 we just did, we're looking at over a \$400,000 reduction in power and --

**MR. LIPP:**

Correct.

**LEG. CALARCO:**

Okay.

**LEG. KRUPSKI:**

Let me -- Presiding Officer.

**P.O. GREGORY:**

Legislator Krupski.

**LEG. KRUPSKI:**

Could we finally -- after all the discussion this afternoon, could we finally talk about drainage? This is -- you know, this 477 Fund was meant for water quality improvements, and over the years, salaries were taken out of it to fund various functions throughout the County at the expense of water quality. This Monday was opening day of scallop season, and I went to my neighbor who scallops, and what -- they said there was between 70 and 80 boats out in Peconic Bay, just on the North Fork alone, harvesting big, really beautiful scallops, right?

**LEG. KENNEDY:**

Well, where are they?

**LEG. CILMI:**

Why don't we have them?

**LEG. KRUPSKI:**

We had them for dinner, that's where they were.

**LEG. CILMI:**

We had pumpkins.

*(\*Laughter\*)*

**LEG. KRUPSKI:**

And I don't know how many were on the South Fork, because I know there's historic places by Sag Harbor, Northwest Harbor, Napeague, there's a lot of good historic scalloping places over there also. This is a really important industry on the East End.

Close to 30 years ago, I worked with Southold Town and Suffolk County Department of Public Works on road runoff projects, and we started on Hashamomuck Pond in Southold, because it was a really important shellfishing area. The Town did road runoff projects, the County did a lot of work there, and then we moved to Mattituck Inlet. Because of the work we did at Hashamomuck, we opened up a lot of underwater land for shellfishing that was previously closed. Because of the work at Mattituck Inlet that the Town and the County did, we just opened up 52 acres of underwater land this year to shellfishing.

This is really important. This work should be done Countywide, and it's almost completely defunded by salaries. All this would do -- this wouldn't eliminate any salaries, and this wouldn't eliminate any positions. All this does is shift four salaries, one from each of the departments, out of 477, so that when the Water Quality Committee meets, there's actually money to consider to do road runoff and other water quality projects. And when you do these drainage projects you not only take the water from running directly into the surface waters, you also recharge the aquifer, and you're putting the fresh water right back into the aquifer to recharge that, which we desperately need.

So I'd really ask everyone to take out of almost -- over 70 positions, just to take four out this year to provide some money for water quality.

**P.O. GREGORY:**

Al, I agree with you. It's not even room for disagreement. The only argument is, you know, with the prices that we've had paying for those positions, and there are more positions that have gone to the 477 Fund, but I would say that, you know, with the support of the voters yesterday and the referendum passing, it's my understanding that there's approximately one-and-a-half, 1.6 million that's going to be going to the 477 Fund. So there would be more monies available for water quality projects, so it would be less of a dire need, if I dare say that; am I right, Robert? Is that -- I thought you quoted me that number.

**MR. LIPP:**

It's like, I don't know, like 4.7 million dollars for water quality.

**P.O. GREGORY:**

Okay.

**MR. LIPP:**

I believe that was 2016.

**P.O. GREGORY:**

But that's -- I was wrong by three million.

**MR. LIPP:**

And I think that might be capital projects, though. I'm not quite sure of the language. So I don't think --

**LEG. CALARCO:**

Bricks and mortar projects.

**MR. LIPP:**

Yes.

**LEG. CALARCO:**

Bricks and mortar --

**LEG. KRUPSKI:**

But this is just --

**LEG. CALARCO:**

-- that Legislator Krupski's talking about.

**LEG. KRUPSKI:**

That's what I'm talking about, thank you. But this is just -- that is just a one-time borrowing plan. This is -- this would be for recurring salaries every year that would go towards water quality improvements, not -- not just a one-time, which the bond resolution is going to provide.

**P.O. GREGORY:**

I agree with you. I just -- I don't think the offset is an appropriate offset. You know, if you add, you know, the offset, the bill that we just passed, the amendment with yours, I mean, it's half a million dollars. And what do you see sitting in the dark, you know, having our meetings because we can't pay the light bill.

**LEG. KRUPSKI:**

But we could turn the lights down, we could dim them for a better atmosphere here; you could.

(\*Laughter\*)

But if you look at that -- but if you look at the scallop season in Peconic Bay, you can see the success of past water quality improvements, and you have to -- you want to build off that success. It's the -- you know, it's the culture of Long Island, and it's also an important part of the economy.

**P.O. GREGORY:**

Okay. Legislator Kennedy, you had something?

**LEG. CILMI:**

John, did you have a question?

**LEG. KENNEDY:**

I was just going to give the illustration that the sponsor to -- in support. Scallops on the East End, I'll give you an example right here in the 12th Legislative District. We just got a \$1.2 million grant award from the DEC Water Quality Improvement Program authorizations from last November, and the predicate or the platform for that was the 477 Funding that was approved two years ago to do the study work on the northeast branch at Mills Pond. So not only is the 477 money important on its own, but, in fact, it winds up being a key element for leveraging up to be able to aggregate a larger amount of funding to go towards, you know, fish habitat, shellfish habitat, fresh water, you know, habitat across the board. It's got multiple uses, and it's quite dynamic.

So I do support what you're bringing forward. All I want to do is ask you, make sure we don't wind up getting those four positions thrown back in again next year, and that the funding remains available for bricks and mortar. That's what a former Legislator always said, Cameron Alden, bricks and mortar.

**P.O. GREGORY:**

Okay. I'm going to call the vote.

**LEG. CILMI:**

I just have a question.

**P.O. GREGORY:**

Oh, okay.

**LEG. CILMI:**

To Budget Review, Robert.

**MR. LIPP:**

Yes.

**LEG. CILMI:**

So, Legislator Krupski was talking about the use of 477 for -- you know, funds positions, and, from a policy point of view, it's always difficult to fund positions out of the 477 Fund, nevertheless, it's something that we've done. Could you just describe to us what we receive on an annualized basis, roughly, or maybe what's in the budget for next year to -- as revenue into the 477 Fund, and then give us a breakdown of how that money is allocated into the different components, and then maybe you could talk to us about what currently exists in each account as a fund balance?

**MR. LIPP:**

So we get about 9.2 million in revenue coming in during the year. There's, according to the, I guess --

**LEG. CILMI:**

Is that is for all quarter cent money?

**MR. LIPP:**

No, no, this is the water quality portion.

**LEG. CILMI:**

Is the water quality portion the only portion that's 447, or does it --

**MR. LIPP:**

No, no, no. Okay. So the water quality is 11.75%. There's a tax relief component, there's a sewer component, there's an open space component, and there's the water quality component. Water quality --

**LEG. CILMI:**

Okay. But it all goes into the --

**MR. LIPP:**

Correct.

**LEG. CILMI:**

When we collect the quarter cent, it all goes into 477?

**MR. LIPP:**

Correct.

**LEG. CILMI:**

Now, how much are we -- do we expect to collect this year in the 477 Fund?

**MR. LIPP:**

Oh, the entire program?

**LEG. CILMI:**

The entire program.

**MR. LIPP:**

Seventy-eight million, 9.2 of which would be for the water quality piece.

**LEG. CILMI:**

Okay.

**MR. LIPP:**

Of which most -- almost all of it is spoken for. According to the recommended budget, \$173,000 surplus on a stand-alone 2015 basis. That being said, because of capital closeouts and not using all of the funding that was designed for capital projects, there is over four million in that fund currently in terms of a fund balance for future projects, but there's little to nothing in terms of --

**LEG. CILMI:**

Ongoing operating.

**MR. LIPP:**

An ongoing basis, simply because there are significant number of staffing that had been moved over the last several years from the General Fund to 477. And based upon my conversations with

Legislator Krupski, and I apologize if I misquote you, he was looking to make a point that he can't cobble over all of them, but he wanted to cobble over like one position in each of the four departments just to make a statement to move us in that right direction, for lack of a better term.

**LEG. KRUPSKI:**

That's not misquoting me at all. Thank you.

**LEG. CILMI:**

Okay. So there's an additional -- there's \$4 million, roughly, in there now as a result of capital closeouts, but on an ongoing basis, there's less than -- I think you said less than \$200,000.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

That's, I guess, if not used on other things, would then go to fund balance then at the end of the year, right?

**MR. LIPP:**

Correct.

**LEG. CILMI:**

And through the Chair to the sponsor here, do you have specific programs, projects in mind that you would use the extra funding for?

**LEG. KRUPSKI:**

No. This is -- this money has to go through the Water Quality Committee, and so different people bring different programs to their attention, and then they go through a process to review them.

But, you know, something that someone mentioned here also, fish ladders, you know, there's another program that we're working on for the different rivers, and not just on the eastern part of the Island, but also, you know, the western part of the Island, that increase the productivity of alewives and bunker. So these are bait fish that really are important. And I've seen the Presiding Officer, pictures of the Presiding Officer with big striped bass, and you couldn't catch those big striped bass without all the bait fish that need to go into the freshwater to breed.

**LEG. CILMI:**

So for you, then, this is less about funding any -- providing funding for any specific project, and more about relieving the burden on that fund that these positions create?

**LEG. KRUPSKI:**

Yes. This was originally approved by the voters to have a steady source of revenue for water quality brick and mortar projects, and that's been -- that's largely dried up, so this would start to restore that.

**LEG. CILMI:**

And this would free up, either to you, Legislator Krupski, or to you, Robert Lipp, of how much money exactly on an annualized basis?

**MR. LIPP:**

Three-hundred and thirty-eight thousand, three-hundred and ninety-five dollars.

**LEG. CILMI:**

Okay. Thank you.

**LEG. D'AMARO:**

DuWayne.

**P.O. GREGORY:**

Okay. Legislator Spencer, then Legislator D'Amaro.

**LEG. SPENCER:**

Is there someone from the Administration? Do you have a position on this particular amendment? And, I mean, I know we had the Commissioner, you know, the water quality issue when we did the Health budget hearings. And I asked what their needs were, and I understand that the Administration has kind of a plan where they're looking to take care of these needs. What's your feeling about this particular amendment?

**MR. VAUGHN:**

We think that the amount is extremely well-intentioned, but perhaps slightly premature. So there are a number of things, there are a number of choices that the Budget has asked us to do over the years. We've had to -- we have had to amortize pensions. We've had to waive 5-25-5. We've cut the amount of money that we have available for things like pay-go and things along those lines. All of those decisions have been generated as a function of the budget in the financial times that we have found ourselves in over the last -- over the last number of years.

We -- so, along those lines, this is -- putting people into those positions is certainly -- is certainly right along those lines. I think we've had very challenging decisions that we've had to make. We would like to not see additional people, obviously, added to this fund. We would not like to see the additional money that was just adopted by referendum used to fund more personnel. We think that Legislator Krupski has a good idea, we're just not ready to -- we're just not ready to move on it at this point in time.

**LEG. SPENCER:**

I think that's, you know, concerning to me when we're making very difficult decisions in the water quality, and the needs are really important. But to not have any specific plan or direction of what these positions are going to be used for, and to just say we're going to start restocking the resources in this particular area when we're making very tough choices, and the Administration would be in charge of executing these positions, and if they're not prepared to do that, then I would have a difficult time supporting this. Thank you.

**P.O. GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I agree with Legislator Spencer, and with the Administration on this as well. I think that Legislator Krupski has -- is well-intentioned, but several years -- over the last several years, we've made really tough choices in moving salaries over into the 477 Fund, and there was a reason for doing that, and the reason was that the General Fund could not sustain these particular salaries. And we were very careful sitting through our budget process and making sure that the positions that were moved over to be funded by 477 were related to water quality. Do we want to reverse that policy over time? I would support that, but I don't think this is the time to start doing it. We're not out of the woods yet with respect to the budget. I don't -- you know, given that we know we're going into next year with a budget shortfall already, I don't think that this is the time to make that policy statement.

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I would like to see more brick and mortar projects come out of 477. I understand the purpose of it, and, certainly, we all support projects for water quality, but what you're doing is you're undoing policy decisions that were made in very difficult budgetary times prematurely. So I am not going to support this bill today, although I would consider, as our sales tax projections increase, and as our economy improves, perhaps we can get back to -- or start to get back to where we were with respect to this fund.

**P.O. GREGORY:**

And to piggyback on Legislator D'Amaro's comments, this was something that was considered in the Budget Working Group. It was sided with the majority of the members in the Working Group that we wouldn't go forward with this. And Legislator Krupski decided to put in a stand-alone to further express his interest in pursuing a policy-reversing, putting personnel in the 477 Fund.

**LEG. KRUPSKI:**

But it's -- to that point, it's never going to be a good time. You know, everyone else is going to have another idea and they're going to want to spend it somewhere else. And so it was easy to put salaries in this fund, because it was basically free money. And so it's a good time now to start improving water quality and to use the money for what it was -- the voters approved it for. So it's -- I think now is the right time.

**LEG. D'AMARO:**

Could I just respond to that? It was not easy to put those salaries into this fund. We struggled immensely with that in years past. No one really wants to do it, because we understand the purpose of the fund. So it wasn't free money. It was at a time where we moved salaries into that fund, as opposed to raising the General Fund property tax. These were the decisions that we're faced with, and I think we're still faced with those decisions today. As I said, I would support a policy change over time, but I just don't think that we should start that policy change today.

**P.O. GREGORY:**

Okay. All right. Mr. Clerk, we have a motion and a second?

**MR. RICHBERG:**

Yes.

**P.O. GREGORY:**

Roll call.

*(Roll Called by Mr. Richberg, Chief Deputy Clerk of the Legislature)*

**LEG. KRUPSKI:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

No.

**LEG. LINDSAY:**

No.

**LEG. MARTINEZ:**

No.

**LEG. CILMI:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. MC CAFFREY:**

No.

**LEG. STERN:**

No.

**LEG. D'AMARO:**

No.

**LEG. SPENCER:**

No.

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

Yes.

**P.O. GREGORY:**

No.

**MR. RICHBERG:**

Eight.

**P.O. GREGORY:**

Okay. Budget Amendment -- the motion fails, Budget Amendment Number 7. Budget Amendment Number 8, Legislator Spencer?

**LEG. SPENCER:**

I understand that the Working Group did take care of this organization, that there was some clarification that was made, and I understand that Legislators D'Amato and Martinez --

**LEG. CILMI:**

It's withdrawn.

**LEG. SPENCER:**

Withdraw it.

**P.O. GREGORY:**

Just get to it.

(\*Laughter\*)

**LEG. SPENCER:**

All right. I withdraw it. Thank you.

**P.O. GREGORY:**

All right. **Budget Amendment 9**, this is a pro forma. As I'm advised by BRO and Dr. Lipp, this is something that we do every year.

**MR. LIPP:**

Yes. This is just to adjust in the Southwest Sewer District the charge for the per benefit parcel user fee and the property tax. So when the recommended budget comes out, the numbers aren't all in. This adjusts it, small changes just to make it right.

**P.O. GREGORY:**

Okay. Now I'll read the description quickly. **Revises the breakdown of property tax items between the per parcel benefit charge and property tax levy in the Southwest Sewer District to reflect updated information on the number of parcels and assessed valuations.** I'll make a motion to approve.

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

Second.

**P.O. GREGORY:**

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

**MR. RICHBERG:**

Eighteen.

**P.O. GREGORY:**

Okay. That is all the Budget Amendments. We have to set the date for the --

**MR. NOLAN:**

CN.

**P.O. GREGORY:**

Oh, I'm sorry, there's a CN. **CN, I.R. 1994 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the Purchase of Protective Gear for Fire, Rescue and Emergency Services (CP 3518).** I make the motion to approve.

**LEG. HAHN:**

Second.

**P.O. GREGORY:**

Second by Legislator Hahn. Questions?

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

The offset is the Enterprise Agreement; is that right, Robert? The Microsoft Enterprise Agreement is being used?

**MR. VAUGHN:**

Yes.

**MR. LIPP:**

Yes, it is.

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

Not all of it, but part of it, right. On the CN, the offset is the Microsoft Enterprise Agreement.

**P.O. GREGORY:**

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

**MR. RICHBERG:**

Eighteen.

**P.O. GREGORY:**

Okay. Same motion, same second on ***I.R. 1994A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$325,000 in bonds to finance the cost of acquisition of protective gear for Fire, Rescue and Emergency Services (CP 3518.510)***, the bond resolution. Roll call.

***(Roll Called by Mr. Richberg, Chief Deputy Clerk of the Legislature)***

**P.O. GREGORY:**

Yes.

**LEG. HAHN:**

Yes.

**LEG. KRUPSKI:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. MURATORE:**

Yes.

**LEG. ANKER:**

Yes.

**LEG. CALARCO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MARTINEZ:**

Yes.

**LEG. CILMI:**

Yes.

**LEG. BARRAGA:**

(Not Present)

**LEG. KENNEDY:**

Can I ask a question? Robert, a quick question before I cast my vote. The duration on this bond?

**LEG. TROTTA:**

Five.

**LEG. KENNEDY:**

This is for personal protection gear, and what's the duration?

**LEG. TROTTA:**

Five years.

**LEG. KENNEDY:**

Is it a five-year bond?

**MR. LIPP:**

It not our resolution, so I haven't really had a chance to review it. But it says five years, but it would be up to the Comptroller --

**LEG. CALARCO:**

Would be up to you.

**MR. LIPP:**

-- whether or not they want to use -- and we could have a conversation about this.

**LEG. KENNEDY:**

Oh, yeah. Oh, yeah, yeah, we'll vote for that, no problem. Yeah, okay.

*(\*Laughter\*)*

*(Roll Call Continued by Mr. Richberg, Chief Deputy Clerk of the Legislature)*

**LEG. KENNEDY:**

Yes.

**LEG. TROTTA:**

Yes.

**LEG. MC CAFFREY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. SPENCER:**

Yes.

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

Yes.

**MR. RICHBERG:**

Seventeen. (Not Present: Legislator Barraga)

**P.O. GREGORY:**

Okay. All right.

**LEG. KENNEDY:**

That played well.

**P.O. GREGORY:**

I'm going to make a motion to set the following Public Hearings on November 18, 2014, 2:30 p.m., at the Rose Caracappa Auditorium here in Hauppauge:

***I.R. 1996 - A Local Law to amend the County's Human Rights Laws to further protect victims of domestic violence (Sponsor: William Spencer).***

***And I.R. 2012 - A Charter Law to strengthen the County's Water Quality Protection Program (Sponsor: Jay Schneiderman).***

Do I have a second?

**LEG. MARTINEZ:**

Second.

**P.O. GREGORY:**

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

**MR. RICHBERG:**

Seventeen. (Not Present: Leg. Barraga).

**P.O. GREGORY:**

That is our agenda. We stand adjourned. Thank you.

***(\*The meeting was adjourned at 3:59 p.m.)***