

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

FIFTH DAY

March 24, 2015

Verbatim Transcript

MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING

IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM

725 VETERANS MEMORIAL HIGHWAY

SMITHTOWN, NEW YORK

Minutes Taken By

Alison Mahoney & Lucia Braaten - Court Stenographers

Verbatim Transcript Prepared By

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

*(*The meeting was called to order at 4:02 P.M. *)*

*(The following was taken by Alison Mahoney - Court Stenographer
& was transcribed by Kim Castiglione - Legislative Secretary)*

P.O. GREGORY:

Okay. Good evening, Mr. Clerk. Could I have all Legislators to the horseshoe, please? Mr. Clerk, do the roll call.

MR. LAUBE:

Good evening, Mr. Presiding Officer.

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

LEG. KRUPSKI:

Here.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

(Not Present).

LEG. HAHN:

Present.

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. LINDSAY:

(Not Present).

LEG. MARTINEZ:

Here.

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. TROTTA:

Here.

LEG. McCAFFREY:

Here.

LEG. STERN:

(Not Present).

LEG. D'AMARO:

Here.

LEG. SPENCER:

(Not Present).

D.P.O. SCHNEIDERMAN:

(Not Present).

P.O. GREGORY:

Here.

LEG. MURATORE:

Here.

MR. LAUBE:

Twelve. (Amended to 16. Legislator Browning - Excused Absence; District #12 - Vacant Seat)

P.O. GREGORY:

Okay. Mr. Clerk, please recognize Legislator Browning as an excused absence.

MR. LAUBE:

Will do.

P.O. GREGORY:

Okay. We will have the Pledge of Allegiance or salute to the flag led by Legislator Stern.

Salutation

Okay. Legislator Stern will introduce the **Half Hollow Hills Blue Notes Jazz Vocal Ensemble**, students from Half Hollow Hills High School West, who will sing the National Anthem.

LEG. STERN:

Thank you, Mr. Presiding Officer. And good afternoon to everyone.

As we're welcoming some of our guests today, it is my pleasure to introduce the Half Hollow Hills Blue Notes, which is High School West's Select Vocal Jazz Ensemble and is conducted by Choral Director Michele Martuffi. The Blue Notes perform in the district and throughout the community. Past performances have included Half Hollow Hills Night at Nassau Coliseum for the New York Islanders, SCHEMA Jazz Festival, Music in the Parks competitions, Berkeley Jazz Festival, Citifield, Half Hollow Hills Founders Day, and Festival Disney. Please join me in welcoming today the Half Hollow Hills Blue Notes.

Applause

LEG. STERN:

Joining us today for the **Invocation** is **Pastor Roy Minnix**. Pastor Minnix was called to **St. Luke Lutheran Church** in **Dix Hills** in January of 2014. Since then, his family has thoroughly enjoyed getting to know both their St. Luke family and the larger Long Island community. Prior to receiving the call to St. Luke, Pastor Minnix served a parish in Hudson, New York, and then as campus pastor at his alma mater, Concordia College, New York, located in Bronxville. After graduating from Concordia College in 2001, Pastor Minnix completed his Master's Degree in Divinity at Concordia Seminary in St. Louis, Missouri. His graduate studies at the seminary also included an internship at Peace with Christ Lutheran Churn in Fort Collins, Colorado, where Pastor Minnix was able to create a

new college outreach ministry.

In 2013, Pastor Minnix was awarded a Doctorate in Executive Leadership from St. John Fisher College in Rochester, New York. His research investigated the role of a mentor in the spiritual and faith development of the young adult. In addition to serving the congregation, Pastor Minnix has served on the Columbia County Habitat for Humanity, as a rape crisis counselor, as head of the annual Holocaust Commemoration for the Interfaith Council of Westchester, and presently sits on a dissertation committee.

Having gone to high school on the Jersey Shore, both Pastor Minnix and wife, Jennifer, are happy to be back near the water and feel very much at home in their new surroundings. We are so pleased to have him as a part of our greater Dix Hills community. Please join me in welcoming today for the Innovation Pastor Roy Minnix.

Applause

PASTOR MINNIX:

Let us pray. Almighty God, we give thanks to you that in your sheer goodness and mercy you have ordered all things for our good. Through your creation and throughout our communities we see your continued care and hand at work. We give you thanks for those whom you have raised up into service, those here today, gathered in the persistent hope that you will forever make known the paths you have placed before us. Through your prophet Micah you once declared God has shown you what is good, and what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God. Through your son you have given us a perfect example of what you desire from us and for all people. In these days you have promised to continue to reveal your will and your promises. We pray today that you might reveal to us a shared purpose, one that seeks to serve and not to be served. One that finds its fulfillment in humility and compassion. Bless those who seek to be a blessing. Strengthen those who seek the general welfare of all, and may our work today and always be according to your great purpose, a plan that is far greater than the challenges we face in our lives, our communities and even throughout the world. Give us your spirit of wisdom and strength to know your will and to do it. We ask all these things in the precious name of our Savior, Jesus Christ. Amen.

"Amen" Said in Unison

P.O. GREGORY:

If you would all please remain standing, get a little exercise. Have a moment of silence in memory of Madeline D'Andre, wife of former Legislator Michael D'Andre, and Carol O'Leary, wife of former Legislator Pete O'Leary, who passed away recently. And in memory of former Riverhead Town Supervisor, James Stark, who passed away recently from lung cancer. Jim was elected Supervisor in 1995 after serving five years as town councilman. During his tenure on the Town Board, the town adopted special zoning that allowed for the development of the Tanger Outlets. While Supervisor, he played key roles that ultimately led to the development of the Long Island Aquarium and revitalization of the Suffolk Theatre. Former Supervisor Stark is the father of Legislative Aide, Catherine Stark. We extend our deepest sympathy and prayers to their families. As always, let us remember all the men and women who put themselves in harm's way every day to protect our country.

Moment of Silence Observed

Please be seated. Also, as Legislator Spencer just reminded me, this morning the flight, the German flight in France that went down this morning. Our hearts and prayers go out to the 150 plus families that are suffering today as well.

Before we begin proclamation presentations, I would like to recognize and welcome as guests of Legislator McCaffrey some advanced placement students from Lindenhurst High School interested in understanding how politics works on the local level. Welcome, guys. Where are you? Oh, out in the hallway. First lesson of politics, come early.

(*Laughter*)

LEG. HAHN:

It will clear out.

P.O. GREGORY:

It will clear out. All right. Proclamations. We have several proclamations, first being in recognition of Women's History Month.

In 2002 the Legislature passed Resolution No. 786 of 2002 to select a *Woman of Distinction* in March of every year. Legislator Stern will present a proclamation on behalf of the Suffolk County Legislature to Rosemarie Kluepfel.

LEG. STERN:

Thank you, Mr. Presiding Officer. And again, good afternoon, everyone. This is a real personal pleasure for me, a longtime volunteer, Rosemarie Kluepfel has dedicated herself to those who have served our great nation. She regularly volunteers her time at the Northport VA Medical Center assisting with food distribution for homeless veterans and speaking with residents at the VA to help them with the difficulties that they face. She's held numerous fundraisers for veterans through the local Huntington chapters of the VFW and American Legion, and is even known among the organizations as their local mascot for her passionate support over these past many years.

Her most recent contribution to our veterans is through her leadership of the Fairway Foundation, the 501(c)3 arm of the Mortgage Corporation in which 100% of all the proceeds raised goes to providing homes for wounded veterans. Rosemarie leads the Long Island efforts of this initiative, and through her skillful leadership she's raised more than \$30,000 through benefit concerts, comedy shows and door to door outreach in order to rebuild two homes to meet the needs of two wounded Long Island veterans. Not only does she head all of the Long Island fundraising efforts, but she's also a hands on volunteer, putting hammer to nail to construct the homes.

However, Rosemarie's efforts aren't exclusive to veterans causes. For five years she's led a charity fashion show at the Walt Whitman Mall to benefit the Dolan Center and has also used her gift of songwriting to help fight childhood bullying.

Included in her volunteer efforts is her work with the Society of Italian Americans and Friends Organization. She's a founding member of the Long Island Chapter, which has held several charitable events to benefit local hospitals and other organizations in our communities.

Rosemarie sets an outstanding example for all of us here in Suffolk County, but she's especially a role model for women in our community. Working as the only female loan specialist and also the only employee with a background in construction, she stands out not for her gender, but for her dedication and for her skill. To foster growth among other female business leaders, she serves as Press Relations Director of the Suffolk County Women's Business Enterprise Coalition. She is also the proud parent of three children, who are each on their way to successful careers in the fields of law and science.

And to all of my colleagues and everybody here today, we in the 16th Legislative District are incredibly grateful to Rosemarie for all of the work she does to help our community. It is with great pride that I have the pleasure to see her recognized throughout all of Suffolk County as the 2015 Woman of Distinction. Her unwavering dedication to our veterans and all those in need of support in our community is undeniably commendable, and she is truly an example of what one person who cares about her neighbors can accomplish. Congratulations.

Applause

MS. KLUEPFEL:

Wow. Really I am just another person in our community. Firstly, I want to thank the Women's Advisory Board, the Women's Department of Services for Suffolk County, and of course our 18 Legislators today for honoring me with this award, and especially my own representative, Steve Stern. No one stands alone and I'm here today because of the support and encouragement of the amazing women and men in my life that have led by example. Those who refuse to accept status quo and strive for excellence, those whose voices resonate long before -- long after in our lives.

In 2009, I met Leo Giovenco. He was such a man. He was a World War II hero who stormed the beaches of Normandy. Through the years he often was asked to describe the perils he had encountered in war. Leo told me once that to him to speak it was to relive it. For Leo, his physical wounds healed, but for seven decades he carried the heaviness in his heart. It was his words that were the inspiration to the song *The Reason I Breathe*, which was a song that had post-traumatic stress undertones, inspired for me speaking at the VA hospital to the homeless veterans.

Our soldiers and families carry the burdens of sacrifice long after their return from the beaches of Normandy, the hills of Korea, jungles of Vietnam, and the deserts of the Middle East. For too many the invisible wounds of post-traumatic stress are the whispers of war that echo decades after the mortars have ceased. Let us pay reverence to all the men and women that serve our country with honor and distinction. For those of us that are not veterans, let us thank our soldiers a thousandfold, for each that have served, has spared another. Leo passed October 24th, 2013, so he's not here today, but I want to thank Leo. He's truly missed. Thank you again.

Applause

I just want to acknowledge that there's members here of the VFW Post 1969, future Vice Commander Dennis Sullivan, the Commander of the VFW, and Commander John Cooney of the American Legion Post 694. I want to acknowledge them here this evening and I salute them and thank them for their service.

Applause

(*Photograph Taken*)

D.P.O. SCHNEIDERMAN:

Next up, our **Presiding Officer DuWayne Gregory** will present proclamations to the Wyandanch **Wiz Kids Robotic Team**, winners of the 2014 World Class Challenge Judges Award at the School Business Partnerships of Long Island Incorporated's first Lego League Competition.

P.O. GREGORY:

Thank you, Mr. Deputy Presiding Officer. Waiting for some of the kids to come forward. Hi, guys. It's my pleasure to stand before you tonight and to recognize the Wyandanch Wiz Kids Robotics Team of the Family Life Center in Wyandanch Youth Center. They are the recipients of the first Lego League World Class Judges Award. The team was presented with this award because of their

perseverance under pressure and the obstacles that they overcame. They never gave up. They were able to successfully accomplish two missions, put on a skit, show technical competence and have knowledge of their core values and they maintained their discipline and graciousness. And the team from Wyandanch was the youngest team in the competition. We asked them to come here today and be recognized. We have a proclamation for the Wyandanch Life Center as well as all the individuals involved. I just wanted to recognize them before this august body. Congratulations, guys.

Applause

D.P.O. SCHNEIDERMAN:

Next up, Legislator Kevin McCaffrey will present a proclamation to Grace Reeves from Lindenhurst High School, 2014-2015 Girls Swimming and Diving Suffolk County Champion, as well as the County and Sports current Suffolk County record holder.

LEG. McCAFFREY:

Thank you, Mr. Deputy Presiding Officer. It's a pleasure to be up here to recognize Grace Reeves from Lindenhurst High School. In fact, the last time I was up here recognizing Lindenhurst High School I think it was for a Suffolk County Football Championship. I also have with me tonight is her coach, Tom Cornelia, Dr. Chris Gitz, the Principal of Lindenhurst High School, and the Athletic Director, Anthony Amesti and Dad was here a minute ago. There he is, okay. It's a pleasure to have you here tonight and honor you. Not only were you the Suffolk County Diving Champion for the year, but you also set a new record for Suffolk County for the most points scored, and that was how many?

MS. REEVES:

Five-hundred and thirty-eight.

LEG. McCAFFREY:

Five thirty-eight, and hopefully that's a record that will stand for a very long time.

MR. CORNELIA:

Until she breaks it again.

LEG. McCAFFREY:

Until she breaks it again, that's right. And Mom's here, too. Congratulations, Mom. I just would check with Legislator Calarco. We didn't have a bet about this, did we.

LEG. CALARCO:

No.

LEG. McCAFFREY:

Oh, okay. Because you still haven't paid off on the other one yet, so I didn't want it to be building up. But anyway, Grace, on behalf of the Legislature and myself, it's a pleasure to present this proclamation to you on your achievement in diving and I hope you continue on beyond high school into college and you are successful in all your other endeavors as well. Congratulations and thank you everybody for coming.

Applause

P.O. GREGORY:

Okay, next we have Legislators Stern and Trotta. Where is Legislator Stern? All right. We'll move forward. Can someone get Legislator Stern? Okay. Next we'll do Legislator Spencer will present a proclamation to Alison Matthews.

LEG. SPENCER:

Alison, please join me here at the table. And Alison's also here with her mother-in-law and also her husband and her sons Darren and Daryl. Thank you. It is always important to be able to recognize just great accomplishments within our community, and Alison, who is a business teacher at Harborfields High School, has been invited by the New York State Department of Education to participate in the New York State Education Business and Marketing Test Framework Review Conference. This is a very prestigious honor, because in this capacity she will review test frameworks for new exams that are being developed for teacher certifications, and she's also been invited to be an advisory member of the New York State Teacher Certification Exams and Business Marketing Standard Setting Committee. To be recognized like this you have to stand out as a teacher among teachers, so to be the person that they want to set the standard. So she will continue to set the standard, to discuss performance standards, and provide recommendations for future examinations.

She continues to serve as an advisor at Harborfields High School and head of the Distributive Education Club of America and the Chamber of Commerce for Young Professionals.

So as Legislator of the 18th District, it gives me pleasure to present this proclamation to Alison and her family in recognition of her dedication and commitment to Harborfields High School and our community. Alison, thank you very much.

Applause

LEG. SPENCER:

At this time, I would like to invite Joseph Toles to join me at the podium. Joseph, thank you. Joseph is an unbelievably remarkable guy, and he's the Director of Guidance at Half Hollow Hills School District and he is a New York State licensed Mental Health Counselor, Physical Education teacher and an experienced coach, former Division I All-American Track and Field athlete, at Auburn University, and led their team as captain. But in 2006, due to his own experience as a child who grew up in the New York State Foster Care System his entire life, Joseph founded the Joseph Toles Foundation. This is an incredible organization that helps to refer and subsidize local children who are involved in the foster care system. It also helps to develop social skills, seminars, workshops and retreats and camping experience. The children, parents, guardians and professionals work towards providing a rich environment for individuals who are in this setting.

Not only that, Joseph goes a step further where he provides a home for many children himself through program development, social and corporate outreach, grant writing, and fundraising events sponsored by the foundation. Joseph has made a big difference in a lot of young people's lives. So as Legislator of the 18th District, it also gives me great pride to recognize the Joseph Toles Foundation and its member, Joseph Toles, for their outstanding work on behalf of our young people and those kids that otherwise would be overlooked. Congratulations. Thank you.

Applause

P.O. GREGORY:

Okay. Now we'll have Legislators Stern and Trotta who will make a couple of presentations.

LEG. STERN:

Joining Legislator Trotta to make some fun presentations to a couple of great teams from Commack. Let's first start with Girls Fencing. Please, come on up. I'm proud to honor the Commack Cougars 2014-2015 Girls Fencing Team, who won the Suffolk County Championship for the first time in Commack fencing history. Just very briefly, an outstanding team that came together to break a 15-year 194 winning streak of what had been the County Champions, so this is a special win that sets history, history for our local community and for girls fencing. So we're pleased to have you with us and to say congratulations on behalf of your neighbors in the 16th Legislative District. My colleague, Rob Trotta.

LEG. TROTTA:

All I can say is on behalf of my alma mater, I went there, it was called the Rams back then, congratulations. This is something you will carry with you for the rest of your life. No one can ever take this from you; you're the champions. Congratulations and you did Commack very proud.

Applause

COACH RAEIHLE:

First of all, I would just like to thank all the Legislators for presenting us with this immense honor, in particular Legislator Stern and Legislator Trotta. Thank you very much.

I will say this. It's been my honor to coach these young ladies, these young woman, who exemplify all the qualities and traits that we need in life to be successful. They've learned to support each other. They came together as a team to overcome great obstacles, one of which being a 15-year span where one team dominated this league and never saw any opportunity as insurmountable. They supported each other, they picked each other up, really exemplified everything that you'd want to see in any young woman, any young student, any young athlete, and it was my immense privilege to coach this team. As a Commack graduate myself, and I have experienced a lot of things along the way, this team, coaching this team was the highlight of my career. I just want to thank them and thank you all again for this great honor for being here today. This is the ultimate culmination of our efforts to this point. Thank you so much.

Applause

LEG. STERN:

Okay. We have a lot of Commack Cougars here with us today, and so Legislator Trotta and myself are proud to honor the Commack Cougars 2014-2015 Girls Basketball team winners of the Long Island AA Championship Suffolk County AA Championship, and the first Long Island Championship in Commack history.

Applause

Again, a very special season with some extraordinary accomplishments. They're joined by their coach today. On behalf girls, of your neighbors in the 16th Legislative District, we say congratulations. And my colleague, Legislator Trotta.

LEG. TROTTA:

Again, I just want to tell you girls how proud I am of you and that this never happened before in the history makes it even better. Because, again, this is something you'll take with you for the rest of your life. And I just want to point out, I read in the paper that though you didn't win the States the coach did like a very, very touching thing where you had just a few seconds left in the game, he called you guys out, and I heard the whole town just applauded you and I applaud you. And, again, you take this with you for the rest of your life. Congratulations. Congratulations Commack.

Applause

MR. CONROY:

Thank you for bringing us here day and honoring us in this way. We're very sensible of the honor you do us. And I can echo what Mr. Raelhle said, these are exceptional young ladies whose teamwork and unity really helped to bring a whole community together. The school and the town itself was really behind us and it was a wonderful thing to see. And as a coach, you like to see, you know, people go through growth under your care as an educator, and the most important thing is not even the wins and losses, but just how much these young ladies have learned and pulled together. They're really an example to the other kids in the district. And I think that, you know, the memories that they take away, as Legislator Trotta said, are lifetime, but I think they've also created a lot of memories for other people, including myself. And I want to thank Legislator Stern and Legislator Trotta for having us here today. It's a wonderful honor. Thank you very much.

Applause

P.O. GREGORY:

Okay. Next we'll recognize Legislator Cilmi, who has a presentation.

LEG. CILMI:

Thank you, Mr. Presiding Officer. If I could ask the East Islip Boys Bowling Team to join me here at the podium, along with Coach Cheadle, and I believe I saw the Athletic Director, Steve Restivo, in the room. It's good to be before you again. You know, we always take great pride and joy in recognizing our young people, whether it be for academic achievements or athletic achievements or civic involvement. It seems like just yesterday that I was here paying tribute to the girls bowling team. And I'm not sure what it is in East Islip about, you know, what we're feeding you all that we do so well with bowling, but nevertheless we do and time and time again the East Islip Bowling Teams deliver.

So in this case the Redmen, who are standing behind me here, finished their season this year as League Champions, continuing on to win the Suffolk County Championships, which then led them to the New York State Championships, which they won. So here today with me is Steve Restivo, the Director of Phys Ed, Health and Athletics, as well as Coach Bob Cheadle, and we have seniors Matthew Amin, Nicholas DeFazio, John Kavanaugh, Anthony Riggi, Nicholas Salentino. Juniors Craig Griffith, Michael Orabello, Michael Riolo and David Sherman; two Sophomores, Vincent Altman and Matthew Waldron; and two Freshman, Justin Orabello and James Spina.

Eight of the 13 members of the team headed to that State Championship on March 7th, just a couple of weeks ago, in Syracuse; Matthew, Nick, Anthony, Nick Salentino, John Kavanaugh and Juniors Michael Orabello and Mike Riolo and Freshman Justin Orabello. And as I said, they took home the championship. So we're incredibly proud of you guys. Keep up the good work and best of luck in your next season. Thank you.

Applause

Coach, did you want to say a few words? This is for you on behalf of the team and I'll give these to the Athletic Director and you can hand these out to your team members, okay? If you want to say a few words.

MR. CHEADLE:

Thank you very much, Legislator Cilmi, and thank you for inviting us today. This is a great achievement for these young men. They three years ago endured the loss of their coach to cancer. They've persevered over the last three years and this year it came together in a big, big way. And

so sports can sometimes teach you some great lessons about life, you know, how to go through adversity, get knocked down, get back up. And I would like to thank them for the honor of coaching them. I would also like to thank you for including us in a day like this with so many other extraordinary people here. So again, thank you very much.

Applause

P.O. GREGORY:

Okay. I recognize Legislator Stern again for another presentation.

LEG. STERN:

Thank you, Mr. Presiding Officer. Yeah, a lot of great things happening, a lot of special individuals in the 16th Legislative District. So today I'm very proud to recognize Michael Kipnis. Michael is a 15-year old honor student at Half Hollow Hills High School East, who recently raised \$3,500 for the Juvenile Diabetes Research Foundation. Michael and his family, who is here with him today, recently held a fundraiser at Intelligent Fitness, a health focused gym and training facility that his family owns in East Northport. Michael, who himself has Juvenile Diabetes, is an active young man. You can see he looks pretty good, handsome young man, who has made it his mission to raise awareness and educate his peers about management of diabetes and the positive impact of a healthy lifestyle, including healthy cuisine and fitness.

Michael is a positive role model and brings great pride to his family and to our entire community, and so today I'm pleased to present him with this proclamation honoring his accomplishments and to wish him very good health in the future. And it is really a privilege to have you with us to say congratulations and most importantly, for all of your efforts. Thank you.

Applause

P.O. GREGORY:

Okay. Next we will recognize Legislator Hahn, who has a presentation.

LEG. HAHN:

Hello there.

P.O. GREGORY:

Kara, we're going to take a picture. Maybe hold off just a second.

(*Photograph Taken*)

LEG. HAHN:

Sure thing. Okay, thank you. Thank you very much. I am thrilled to be here once again to recognize very distinguished students from my alma mater, Ward Melville High School. Two students from Ward Melville High School were selected as Intel semifinalists in the prestigious Intel Science Talent Search, Jessica Ju and Eric Wang. Eric unfortunately was unable to be here tonight, but they were among only 300 students nationwide and 43 students on Long Island to be awarded this distinction. This would not have been possible without the support of their parents -- and Jessica's parents are here today? Yes, hello. Thank you. Congratulations to you as well. Their Stony Brook University Faculty Advisors, and Dr. George Baldo.

Jessica's project was entitled, and I hope I can pronounce everything properly, "Using Python to Apply Phenological Rules for the Transcription of Korean." Jessica worked under the leadership of her mentor, Dr. Juang Young of Stony Brook University's Linguistics Department. She developed

computer software to accurately translate Korean symbols into textual language. This approach can be used with other languages as well, providing universal translators.

And Eric's project, he's not here, but I would like to just tell you about it, was entitled, "A Novel Approach to Water Desalination: Reverse Osmosis by Fabrication of Graphene Oxide Membranes." And I will not be explaining that to you tonight.

*(*Laughter*)*

In addition to recognizing Jessica here tonight, I also want to honor Dr. George Baldo, for his 18 years of service as Director of Ward Melville High School's InStar Science Research Program. Dr. Baldo will be retiring at the end of this school year, leaving an unmistakable mark on Ward Melville High School. Thank you, Dr. Baldo, for all that you have done for the students at Ward Melville for their learning, the pursuit of science. It's so incredibly important to our youngsters, to our community, and we really appreciate you for your dedication over all these years. And Dr. Baldo has dedicated his career to mentoring, inspiring and molding hundreds of young minds in their pursuit of academic excellence. So once again, thank you to you.

And congratulations, Jessica. This is just an incredible, incredible accomplishment and we know we have so much more that we will be expecting of you in the future because your future is bright and the possibilities are endless.

Applause

DR. BALDO:

I just would like to thank Legislator Hahn for those very kind words. I don't know if I can live up to that, but greatly appreciated, and also the Legislative board for having us here tonight. Jessica is a marvelous student, as I'm sure you can determine from her work. I had the fortune to work with a terrific number of students over the years that really are forging ahead and pushing our scientific envelope into the future. Something that is so important, I think, for this country is to maintain our interest in STEM, science, technology, engineering and math, and inspiring our young people to consider that as a career possibility. Jessica is an excellent example of someone who is inspired by the support she received from our Legislature, our teachers, our universities, and I just hope it continues in the future. It's been a pleasure working in this area. Thank you very much.

LEG. HAHN:

Thank you.

Applause

I have another presentation; *Sahil Sangwan*, come on down. Another one of my alma maters, *Gelinas Junior High School*, eighth grader Sahil Sangwan *won the Long Island Regional Spelling Bee* hosted by Hofstra University. Sahil triumphed over 114 other students across Long Island, and Sahil now advances to the Scripps National Spelling Bee in Washington, D.C. Oh, wow, congratulations to you. I'm curious, what was the last word, do you remember the last word that you had to spell?

MR. SANGWAN:

Yes, it was Afrikaans.

LEG. HAHN:

Okay. I don't know that I can spell that. But maybe -- so I'm sure there are folks in the room. Were there some tough words that if you had been asked that would have been a problem for you,

you think?

MR. SANGWAN:

Probably.

LEG. HAHN:

Yeah, it's a really tough competition and congratulations to you. Your attention to detail, all of this will be very important to you in your future endeavors. So congratulations and to you as well.

Applause

LEG. HAHN:

Thank you very much.

P.O. GREGORY:

All right. Thank you. Congratulations. Legislator Stern.

LEG. STERN:

Thank you, Mr. Presiding Officer. This is an exciting presentation for an outstanding young lady. I'm proud to honor Bridget Kennedy, winner of the American Legion High School Oratorical Constitutional Speech Contest. A Senior at St. Pius V School in Melville, Bridget also captured first place in the zone competition representing Queens, Nassau and Suffolk Counties, and finished second in all of New York State. Bridget, a Dix Hills resident, was sponsored by Greenlawn American Legion Post 1244. The Constitutional Speech Contest is designed to instill a greater knowledge of the United States Constitution, foster leadership skills and develop public speaking skills. After high school Bridget intends to attend college locally as a pre-health major with a goal of becoming a physical therapist. She is here surrounded by family and representatives from American Legion Post 1244 in Greenlawn. I'm very pleased to present her with this proclamation to say congratulations and that we all wish you every success in the future.

Applause

P.O. GREGORY:

Okay. Now we're going into the public portion. We have multiple cards. Just a reminder that each speaker does have three minutes, and the first being Laura Ahearn. Laura, where are you? Okay. Colleen Merlo. We're going through these pretty rapidly. All right. We'll come back to them.

LEG. BARRAGA:

Here she is.

P.O. GREGORY:

Oh, here's Laura. And Colleen. All right. You're up, Laura.

MS. AHEARN:

Good evening, Presiding Officer Gregory, Deputy Presiding Officer Jay Schneiderman and Legislators. My name is Laura Ahearn. I'm the Executive Director of the Crime Victims Center of Parents for Megan's Law. I'm here today to support IR 2160, a resolution to educate domestic violence victims about their risk of repeat offense. Three women die every day because of domestic violence, and for every one woman who is killed, there are nine other women who are victims of attempted homicide. Domestic violence victims need help. Without intervention, the violence escalates, resulting in physical injury, emotional trauma and in severe cases, homicide. The presence of identified risk factors make domestic violence homicide predictable and preventable.

It's been determined that over half of the women who are murdered, over half, by their intimate

partners did not accurately perceive their risk that a perpetrator was capable of killing him or her. This victim centered legislation is an enormous step for Suffolk County. All three components of this initiative serve to empower domestic violence victims by providing them vital information to help them more accurately perceive the grave risk they may currently be facing in their intimate relationship. And as we all know, information is power.

First, the Police Department will use objective means to assess, identify and respond to victims in certain high-risk cases. Second, the police will distribute a 20 question domestic violence danger assessment. The danger assessment is a proven method to help women who are abused determine the amount of danger they are in in their relationship. It includes a 20 question assessment, a scoring sheet, a calendar and referrals to all of the domestic violence victims service providers in the County. Third, the legislation requires the Crime Victims Center Program to coordinate a danger assessment training for crime victims services agencies here in the County, which we will conduct at Touro Law Center.

Lastly, this collaborative effort between victim services agencies, the Police Department, Legislators and the County Executive and his staff was possible because Legislator Hahn was determined to demonstrate a unified effort and dedicated purpose to break the cycle of domestic violence in Suffolk County. Thank you.

Applause

P.O. GREGORY:

Thank you. Colleen and then on deck, Feride Castillo.

MS. MERLO:

Thank you. Good afternoon. My name is Colleen Merlo, and I am the Executive Director of the Suffolk County Coalition Against Domestic Violence. I would like to thank Legislator Hahn and the rest of the Legislators for keeping domestic violence at the forefront of issues facing Suffolk County. I am here today on behalf of the agency to support Resolution 2160, a resolution that will assist victims of domestic violence to gain awareness of their risk for repeated injury and enhance the Suffolk County Police Department's ability to provide outreach to victims of high level offenders, and to help insure that victims are linked with service providers, thereby helping to break the cycle of violence right here in Suffolk County.

While this bill is multi-pronged, the part I feel most qualified to discuss is the need for further linkage and a tool for victims to understand the actual danger that they are in. It is the experience of the Suffolk County Coalition Against Domestic Violence that some victims of domestic violence can benefit from an unbiased and honestly answered assessment of their potential risk. This is because domestic violence is a complex and intimate occurrence, where the feelings towards a perpetrator can be multifaceted and can serve to blur a victim's judgment about the severity and danger of the situation.

Domestic violence at its very core doesn't make sense. How can someone who is supposed to love, honor and respect you verbally, physically and emotionally assault you. Therefore, victims often minimize their level of risk. After all, how is someone who is supposed to love me, how could that result in my injury, being seriously harmed, or even my death, and despite the evidence that onlookers would view as contrary.

We are trained in risk assessment tools as victim advocates and we regularly utilize them, coupled with our experience in working with domestic violence victims. From the understanding that's gleaned through assessments, victims can decide upon their best course of action for help. These actions range from developing a safety plan, to leaving the relationship or home and entering our

shelter. An informed victim who linked to an appropriate provider is best able to gain safety and assist with holding an offender accountable.

We know that on average a woman is assaulted 35 times before her first call to the police, and while there is little research on how many times she is assaulted or how many times she must call the police prior to reaching out through a victims service agency, we know from accounts of victims that we have worked with that that often takes a long time for that victim to make that call to the service provider. This bill helps to link the person sooner, and we all know that domestic violence escalates in frequency and in severity. So the sooner we can link victims of domestic violence to service providers, the more lives that we can save.

This legislation can help elevate the need for intervention in the victim's mind, because the Police Officer is recognizing that the person is a victim. Two, because the self-assessment indicates that the person is at high-risk and three, because they have the resources right in front of them on that assessment tool to link to a service provider.

D.P.O. SCHNEIDERMAN:

Colleen, I just have to ask you to wrap up.

MS. MERLO:

Okay. This legislation will assist victims who may be on the fence about calling for help when they see their actual risk facing them in black and white. They may finally realize the severity and make that call for help. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

Okay. Thank you. Our next speaker is Feride Castillo from Brighter Tomorrows. On deck is Mark Baisch. And I remind each speaker they have three minutes to make their comments known. We have a lot of speakers so we're going to stick to that schedule. Thank you.

MS. CASTILLO:

As a domestic violence agency, we understand the importance in implementing ways of educating and then empowering the vulnerable population that we serve. This resolution will not only aid us, but more importantly the victims that we serve in assessing and identifying their own risk for becoming repeat victims of abuse. This resolution will allow victims to become proactive in their own risk assessment and as a result, may raise consciousness and awareness. Brighter Tomorrows understands the complicated and difficult emotional process a victim must undergo in order to hold their abuser accountable. This resolution may aid these victims throughout this process by minimizing their denial.

From our residential to our non-residential services we offer practice -- risk assessment and safety planning services to each of them. This includes facilitating and guiding victims in realistically evaluating their situation and how to protect themselves and their loved ones from continued abuse. An informed victim who is aware of the services available to them is more likely to seek help and safety. This resolution will allow us and assist us in doing this, in serving our clients. We thank Legislator Hahn for this because she understands the importance and she understands that the connection that all parties play from the moment that a victim is first seen after an incident, to the point where she is seeking help. We're very, very proud to be able to be part of this. So thank you.

Applause

D.P.O. SCHNEIDERMAN:

Okay. Thank you. Next up is Mark Baisch, followed by Nancy Dallaire.

MR. BAISCH:

Good afternoon. I'm Mark Baisch with Landmark Properties, Rocky Point New York. I'm back in front of you asking for you to retire two more sanitary flow credits for two affordable homes for returning veterans in a brand new subdivision that I have approved in Miller Place. It's an 18 lot subdivision. These veterans will have the opportunity for a brand new four bedroom home at \$250,000 under the County's Affordable Program. It's also part of the New York State, actually the Nassau/ Suffolk Affordable Housing Program, so this will be number three and four. And I plan on coming back to you in another couple of months with another subdivision where I'm going to ask for one more. We should be breaking ground on the Sound Beach homes that you gave me the credits in November on as soon as this weather breaks, and so that might make five for the year, which is pretty good. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

All right. Thank you. Nanci Dallaire is next, followed by Michael Jannis.

MS. DALLAIRE:

Thank you. I'm a long time resident and I'm proud to watch as this Legislature has been the first to act and initiate many laws to protect the citizens. But I'm also an employee of the abolished John J. Foley Skilled Nursing Facility, who has seen firsthand how our local representatives were unable to protect us. I watched as laws that were created to protect us were ignored and overruled, forcing us to sacrifice essential services. I stood by helplessly as vulnerable residents lost their home, as County employees lost their jobs and as this County lost a proven emergency evacuation center. All for what? What have we gained? An OTB gambling hall?

I fail to see how these decisions are moving our County in a positive direction. It was unsettling to lose my job and face an uncertain future, but I find it more unsettling to know that the State can simply come in and override your decision and silence our local voices. A state official who does not live in the area and who will not be affected by that casino will have the power to decide our fate? That's unsettling.

We must tolerate State mandates and build them big, beautiful jails. They can impose taxes and fees that I pay believing somehow it's for the betterment of our State. Unfortunately, New York State is not the better fiddle. And now the State will force upon us a gambling hall that this community opposes? That should not be tolerated. I know the public hearings have been held, but the public have not been heard. This is a problem. When our local representatives cannot represent us, that's a problem. I for one am tired of electing politicians who cannot be trusted, and now to find out that those who I have elected cannot protect us, I must question why have local officials when the State does not need your approval?

Applause

D.P.O. SCHNEIDERMAN:

Okay. Our next speaker Michael Jannis. Michael will be followed by another Michael, Michael Finland.

MR. JANNIS:

Good afternoon. I am a 17-year old student in MacArthur High School in Levittown. I have interned for Congress for two years now. I have been a campaign manager, and I am now the Director of

Communications at New Yorkers United for Kids, an organization consisting of about 27,000 New Yorkers who all share the same mission: Fight and eliminate Common Core.

Common Core is plaguing our nation's education system. It is hurting our children psychologically and is hurting their chances at a great education. And when I say hurting their chances at a great education, I mean that the Common Core system doesn't teach our children; it sorts them. Beyond the fancy marketing of Common Core by attending forums with education experts where the government owned documents and shared, in Common Core the system is trying to set one standard for every single breathing child in America. And this system, as extensive research shows, those who cannot make those standards are put to the side and forgotten. We're losing children as we speak. Bill Gates' children don't take these tests and he is one of the great financiers who made this standard. So this means we're using kids as guinea pigs to see, to see if Common Core works. Ten years of childhood education will be thrown away. Bill Gates says it will take about ten years to get the results we want.

And furthermore, Common Core violates the supreme law of the land, our Constitution. Common Core is a direct violation to the Tenth Amendment, which states, begin quote, "The power is not delegated to the United States by the Constitution nor prohibited to the States or reserved to the States respectively or to the people." End quote. Meaning education is for the State's and parents. The resolution further outlines rules of law broken under Common Core and race for the top. Elected officials take an oath to support and defend the Constitution, therefore those who support Common Core are violating their oath to the Constitution. Your single job as an elected official is to uphold and defend the Constitution of the United States.

In 2014, the nine billionaires who helped fund Common Core made over \$87 billion off of our children. How dare Bill Gates treat this generation as a guinea pig generation? What right does he have to do this to us?

I will close by saying that in all Common Core is a horrible system for our children and for our future. If we do not stop here and now, the consequences might be unfixable. We the people need your help and we need it now. Thank you for your time.

Applause

P.O. GREGORY:

Okay. Thank you. Next is Michael Finland and then on deck, Romarie McCue.

MR. FINLAND:

Good afternoon, everyone. I'm Michael J. Finland, Executive Vice-President for Suffolk County AME. I am here today with regards to plans for an item slated to be placed on the table tonight. It has come to my attention that there has been some discussion regarding plans for the Brentwood Health Center and a full takeover by the Hudson River Group. As I have noted before you on previous occasions, I'm not in favor of privatization. What I believe in and fully support is our AME County workforce. It was through my efforts that we were able to secure a no layoff clause for our current Collective Bargaining Agreement, so while I know that the 22 workers at the Brentwood Health Center won't lose their jobs, I am concerned about the direction we're headed in.

As I've noted in the past, the two principal areas that government should be concerned with is public health and public safety. I know full well the work product and capabilities of our AME members. I'm curious, however, as to whether or not studies have been conducted as a result of this ongoing transition. From the AME workforce to a private company, have we really seen cost savings? Do we know that the needs of the community are being appropriately met now that services are being

provided by the Hudson River Group?

If this latest proposal moves forward, I am confident that our workers will be placed at another County worksite. They will not become unemployed. But are we really confident about the care and accessibility of the group now providing health services? This is part of a growing and disturbing trend. I and our union are in opposition to this proposal that we place before you tonight.

All the public services we provide and receive are now being placed in jeopardy. In contracting out our worksites we are giving up our right and responsibility to maintain oversight to the workers who are employed by Suffolk County Government. This ongoing process of privatization results in the loss of well-trained government workers replaced by untrained outside agency temporary workers hired by a faraway company attempting to take their place. Logistically this does not make sense and it is my fervent hope that the County, in looking ahead, reassesses their master plan with any privatization initiatives. I thank you for your time and attention.

Applause

P.O. GREGORY:

Thank you, Michael. Okay, Romarie McCue and then Christian Siems.

MS. MC CUE:

Good afternoon. My name is Romarie McCue. I work for The Retreat, a domestic violence services agency in the eastern end of Long Island. On behalf of The Retreat, I am here in support of Legislator Hahn's resolution, bill 2160, that will assist victims of domestic violence to accurately assess the risk where they're being abused and provide them with educational tools that encourage them to contact local experts in the domestic violence field for assistance and support.

Additionally, the bill will support the Police Department with prioritizing support and assistance of victims of domestic violence. The National Coalition of Domestic Violence says that one in four women will experience domestic violence in their lifetime.

In conjunction with the East End law enforcement, our agency, The Retreat, received over 2,000 domestic violence related police reports in 2014. When a report is received we reach out to the victims to offer our services, but in reality we have very limited resources and we could only do so much. This resolution will help create a more comprehensive system that provides all victims with education and resources when the police respond at an incident, but also a crucial follow-up by the police for the most at risk victims. We not only support this resolution, but we're also pleased to see how proactive Legislators are, especially Legislator Hahn. Thank you very much, and on behalf of The Retreat, again, we thank you.

Applause

P.O. GREGORY:

All right. Thank you. Christian Siems and then on deck, Jennifer Lentini. Christian, are you here?

DR. GASS:

Good afternoon. My name is Dr. Alan Gass, and I will be speaking not for Christian, but with Christian. I'm the Medical Director of the Heart Transplant Program at Westchester Medical Center. Previously I held the same position in Mount Sinai for 17 years. I just want to thank all of you for listening to us, and I'm here to support the legislation to make April Organ Donation Month in Suffolk County, which was written by Steven Stern.

A few facts that you need to know. About 100,000 people are waiting for organs in the United States; 5,000 of those people are waiting for heart transplants. We do about 25 heart transplants a year, and that translates into about 25% of patients that are waiting for heart transplants do not make it and they die waiting. You live in Region 9, which is New York State. Region 9 is the second worst region in the entire country for organ donation. It is estimated that in Region 9, New York State, 90% of possible organs are discarded, they are thrown in the garbage, 90%. That's where you live.

Transplantation is for all races, all creeds, okay, all ages. Christian is 20 years old. He's waiting for a heart transplant. The only thing Christian did wrong in his life, if you want to accuse him of doing anything wrong, he was born. His father had what's called a cardiomyopathy, and his Dad had a heart transplant and lived 13 years after his transplant. The technology has evolved so much that I personally have five patients in my practice that are more than 25 years after their heart transplant.

In order to get on a heart transplant list your estimated survival in one year is less than 50%, so you have a 50-50 chance of living a year. We now start to talk about survival after transplant in decades. The average survival post cardiac transplantation is now 10, 20 years, so it is a very viable and a successful operation.

Organ donation has a lot of kind of misunderstanding, and once again it's for all races, all creeds, all religions believe in organ donation, but awareness is very crucial. In New York State and in most of the United States you have to sign your license. I was very -- I was part of the coalition that brought Lauren's Law to New York State where at least you had to be asked whether you wanted to be an organ donation when you got your license. In Europe there is something called presumed consent. When you're born in Europe you're an organ donor, and you have to sign that you don't want to be an organ donor.

So I think this legislation is really important to raise awareness. And if what you guys do is support this bill and it translates into one organ donation that may actually save Christian's life. Christian's life has been saved because of technology. He lives with what he's wearing here, which is an artificial heart. So Christian was dying in our hospital and he would have died if not for the technology that's evolved over the last ten years. So Christian is living with a left ventricular assist device, which is supporting his organs while he waits for an appropriate donor. He's been now been waiting on our list about three months?

MR. SIEMS:
(Nodded head yes).

DR. GASS:
And the estimated time for Christian to wait is probably between six and 12 months. The longest patient I had waiting in the hospital at Mt. Sinai was 364 days in the hospital waiting for an organ. So I stress the importance of what you're doing and I really, really want you to support the legislation and to have it pass to make April Organ Awareness Month in Suffolk County. Thanks for your attention.

Applause

P.O. GREGORY:
Thank you. Okay. Jennifer Lentini and then on deck, Nova Shek.

MS. LENTINI:
Good evening, everyone. My name is Jennifer Lentini. I am here to support Resolution 1034 to designate April as Donate Life Organ Donation Month. I would like to share my journey with you.

When I was a 13 year old girl I was a healthy, normal teenager. My younger brother, who was six and a half years younger than I am, had open heart surgery when he was only two years old, but I was his healthy older sister until one day I contracted a virus that destroyed my heart and I ended up getting cardiomyopathy. At 13 years old, my parents were told that they were going to lose their child. If it wasn't for a life-saving organ transplant, I would not be here today.

I got sick right after my 13th birthday, which was March 4th of 1996, and I went into the hospital at Columbian Presbyterian on April first. There I waited for three months and a day, while a life-saving organ transplant would come and save my life. On July 6, 1996, a guardian angel saved me. It was a young 14-year old boy named Matthew. If it wasn't for his mother's decision to have him become an organ donor, I would not be here, as well as many others today, because they donated all his organs.

When I was 13 I was just a sick child and my parents had actually given me my last rites and they had gotten ready to say goodbye, and on July 6 I got a second chance at life. I have a picture of my donor, who was a gunshot victim. He was from Upstate, New York. He's in the middle. There's a picture of him, his stepdad and his sister. And I also have a letter from my Mom -- my donor Mom as I call her, and it wrote to myself and all the other recipients as well. "Dear Recipient, I am writing to you in regards to my son Matthew, 14 years old, died July 5, '96. We donated Matthew's organs to save others, knowing he would have wanted us to if he could have said so. Matthew was such a kind and loving boy of all he knew and people he didn't really know. Matthew was never any trouble to anyone ever, just a very good boy."

And I was able to go on and live my life. At 13 they told my parents I might not make it to my 18th birthday. Then they told them I might not make it to my 25th birthday, then my 30th, and I just turned 32 March 4th. I have been able to go to school and I got my Bachelor's in Social Work. I just competed in the Transplant Games of America, and actually on Valentine's Day, which is actually National Donor Day, I met my donor Mom for the first time. It was in Newsday and actually there's a YouTube video of my donor Mom listening to her son's heartbeat.

For me, organ donation is a big part of my life, and I just want to stress how important it is. And if you are not an organ donor, please sign up today, because it is more likely that you will need to receive a transplant than ever actually be a donor. Thank you very much happen.

P.O. GREGORY:

Thank you, Jennifer, for sharing your story. Nova Shek and then on deck, Julia Robinson.

MS. SHEK:

Good evening, Legislators. My name is Nova Shek, and I'm an eighth grader at Candlewood Middle School. I'm also the Co-Chairperson for Long Island Speaks --

P.O. GREGORY:

Nova, can you hold the microphone up to your mouth just a little bit better? Thank you.

MS. SHEK:

Good evening, Legislators. My name is Nova Shek and I'm an eighth grader at Candlewood Middle School. I'm also the Co-Chairperson of the Long Island Speaks Youth Leadership Council. We help organize events to fundraise money and awareness about autism. I thank all of you, especially Legislator Stern, for giving me the chance to speak to you about why I think Lighting It Up Blue in Suffolk County is so important.

For me personally, I'm so passionate about Autism because of my little brother, Zen. Zen is six years old. Zen was diagnosed with Autism four years ago. Zen is funny, friendly, smart and happy, but there are sometimes when he can't communicate with me and my family. There are times he gets frustrated and doesn't understand. Zen can sometimes laugh too hard or talk too loud. Or he might not look at you when he talks. This doesn't mean that he doesn't feel or understand when people make fun of him or stare or point at him. There have been many times when people will do this to him. It makes me sad and scared that people will always treat him differently and make him feel bad. It also makes me mad because there's so much more to Zen than being Autistic.

I hope to educate as many people as I can that sometimes people with Autism might act differently, but they have feelings just like everyone else. They might not be able to communicate, but they understand what you're saying and they have feelings. People with Autism are smart, funny and creative. They should be accepted and loved. No one with Autism or their families should be made to feel bad or different.

As you know, April is Autism Awareness Month. I know you are aware, but just in case I would like to tell you more about the Light It Up Blue campaign. The Light It Up Blue campaign is when people change out their regular light bulbs for blue light bulbs to show their support of people and families with Autism. Last year many famous landmarks around the world, such as the Empire State Building, the UN Council, the Leaning Tower of Pisa and many other international landmarks lit it up blue last year. By being part of the Light It Up Blue campaign and lighting the Lee Dennison Building, we will not only be able to show our support to the Autism community, but maybe we can make people think. If we can just get a few people to wonder why it's lit up blue, then maybe we can get them to try and learn more about Autism. I think it would be nice for people to see that Suffolk County supports people and families with Autism.

I brought puzzle piece pins and bracelets for all of you. I hope you might consider wearing the pins or bracelets during the month of April to show your support for the Autism community. Thank you for giving me the chance to share with you why Suffolk County should Light It Up Blue. Thank you.

Applause

P.O. GREGORY:

Thank you, dear. Okay. Julia Robinson and then on deck, Jaycee Christy.

MS. ROBINSON:

Hello. I'm Julia Robinson from Lindenhurst High School and I'm here representing the Long Island Gay and Lesbian Youth Center. I am a queer youth, and that's normal to me, but it's very scary to other people, especially my parents, who have looked up statistics such as that I am six times more likely to kill myself than my straight peers. And that's understandable, because when you stand here -- when you get up and you say I am queer, people look at you strange and a lot of people don't understand it. And queer kids need an outlet to go to. They need to know that they're not weird, that there's not something wrong with them for being queer. That is where LIGALY comes in.

LIGALY is the Long Island Gay and Lesbian Youth Center. I refer to it as my home. It is a youth center in which kids straight, gay, bi, trans, we all come, we'll hang out. We have different groups and we feel welcome. It's a safe space and it's a judgment free zone, and we sit there and we talk with these kids who have had similar experiences to us and we feel at home and we feel welcome. And we learn more about ourselves and about our peers and about the way that the world works. And -- I don't know if I would be here on this earth without this center. I don't want my friends to become another statistic. This center is very important and I feel like queer kids all over the country need this and I'm so grateful for having this. Thank you.

Applause

P.O. GREGORY:

Thank you. Jaycee Christy and then on deck Elizabeth Von Hassel,

MR. CHRISTY:

My name is Jaycee Christy. I'm 17 years old and I'm a trans teen. Before I met LIGALY, which is the Long Island Gay and Lesbian Youth Center, I contemplated suicide every night. I've attempted 19 times and I was in and out of the hospital every month. I met someone in that hospital that introduced me to this place, and I haven't been to the hospital since I have been going here. I haven't done anything to harm myself in any way. I didn't even have these thoughts. But without LIGALY I probably wouldn't be here, as Julia said.

It's just such a big part of my life now where I go there four times a week at least, and I'm extremely involved and it's just so welcoming. And as someone who is transgender I wasn't able to come out until I started going there, and that was one of the reasons why I was always so upset with my life. But now that I go here I try my best because I know there are other people out there like me that feel these ways and they need to know, too, and this is -- it's just so important to me and I know so many other people. I can't even describe how -- the way it makes you feel when you walk in that door as someone who is in the LGBT umbrella. I feel like family there, like home. I feel more welcome there than I do at my own house, than I do at my school, than I do with my outside friends. It's just very important to me and I don't know what I would do without it. Thank you.

Applause

P.O. GREGORY:

Thank you. Elizabeth? And on deck, Ethan Diaz.

MS. VON HASSEL:

Hi. My name is Elizabeth Von Hassel and I'd like to ask your support of IR 1122, funding for LIGALY, Long Island Gay and Lesbian Youth. I realize it's a monumental task that the Legislature faces, trying to meet the needs of the County with limited financial resources. That being said, you would be penny wise and pound foolish if you do not approve the funds slated for services that the East End Center of LIGALY would provide. These services would go to programs for LGBT youth who often lack support from family, enduring bullying in school and face societal pressures for being who they are. Without support, many engage in high-risk behaviors such as drug and alcohol abuse, cutting and unprotected sex. They are also more likely to face homelessness and have a much higher rate of suicide than the general population.

In absence of LIGALY's services, the cost to the County would be far greater. How much is it to fund Methadone clinics, EMS, NARCAN, Social Services housing and homeless shelters. These are the services that will be further taxed as a result of lack of funding for LIGALY programs on the East End. LIGALY programs are not just for LGBT youth. For every LGBT youth there is a mother, a father, a sister, a brother, a classmate, a teacher that benefits from the support and service and training provided by LIGALY.

I first learned about LIGALY 18 years ago during my sensitivity training at the Police Academy, never dreaming I would ever need any of their services. I listened to the presentation and I thought *Oh, those poor gay kids, they commit suicide*. I didn't realize that I would need them 15 years later when my child came out to me as transgender. My world was rocked. I needed to wrap my head around it. I remembered LIGALY. I remembered the high rate of suicide. I didn't want that to be my child, so I went to LIGALY to a parent support group to get the help I needed to support my child. LIGALY trained my daughter's school so they would know how to support her there. My child

went to LIGALY peer group programs so she would have the coping skills she would need to face bullying at school. She received help from LIGALY to start her high school's first Gay Straight Alliance Club, and now she knows she's not alone. Ninety students are in that club, nearly a third of our high school's enrollment. Not all are LGBT. Some are straight allies. Some are gay, bi, lesbian, trans, some just don't fit in elsewhere. But now everyone in that school knows it's a safe place and all students are supported. That's what LIGALY does and they do it for everyone.

My daughter is now on the honor roll. She was recently in the school play, plays on the tennis team and has lots of friends. She's happy. She's healthy. She's the kind of success story that comes out of LIGALY programs. Please support this funding. You will be paying far more if you don't. Thank you.

Applause

P.O. GREGORY:

Thank you. Ethan Diaz and then Christina Kenney.

MR. DIAZ:

Hi, I'm Ethan Diaz. I'm from West Babylon and I'm a youth at Long Island Gay and Lesbian. I don't know how to start, but I don't know, ever since I started coming to LIGALY, it's almost been a year, LIGALY has changed me. I have been feeling much more confident in myself. I wasn't able to come out until I started because my self-esteem was so low. I have suffered from self-harming, suicidal thoughts, and ever since I started going it's changed me. It's made me be able to realize that I'm not alone and I feel that it's definitely needed. There's not a place like LIGALY that I've ever been to or even heard of. It just -- something about it, when I walk through the doors I was so welcomed. Every day I walk through those doors I feel the same way as when I first started. Something about it just makes me feel safe, welcome. It's like a home to me and without it I don't really know what I would be doing right now or where I'd be. It's just -- it's my family, my home. Without it I wouldn't have my friends, wouldn't feel so accepted, and I'm just so glad that there is a place like LIGALY because without it, I don't know what I'd do.

Applause

P.O. GREGORY:

Okay. Christina Kenney and then John Cooney is on deck.

MS. KENNEY:

Hi. My name is Christina Kenney. I'm from Brentwood and I'm here representing LIGALY. When I first went to LIGALY two and a half years ago, I went in as an ally thinking there's a whole bunch of LGBT people here, they're probably not going to want to deal as much with me, because I'm straight. Now I don't consider myself an ally; I consider myself part of the community. I went there two-and-a-half years ago for my best friend who had come out and I haven't regretted it. I'm there at least three times a week. I get involved in every volunteer opportunity I can, and I love being there. It's not just the youth and being with the other people my age, but it's also the staff. They make it a home. It's not -- it's somewhere you can go to feel safe no matter who you are, what your identity is, your sexuality. It doesn't matter. It's just there for you.

There are so many programs there that not only do you get LGBT experiences from it, but you also get life experiences, whether it's safe sex or how to write a resume. It's something that anyone can go to and enjoy. And you can hang out, you can play pool, you can use the computers. You can be in a place that's comfortable to you and to me that's really important, because in my town we don't have anywhere. The hangout is the library, and there's not really much you can do there, you're surrounded by books. But at LIGALY you have so many opportunities and the funding that we get

helps us so much and I love it there. I never want to be anywhere else. So thank you.

Applause

P.O. GREGORY:

Okay. Thank you. John Cooney and then on deck, Darryl St. George.

MR. COONEY:

Mr. Presiding Officer, Deputy Presiding Officer, and Honorable Legislators, my name is John Cooney and I'm the Commander of the Northport American Legion, as a United States Marine Corps Officer and combat veteran of the Persian Gulf War. I am also a member of the Huntington Veterans of Foreign Wars Post 1469 and the Huntington Marine Corps League. And with me are veterans from Korea, Vietnam and Afghanistan.

I am here today to urge your support for Resolution No. 1041, a Local Law to protect the honor of decorated veterans. As an initial matter I would be remiss if I did not thank Legislator Steven Stern and William Doc Spencer for their dedication to this issue and others dealing with our veterans. Legislator Spencer and his staff spent countless hours with us to craft legislation to ensure that monies intend to assist our veterans and their families reach their destination. Thank you, Legislator Spencer and thank you, Legislator Stern.

There's a very important piece of legislation for our veterans and veterans organizations. Sadly, we have a growing problem in Suffolk County and throughout this great nation with individuals and veterans misrepresenting their service, including fraudulent rank, insignia, combat awards and medals, and even fake combat wounds. This is not a victimless crime. Suffolk County families are very generous in their support of those in need, including our veterans, and every fraud takes away support intended to assist veterans truly in need. It also harms legitimate efforts of assistance by casting doubt on any veteran soliciting for veterans in the community. This is especially true in Suffolk County, where we have one of the largest Veterans Affairs Medical Centers, which treated over 34,000 veterans of all areas of service last year, and thousands were Iraq and Afghanistan veterans.

We cannot afford to have support diverted from the veterans and families that donations were meant to help, and we cannot afford to lose the trust of our communities that their support will go to those who need it most.

One of our members, Jim DeSocio, also met last night with the Congressional Medal of Honor Foundation and they reviewed the law as well and gave their full support. One of the gentleman was the President of the Foundation, and they also felt that it would pass any Constitutional challenge. They also remarked that there are a number of states now proposing their own protecting valor acts given that it's not a high priority for our Federal Government and the U.S. Attorney's Office. This is why we need this Local Law.

For the stated above reasons, I urge your support to pass this important legislation. We can't fix the past, but we can help prevent further fraud. The National American Legion said it best, those who deliberately lie about military service, wear medals they did not earn, or make claims of combat heroism they did not achieve, are more than just liars; they are perpetrators of the worst kind of fraud. They're lies are an insult to all who have truly stood in harm's way and earned their decorations.

Again, thank you to Legislator Spencer and Legislator Stern for spearheading this important issue and I appreciate your time today. Thank you.

Applause

P.O. GREGORY:

Thank you.

*(The following was taken by Lucia Braaten - Court Stenographer
and was transcribed by Kim Castiglione - Legislative Secretary)*

MR. ST. GEORGE:

Good evening. I'm Darryl St. George. I served in Afghanistan in 2009 and I just want to echo some of the things that Mr. Cooney said. I'll share some personal stories with you. When I deployed to Afghanistan, particularly one young man comes to mind. He was a very bright Marine and he had a great future ahead of him. When we went to Afghanistan a lot of things happened, and when we came back he was a different person and he really struggled. Not too long ago he -- excuse me -- he nearly committed suicide. We have a lot of young men who are coming back right now who are struggling and they need our help. And sadly there are charities out there, there are organizations out there, that are diverting funds and attention and support that could be going to men like that, a man who legitimately saw combat, somebody who really struggled over there.

You know, we're at a critical point in our nation's history. This is a point where our veterans could become the next great generation. They just need our support, they need our guidance and they need those opportunities that my grandfather had when he came back from the second World War. And I believe that this generation, my generation, can be that next great generation. And I want to thank Legislators Spencer and Legislator -- Doc Spencer and Legislator Stern for this, for supporting this. It means a lot and it's going to help a lot of Veterans, so thank you, gentlemen. Thank you very much.

*(*Applause*)*

P.O. GREGORY:

Thank you. Okay. Suzanne McBride and then on deck, Maryanne Johnston.

MS. MC BRIDE:

I'd like to withdraw my card, please.

P.O. GREGORY:

Okay.

MS. MC BRIDE:

Thank you.

P.O. GREGORY:

Maryanne Johnston and then on deck, Annette Kattau.

MS. JOHNSTON:

Good evening. Maryanne Johnston from ABCO. I have a few things I want to just speak on, but I wanted to say very often we come here and we're kind of giving you guys hell, you know, we're telling you what we want you to do, what you're not doing right. Funding LIGALY is a good thing. Everyone should have a place to go where they are welcome, comfortable within their own skin, and everyone says to them you belong. There's nothing worse in life than not belonging.

So with that said, I have a couple of things I want to speak to. I want to speak to 1124-15, Legislator McCaffrey's bill. I think that moving up this merger is a very, very good thing. I think that part of your job is saving money, so I don't think you should be appointing a new Treasurer in the interim. I think there is a Deputy Treasurer and I think that Deputy Treasurer can move right in, facilitate this movement and save the money that we need to save. The voters voted -- even though I did not support this bill, the voters did, so we need to carry that out in the most efficient way that we can, and that is to not hire someone for seven or eight months, but just move forward with the Deputy you have and make this consolidation efficient.

The next thing I wanted to say was something I've been wanting to say for a long time. I don't know exactly the details of 1069-15, but when we do improvements in the Southwest Sewer District, which desperately it needs, I was a young woman when it was built, so it is approaching its life expectancy, and it's probably going to need a lot of work. But more importantly, I'd like this body to consider whether or not we should be selling excess capacity for new high density development. We have to fix what's built already, what's on the ground, and there are communities that desperately need sewerage. There are other communities that don't and that can be treated with more different, alternative systems. But spending money to route things from Tritec to West Babylon, or from the Heartland Square Project is just a stupid way to use your excess capacity. And, frankly, that's a public asset and you shouldn't be giving it away at any price, unless all 18 of you agree to do that. And frankly, you have the public support. So I'm going to ask strictly that you look very carefully at how we use our asset of the Southwest Sewer District. All too easily we have been casually granting that away to the highest bidder and that is no way to run a town or a County.

Beyond that, I think that the only other thing I was looking to speak to is the funding for the sewerage. It needs to be a much more transparent process. I -- you know, I'm disappointed when I look at the newspaper and I see Senator Schumer here hawking a project supported by this Board and supported by the local Legislator that has never even bothered to come and get public community support. The public does not support that project. There are other alternatives, and we have not heard them.

P.O. GREGORY:

Maryanne, please wrap up.

MS. JOHNSTON:

So thank you very much for your time and we'll see you in court.

Thank you.

P.O. GREGORY:

Thank you. Annette and then on deck, Adrienne Esposito.

MS. KATTAU:

Good afternoon. Thank you for allowing me to speak. I basically wanted to speak to all the things that Maryanne spoke to and say basically the same thing, so I'm not going to take up your time, but I agree with all the points she made. So I'll ask you to go with the Comptroller and the Treasurer now and not appoint a temporary Treasurer.

The LIGALY thing I have never heard about, but I am quite impressed. And I just learned this year that I have a wonderful grandson who is gay. And so I think it's really important to support these people and that's it. Thank you very much.

P.O. GREGORY:

Okay. Thank you. Adrienne and then on deck, Tim Mooney.

MS. ESPOSITO:

Good evening, members of the Legislature. My name is Adrienne Esposito. I'm the Executive Director of Citizens Campaign for the Environment. CCE -- you are very young to be a Legislator, I just noticed you, but good luck. You could grow into the position. I used to look like that, too. But CCE is the largest grassroots environmental lobby on Long Island and throughout New York State, and I'm here today to support Resolution 1104 by Legislator Schneiderman.

So it's the resolution that would allow some of the 477 money to be used for a study for Long Island Sound for the thermal pollution generated by Millstone Nuclear Power Plant in Connecticut. You might say why are we studying something from Connecticut? I can tell you why. You're shaking your head, you're not supposed to do that, but that's okay. But there is a very good reason. Number one is that in Long Island we've spent a lot of money to protect Long Island Sound. Many of you work with municipalities that put a lot of money into upgrading sewage treatment plants -- Port Jefferson Sewerage Treatment Plant, Greenport Sewage Treatment Plant, Stony Brook Sewage Treatment Plant, Northport Harbor Sewage Treatment Plant let's not forget and Huntington. So we've spent money to protect Long Island Sound so the oxygen levels go up.

Connecticut's hiding a dirty little secret called the Millstone Nuclear Reactor. Millstone, you may not know, sucks in two billion gallons of water from the Sound each and every day and spits it back out -- well, it doesn't spit it, it's more technological than that, but it discharges two billion gallons per day of heated water that's 20 degrees above what it should be, thereby adding a constant thermal pollution to the Sound that lowers oxygen levels, it kills flounder populations, it kills lobster populations. It allows for the perfect conditions for harmful algal blooms to occur. It closes beaches and I could go on.

The point is, we are doing our part and Connecticut needs to do their part. All Connecticut needs to do is enforce upon the Millstone Nuclear Reactor to use upgraded technology. Just like we all have for our sewage treatment plants, they need to use what's called a closed cycle loop cooling apparatus for their reactor. It reduces discharge by 90%. It wouldn't be charged to the taxpayers in Connecticut either. So it's about an enforcement, it's best technology available, it's required by the Clean Water Act. We need some good, independent science that we can use in Connecticut to make sure the Long Island Sound is protected. It's time to do that.

This would be a great independent study, something that hasn't been done, and it would add a new component to protecting Long Island Sound. So I urge you to support that resolution. You know the public loves Long Island Sound and that's one of the reasons why we believe the 477 money is well worth it. Thank you very much. Appreciate it.

P.O. GREGORY:

Thank you, Adrienne. Okay. Tim Mooney and then on deck, Ruth Reynolds.

MR. MOONEY:

Good afternoon, everyone. My name is Tim Mooney. I'm President and owner of Fire Island Ferries here to just discuss the altering the rates. We have two proposals in front, one for the ferries and one for the water taxi. And I'd just like to thank Legislators Lindsay, Barraga, and also the Presiding Officer Gregory and also Budget Review Office for participating in a meeting that we had yesterday with some of the participants from the Island. And, you know, I think we're having good discussions. We got follow on meetings that are scheduled, and I'm hoping that today can be the day that we can close the public hearing and move forward to committee and then subsequently get this in front for a vote so we can get these rate increases that we need prior to the Memorial Day weekend. So, thank you very much. I'll be here for the second session a little bit later, so have a good evening and we'll see you in a little while.

P.O. GREGORY:

Thank you, Tim. All right. Ruth Reynolds and then on deck, Dr. Alan Gass.

MS. MURPHY:

Hi. I'm actually not Ruth Reynolds. I'm Clarice Murphy, VIBS Interim Executive Director. Ruth Reynolds was here earlier to represent me, but I've arrived and she has departed, so I hope this is fine. I'm here to talk about two resolutions actually, Resolution 2160, and simply to say Suffolk County's been in the forefront of efforts to respond to and prevent domestic violence since 1988's Executive Order 1A about pro-arrest policies. Our County has worked really, really hard ever since and continues to move forward in that regard.

Resolution 2160 continues to enhance the County efforts by strengthening the ability of both the Police Department and victims of domestic violence to more accurately assess both their current and future risk of violence to the victims. It also holds offenders more accountable by looking at the full context of domestic violence surrounding their circumstances in addition to their immediate incidents, which hopefully, you know, in our County we talk about victims very much. We talk about offenders only very little, and until we're able to hold offenders more accountable, our efforts are not going to be strong enough. The measures proposed in the resolution are evidence based and have been utilized effectively across our country. We appreciate Legislator Hahn's efforts in this regard. We support the measure. We hope that you will as well.

I did not come to talk today about Resolution 1122, but I've been sitting in the audience hearing the testimony. What you may not know is that LGBTQ youth are at severe risk for sexual victimization. You know VIBS works with those issues as well, but they're also at risk for all sorts of other types of interpersonal victimization. I'm very familiar with LIGALY. We work closely with them. I'm really in awe of the services that they provide to youth and so I just simply want to lend my support to their resolution for funding. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you. Dr. Gass -- is that who went earlier? Dr. Gass? Okay. All right. Michele Mathis? Martins?

LEG. SPENCER:

Martini.

P.O. GREGORY:

Martini.

LEG. SPENCER:

Yeah, I don't see her here anymore. She was here to speak on organ donation.

P.O. GREGORY:

All right. David Kilmnick.

DR. KILMNICK:

Good afternoon, and thank you very much for having us here. I'm here to obviously speak on Resolution 1122. My name is David Kilmnick and I'm the Chief Executive Officer for Long Island Gay and Lesbian Youth. The additional funding that is being proposed is to serve the East End LGBT youth community and their families right now. And I had a whole bunch of stuff prepared, but I think the kids really said it all. And I was in awe back there listening to them and, you know, my role now in really being out of the center so much, you know, listening to them really brings it close

to home, and it's about saving lives as you heard. It's about saving lives, it's about giving a safe space, it's about providing an opportunity to be a leader as well, which these kids are. And that's why they left actually, they had another youth leadership program that they had to attend.

Right now the East End LGBT communities do not have these services available to them, and with this funding, I guarantee you next year we will bring a bunch of kids and their families from the East End to give the same testimony. Thank you very much.

P.O. GREGORY:

Thank you, David.

*(*Applause*)*

P.O. GREGORY:

Kathy Sapeta and then on deck, Pamela Nigroken. Oh, before you start, there was a cell phone that was found. If you're missing a cell phone you can find it at the front desk. Okay. All right. Go ahead.

MS. SAPETA:

I recommend the resolution in support of full withdrawal from the Common Core State Standards. Whereas Assembly Bill A05142 from 2015 amends Education Law Section 115, to discontinue implementation of the Common Core State Standards and declares any action taken to adopt or implement the Common Core void.

Whereas New York was offered the chance to compete for education funding through the unconstitutional Race to the Top Program.

Whereas the 10th Amendment of the Constitution of the United States specifically says the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people, and in the powers delegated to the Federal Government according to the Constitution, nowhere is education mentioned. Matters of education are the purview of the States or the people.

Whereas the only way to achieve a score on the Race to the Top Program sufficient to qualify for funding was to agree in a participation in a consortium of states.

Whereas a consortium is an unconstitutional, interstate compact that was not approved by Congress in violation of the compact clause.

Whereas only such a common set of K through 12 standards was developed without a grant of authority from any state. Whereas Race to the Top applications phases one and two in January and May of 2010, however, the Common Core was not released until June of 2010, meaning that New York State committed to the Common Core before they were written.

And whereas local education officials, school leaders, teachers and parents were not included in the discussion, evaluation and preparation of the standards that would affect students in the state.

Whereas the national assessment of education progress national test already exists and allows comparisons of academic achievement to be made across the states without the necessity of imposing national standards, curricula or assessments.

And whereas imposing a set of national standards is likely to lead to the imposition of a national curriculum and national assessment upon the various states in violation of the General Education Provisions Act, Elementary and Secondary Education Act and the Department of Education

Organization Act.

And whereas the Race to the Top funding is limited to 350 million and the consortium to develop new assessments. It will not cover the entire cost of overhauling the 50 states accountability systems, which includes implementation of standards and testing, and associated professional development, curriculum and restructuring.

Be it resolved we emphatically urge New York State Lawmakers to support the passage of State Assembly Bill A05142 and the Senate companion bill to discontinue the implementation of the Common Core State Standards developed by the Common Core State Standards Initiative, which interfere with State, local and parental control of K through 12 education.

We also call for -- to fund an independent state approach to the improvement of education in the system of New York.

P.O. GREGORY:

Thank you, ma'am. Okay. Pamela and then on deck, Dan Farrell.

MS. NIGROKEN:

I'm here today as a concerned parent hoping someone will listen. I'm here today hoping that you, my elected officials, listen and help end the madness that is the mandated Common Core. Unlike too many other parents, I come to you as a parent whose two sons score in the 99 percentile in the non-math that is Common Core. My sons have not and are not learning math in school under the imposed Common Core curriculum. They have, however, learned how to take Pearson tests. My tax dollars pay for these tests. Your tax dollars pay for these tests.

Both my sons have had consistently nearly 100% averages in the non-math that is the Common Core. I've had to tutor them in real math at home for two years now. Through my advocacy, my elder son was allowed to take the -- one of the last Integrated Algebra Regents offered this past January before he completed even the Common Core Algebra course. He came back home thrilled to have actually done actual math on this test. Unfortunately, his score on this test won't count. His score on the Common Core non-math Pearson test that he will take in June once he finishes taking Algebra Common Core will count, so that Pearson can use his data gratis or free, like the test subject they have made him.

And what I would like to tell you also is what many people don't know, one of his math teachers told me that no one in the Westhampton Beach School District, no student, received above a 90% on the Algebra Common Core regents last year, and no one in the Westhampton Beach School District will tell you that.

Please bring back real math and real learning to our school districts. Let my sons have the opportunity to achieve the academic excellence that you celebrated here today in this room, excellence achieved prior to the implementation of Common Core. End the ignorance and the insanity that is Common Core. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you. Also, there is -- there is a car that is a gray Chevy Lumina, license plate GNB 4093 that's been running in the west parking lot. Okay. All right. So next Dan Farrell and then on deck, Jerry Owenburg.

MR. FARRELL:

Good evening. My name is Dan Farrell, President of AME, and the official spokesperson for AME. I'm here to ask you to disregard Mr. Finland and his team of wannabes from any position they may take on AME issues as they are not necessarily the position of AME.

While I am concerned about my members who work at these health clinics, the contract that I negotiated has a no layoff clause in it and I'm confident that those people will all be relocated to another facility to continue to work as Suffolk County employees. I'm very confident of that. The union is not in the business of saving buildings, it's in the business of saving jobs, and that's what we did. So again, going forward if you could disregard Mr. Finland and his team of wannabes comments because they don't accurately reflect AME, I'd appreciate that. Thank you very much.

P.O. GREGORY:

Thank you, Dan. Okay. Jerry Owenburg. I think he's out in the hallway. Okay. Peter Cincotta. Okay. Tony LaFerrera.

MR. NOLAN:

They're all in the lobby. Should I get them?

P.O. GREGORY:

Yeah. They have cards. Fred Kramer.

MR. KRAMER:

Hello. My name is Fred Kramer. I'm here to talk on behalf of the safe fireworks legislation that's before you today. I want to thank you for taking the time to so diligently debating and considering the effects of this proposed Local Law allowing for the sale of safe sparklers and sparkling devices. On behalf of Phantom Fireworks, we continue to support these common sense laws that allow you as elected officials to regulate and monitor the sale and usage of consumer fireworks out in the open. Laws such as this allows for your residents, many of which travel out of the state to purchase aerial fireworks, to stay home and celebrate with smaller, safer products.

Today I'd like to address some of the concerns shared by members of the fire service community. First, we have a tremendous amount of respect for these jobs these women perform, men and women, and we understand their concerns, which is why we support such a strictly regulated marketplace that New York has established. The New York State Department of State has already issued regulations detailing the manner in which these items are to be displayed, stored, including the following. Retail staff handling these devices must be at least 21 years old and trained in safety --

LEG. D'AMARO:

Sir, can you speak into that microphone?

MR. KRAMER:

Oh, I'm sorry. Is that better?

LEG. D'AMARO:

Go right up to it.

MR. KRAMER:

Thank you. I sure want you to hear what I have to say. Retail staff handling these devices must be at least 21 years of age and trained in safety precautions related to the storage and handling in the use of sparkling devices. Code Enforcement officials are allowed to limit quantities of sparkling devices stored at any one or two family home, townhouse or any building or structure containing a

group or occupancy. Every retailer that sells these items must register with the State Office of Fire Prevention and Control to display the registration certificate so that local fire officials will be able to easily identify these locations. The State has adopted the National Fire Protection Association Standard 1124, which is the single most comprehensive fire code in the United States regulating venues that sell and store consumer fireworks.

In addition to the above mentioned state requirements, NFPA 1124 also addresses fire protection and prevention devices, distances, exit, fuse protection and a myriad of other requirements to keep the safety level of the sales at storage facilities at the highest level possible. A very relevant feature of the new strict storage and display regulations which we must abide by is the fact that the sparklers, which New York has permitted, are of the wooden stick kind, not metal. These wooden stick sparklers simply ash off as they burn down and do not leave the hot metal core that could potentially cause burns. Many of the sparklers injuries result from children stepping on these discarded metal stick sparklers after they have expended their energy and are still hot. This type of injury is eliminated with the wooden stick sparklers.

Our company conducts training programs for individuals who work in retail sale venues that we service. We also provide each retail customer with a safety brochure in both English and Spanish, as well as having safety tips printed on all our shopping bags in which we package the merchandise. We also provide extensive safety information on our website along with free downloadable safety videos.

P.O. GREGORY:

Mr. Kramer, please, your time has expired. Please wrap up.

MR. KRAMER:

Okay. Thank you.

P.O. GREGORY:

Okay. Thank you. If you have comments that you would like to submit for the record you could do that. All right. Ryan Murphy or are all you guys still waiting for the public hearing? I did call some of you before. Would you like to speak during the public hearing?

AUDIENCE MEMBER:

Yes.

P.O. GREGORY:

Okay. All right. I'm just going to call the name anyway for the record. All right. Robert McConville? Is Mr. McConville here? I didn't see him. Okay. Scott Thebold? Okay. All right. Jay Egan. I saw Jay. Joseph D'Alessandro. Okay. All right, Pamela, you're up. Pamela Mizzi. I saw you in the back earlier. There you are.

MS. MIZZI:

Good evening, everyone. I'm here -- my name is Pamela Mizzi. I'm here as the Director of the Prevention Resource Center and a member of the Quality Consortium, a group of licensed treatment and prevention providers for substance abuse in Suffolk County. I'm also here as a citizen and as a homeowner and a taxpayer who has had their home burgled several times. I'm here in support of the proposed legislation around pawnshops and gem outlets, and I'm speaking in support of that legislation. I think that the law enforcement community needs whatever tools they can put into effect to be as effective as possible, and this is one of the ones that might really help. So we're here in support of that legislation. And I thank you very much.

P.O. GREGORY:

Thank you, Pamela. Okay. That's all the cards that I have. Is there anyone else that would like to speak that has not filled out a card? Please come forward. I thought I saw a hand. No?

AUDIENCE MEMBER:

He'll be right back.

P.O. GREGORY:

Okay. I'm making a motion to close the Public Portion.

LEG. BARRAGA:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Fourteen. (Legislators Muratore and Stern - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat)

P.O. GREGORY:

I have a request from Legislator Stern to take one motion out of order. Actually, if you go to your red packets, CN, IR 1225 - Requiring all County departments and agencies -- oh, I'm sorry. Sorry. Too soon. All right. ***IR 1194 - Authorizing the illumination of the H. Lee Dennison Executive Office Building in recognition of Autism Awareness (Stern)***. Motion by Legislator Stern to take it out of order. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fourteen.

P.O. GREGORY:

Okay. Motion is before us. Go ahead.

MR. LAUBE:

Fifteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat)

LEG. STERN:

Thank you, Mr. Presiding Officer. I'll make a motion to approve.

LEG. CILMI:

Second.

P.O. GREGORY:

Motion to approve by Legislator Stern, second by Legislator Cilmi. Any questions? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen. (Legislator Trotta - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat)

P.O. GREGORY:

Okay. Resolution passes.

LEG. STERN:

Thank you, Mr. Presiding Officer, and thank you to my colleagues.

P.O. GREGORY:

All right. Okay. We're trying to get a little bit of business done before the Public Hearings in about 13 minutes. I make a motion to approve the Consent Calendar.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Fifteen. (Legislator Trotta - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay.

LEG. SPENCER:

Mr. Presiding Officer, I have a request.

P.O. GREGORY:

I can't hear you.

LEG. SPENCER:

Could I make a request, if I could, on a resolution?

P.O. GREGORY:

Yes, sure.

LEG. SPENCER:

We have a lot of our vets and seniors that came out for the Stolen Valor Law and they asked if there's any chance we could take that out of order. I don't think it will be very controversial.

P.O. GREGORY:

Make a motion.

LEG. SPENCER:

IR 1041, (Adopting Local Law No. -2015, A Local Law to protect the honor of decorated veterans (Spencer), I'd like to make a motion to take that out of order if we could.

LEG. CALARCO:

Second.

P.O. GREGORY:

Motion by Legislator Spencer, second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

LEG. SPENCER:

I'd like to make a motion to approve.

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat)

P.O. GREGORY:

Motion to approve by -- same motion, same -- well, actually motion to approve by Legislator Spencer, second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat)

LEG. SPENCER:

Thank you, everyone.

LEG. HAHN:

Tim, cosponsor.

P.O. GREGORY:

Tim, cosponsor.

LEG. MURATORE:

Cosponsor.

LEG. ANKER:

Cosponsor.

P.O. GREGORY:

Okay.

LEG. TROTTA:

Cosponsor.

LEG. MC CAFFREY:

Cosponsor.

MR. LAUBE:

Sixteen on that last one. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat)

P.O. GREGORY:

Let's go to ***Tabled Resolutions. IR 2160 of 2014 - To educate domestic violence victims about their risk of repeated violence (Hahn).***

LEG. HAHN:

I would like to make a motion to approve.

P.O. GREGORY:

Motion to approve by Legislator Hahn. Second by Legislator Martinez. On the motion anyone? I'm sorry, Legislator Krupski.

LEG. KRUPSKI:

I'd like to thank the sponsor and just a brief explanation of how this will help the victims.

LEG. HAHN:

Thank you, Legislator Krupski. This is a three-pronged plan. First, it will assist domestic violence victims in recognizing their danger of being victimized again, and help them to understand their risk and to get -- and hopefully to get them to seek the help that they need. It will also provide law enforcement with an objective method for differentiating offenders who are at high risk of re-offending, and it will prepare advocates for dealing with another tool to help victims.

More than, and we've heard a number of agencies speak previously here today, but it's estimated that more than half of women who were murdered by their intimate partners did not accurately perceive their risk. They did not recognize that they were at risk of being killed. The fact that 50% of women do not have an objective sense of the continued risk of violence is the crux of the problem here. Why do they not recognize this? Well, that's the nature of an intimate crime. When your victimizer wears the face of someone you have cared for it does sometimes cloud your judgment.

This legislation will help to address this by helping victims fully understand the level of risk that still exists from their abuser, and the ultimate goal here is to get the victims to seek help. Studies have shown that individuals who fill out the Jacqueline Campbell self-assessment Form are more likely to -- more likely to understand their risk, and then therefore are more likely to act and seek help from agencies, seek assistance.

As the police encounter victims they will provide them with the self-assessment form 100% of the time. So 100% of victims who dial 911 and have a Police Officer respond to the scene and are able to receive the form will get it. The officer will urge them to fill it out, explain how it helps them to understand their risk, and hopefully they are more -- and they will be more likely to seek help if they do fill it out.

And I can't stress enough, you know, just how important this piece is helping the victim understand their risk, because it's -- it is a missing link. We do need to get them to seek the services of the agencies. That's the ultimate goal. And so hopefully that helps explain to you.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Okay. Anyone else? Legislator Spencer.

LEG. SPENCER:

Kara, thank you for introducing this and I wholeheartedly support it. And I -- it seems I had one concern that would -- if there was a situation where a particular spouse or partner could be falsely accused, could it cost them to be incorrectly categorized or profiled by the police?

That was my initial concern, but as I'm looking at this, it seems to be more focused on making sure that the victims have an awareness of their risk, but if there was a situation where someone was incorrectly categorized or someone wanted to utilize it as a tool perhaps to strengthen in a contentious separation, is there a way for the -- well, most likely a male who was maybe innocent, would they have a way of not being classified by the police?

LEG. HAHN:

So the risk offender assessment, the Portland Police Model that the Police Department has determined to be extraordinarily predictive of risk within our own cases. The Suffolk County Police

Department, with the work of the Domestic Violence Unit and the IT Department, has run the cases over the last five years against this model, and it has proved to be extraordinarily predictive for our cases.

However, the response from the Police Department will be victim based. So they will be providing -- because right now, currently in Suffolk County we see approximately 7,500 domestic incidents a year. The Domestic Violence Unit, while well-staffed, extraordinarily dedicated individuals, they can't make personal phone calls or knock on 7,500 doors in a year. So this will help to focus the priority cases where they will work to provide those extra services to the victims. So it's a victim based action that will result from the risk assessment.

LEG. SPENCER:

And I have that same understanding and I needed to clarify that. I did have overwhelming support from my constituency, but I did have a constituent that said if I'm in a custody battle, for instance, and it is a contentious situation and I have a very savvy spouse that would try to call up and increase the calls, would it affect my ability to be able -- if I'm innocent, to be able to get custody of my child or would it cost me to lose custody. And my impression, and I did pass on that I didn't think so. It seems like this is focused more towards the victim and still those that are the accuser still would have a due process before it would have any legal standing against them to deny them any particular rights. But this is really more about focusing to make sure the victims are protected. Is that --

LEG. HAHN:

Absolutely. And this is not to focus services or resources on the offender, but just to further alleviate your mind, the objective measures are things like prior domestic violence or family disturbance offenses, prior arrests, prior violent offenses, prior alcohol and drug offenses, you know, violating the restraining order. So it's very objective measures, but, again, the number -- the priority assignment will funnel resources to the victim. It's a victim based approach, service approach.

LEG. SPENCER:

Thank you. And again, I wholeheartedly support this. Thank you.

LEG. HAHN:

Thank you for your support.

P.O. GREGORY:

Okay. Anyone else? No? Okay. Mr. Clerk.

MR. LAUBE:

Who's the second on that?

P.O. GREGORY:

Martinez.

MR. LAUBE:

Thank you.

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. Motion passes. All right. Congratulations.

(*Applause*)

P.O. GREGORY:

All right. We're going to try -- well, maybe we won't have time.

All right. We'll try. ***IR 1104 - Amending the 2015 Adopted Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program and appropriating funds in connection with the effect of the Millstone Nuclear Power Plant on the temperatures of the Long Island Sound (CP 8710)(Schneiderman).***

D.P.O. SCHNEIDERMAN:

Motion to approve.

P.O. GREGORY:

Motion to approve by Legislator Schneiderman. I'll second.

D.P.O. SCHNEIDERMAN:

On the motion.

LEG. KRUPSKI:

On the motion.

D.P.O. SCHNEIDERMAN:

Let me start by saying what the amendment is, or what's new about it, and the reason why it was tabled last time. It was -- I had made the request for 477 funds to the Water Quality Review Committee. Since then, Stony Brook University is taking it on as their application, and they are providing now a 50% match as well to this. What basically this is, it really stems from a while ago when -- where there were some concerns about rising water temperature in the Long Island Sound. There is some folks who came to the Legislature saying that the lobsters had died off because of maybe pesticides that the County was using. We did -- the County conducted a literature review and determined that that was not the case, that what actually destroyed the lobster population in the Long Island Sound was temperature.

Now, that's curious. I started looking at that issue of temperatures rising in the Long Island Sound and found that the Long Island Sound since 1970 has been rising by one degree every decade. Is that a lot? Well, global warming models predict ocean temperatures are rising at one degree per century, so this is a significantly higher temperature increase than would be predicted just on global warming models.

I started to ask why is the Long Island Sound temperature rising so quickly? In fact, this winter was an extremely cold winter. Air temperature was cold, water temperature was cold, but in that area around New London, Connecticut, reaching as far out as Bridgeport and New Haven, you found water temperatures that were as much as five degrees higher than everywhere around it in all directions. Something in that New London area clearly was contributing to major heating of the Long Island Sound.

The Millstone Nuclear Power Plant has a permit to use the Long Island Sound to cool its two nuclear reactors. It takes in two billion gallons a day, roughly a million gallons a minute, circulates it through the plant, and releases it 20 to almost 40 degrees higher. That's a significant heat discharge. It's 15 million BTU's an hour, and over time, 24 hours a day, seven days a week, 365 days a year, it is emptying this heat and causing the temperature to rise. To what degree?

Well, they say it's insignificant, but the studies have only shown the near shore effects.

I wrote to Stony Brook School of Marine and Atmospheric Sciences and said is there a way that we could study and develop a predictive model of what continued heating would do to the Long Island Sound ecology. Under the Clean Water Act, this plant must come in every five years and get a new permit to use this type of cooling. Modern plants do not use this once through cooling system. They use cooling towers which place most of the heat into the atmosphere.

Okay, I'm being asked to shorten it. They need to get a variance under the Clean Water Act. It is being reviewed on the Connecticut side. They have only studied the near shore affects within a mile-and-a-half. We have an interest here because this is our Long Island Sound as well and our Peconic Estuary, both Federally protected water bodies. We need to know the effect that that continued heating will have on our ecology. We've already lost our lobster population. Our eelgrass population has disappeared; 90% we have lost. The winter flounder population, it's gone. It's too warm. So this is important.

The Water Quality Review Committee unanimously supported this expenditure of 477 funds. It's roughly \$79,000. Not only did they unanimously support it, but they put an urgent recommendation for its approval. Ed Romaine sent a messenger last meeting in support of this, the Supervisor of Brookhaven, Citizens Campaign supports it, East End Supervisors and Mayors, the Town of Southampton. Many, many, many groups have all supported this and I would ask you for your support so this can move forward. The health of the Sound and the Peconic Estuary are too important to not have this information.

P.O. GREGORY:

Okay. It's past 6:30 so we have to go into the Public Hearings, so we're going to pass on this resolution for now. I want to make another announcement. We have found a Visa credit card for Nancy Gamby.

MS. GAMBY:

That's mine.

P.O. GREGORY:

It's at the front desk. We thought you were paying for dinner, but we wanted to check with you first.

AUDIENCE MEMBER:

Dinner's on Nancy.

P.O. GREGORY:

Okay. All right. Folks, we are at the hour of -- for Public Hearings. The first Public Hearing being ***Procedural Motion No. 1 - To set a public hearing regarding the authorization for approval to alter rates for Fire Island Water Taxi, LLC.*** We have several cards, first being Suzy Goldhirsch.

MS. GOLDBIRSCHE:

Thank you. Good evening. My name is Suzy Goldhirsch. I am a lifelong summer resident of Fire Island, and also President of the Fire Island Association, the Island-wide group that represents the 17 communities on Fire Island. As some of you are aware, yesterday several community leaders from Fire Island met with Presiding Officer Gregory, and with Legislators Lindsay and Barraga, to express our concern about the lack of information currently available about this proposed ferry and water taxi rate hike. Something -- this information is critically necessary so that citizens can make an intelligent decision about the reasonableness of the proposed hike. In fact, I was told today that

we must file a Freedom of Information request with the Budget Review Office in order to get a copy of the financial information that Fire Island Ferries submitted with their petition.

As some of our members said yesterday, and I can personally vouch for this, having spoken to all the leaders of the western communities on Fire Island, we are not necessarily opposed to the rate hike. The Fire Island Ferries does a great job. They offer excellent service in most cases. They get us on the Island and off the Island, especially in hurricane, bad weather evacuation. There are never any accidents. Their boats are always on time. We have a close working relationship with the ferry and the ferry company, the owners of the ferry company, the Mooney family. It's just that there is very little information available for us right now, and there seems to be a rush to get this hearing closed and vote on the rate hike.

We are therefore requesting that the Public Hearing be kept open for one more meeting so that we can get additional information, and come to the determination about the fairness and reasonableness of the rate hike request. To close tonight's hearing would make -- would really undermine this process, and it would prejudice that you feel that further comments after seeing additional information are not valid.

So we're asking you to keep this public hearing open one more meeting. We don't feel this causes a burden to the ferry company as their peak ridership season really starts after kids get out of school in June and really picks up in July and August. In fact, to extend the hearing for one more meeting is the right thing for you to do. It would be finding the balance between the ferry's need, their business need and their logistical need to get a decision on their petition on the one hand, and the public's right to a fair and transparent process on the other. Thank you for listening.

P.O. GREGORY:

Ms. Goldhirsch, your time is expired, but Legislator Lindsay has a question for you.

MS. GOLDBIRSCH:

Okay.

LEG. LINDSAY:

Hi. Good evening. Thanks for coming down tonight.

MS. GOLDBIRSCH:

Thank you for listening.

LEG. LINDSAY:

Oh, you're welcome. I have mixed emotions about closing or keeping the public hearing open. Just so you understand the process. Just because we close the public hearing tonight does not mean that we vote up or down for or against the proposed rate increase. We have -- the procedure from here would be that this, once the public hearing would be -- if it were closed tonight, this would go to committee next month. You'd have another opportunity to speak before the committee, and the committee then has the opportunity to vote for or against or to table the increase. But it doesn't get before the full Legislature for a vote up or down until it gets out of committee. If it did get out of committee you would, again, have another opportunity to speak before the Legislature on it. And just for argument's sake, you'd have two opportunities to speak if the public hearing were closed this evening.

I don't want you to think that if the public hearing is closed tonight you have no more opportunities to speak for or against the rate increase. And we're also in the process of setting up another meeting amongst the members of the community along with the ferry company as well.

MS. GOLDHIRSCH:

I really appreciate that because I didn't understand the process. And I thank you very much for encouraging us to let our voices be heard after we have more information.

LEG. LINDSAY:

Absolutely.

MS. GOLDHIRSCH:

Thank you.

LEG. LINDSAY:

You're welcome.

P.O. GREGORY:

Thank you, Mrs. Goldhirsch. And Tim Mooney.

MR. MOONEY:

I'm good.

P.O. GREGORY:

You're good? Okay. All right. Anyone else like to speak? That's all the cards I have. Okay. I make a motion to --

LEG. BARRAGA:

Close.

P.O. GREGORY:

To close by Legislator Barraga.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Fourteen -- *fifteen*. (*Legislator Hahn - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat*)

P.O. GREGORY:

Okay. ***Procedural Motion No. 2 - Authorization of approval of rate for Fire Island Ferries, Inc.*** I have Mrs. Goldhirsch. Would you like to speak on this one as well? It's the same thing.

MS. GOLDHIRSCH:

Would our opportunity be the same?

LEG. BARRAGA:

Yes.

P.O. GREGORY:

It's two separate bills technically, yes. Same process, yes.

MS. GOLDHIRSCH:

Thank you very much.

P.O. GREGORY:

Okay. All right. So anyone else like to speak? Please come forward. Okay. Not seeing any, I accept a motion by -- motion to close by Legislator Barraga, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen. (Legislator Hahn - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 2176-2014 - Adopting Local Law No. -2015, A Local Law to protect children from exposure to toxic chemicals (The Toxin Free Toys Act)(Hahn).*** I have several cards. First being Jordon Christensen and then on deck, Bobbi Chase Wilding.

MS. CHRISTENSEN:

Hello. Thanks for the opportunity to speak today. My name is Jordon Christensen. I'm with Citizens Campaign for the Environment and we are here to support the Toxin Free Toys Act. According to the Washington State Department of Health, over 5,000 children's products contain chemicals of high concern. These have links to cancer, reproductive problems, chronic health problems and developmental delays.

In addition, children are especially vulnerable to these chemicals. They're low to the ground, they're small, they're still developing and they have the tendency to put their hands and other objects in their mouths. So there's really no reason for toxic chemicals to be in children's jewelry, furniture, clothes, toys, etcetera.

Manufacturers that willingly and knowingly put these toxic chemicals in children's toys should see a stop sign at the Suffolk County border. The public does not support putting toxic chemicals in children's products and neither should the elected officials. Some of the most worrisome chemicals out there are found -- being banned in this legislation, so benzene and some other heavy metals, and I have a list of each chemical and their health problems for your perusal, which I'll leave in my testimony. I'll skip over that for now to save time, but many of them are chronic and many of them are severe.

It's not only directly through these products that children are exposed, but it's also through our environment. Some of these chemicals over time are released into the air where they bind with air particles. Some are already found in Long Island Sound, drinking water sources, surface water sources, and like mercury in our fish and our environment already. So banning the worst offenders is a great first step. This legislation will be incredibly meaningful and go a long way to protect public health.

We would also urge you to address the Tris chemicals. So these are toxic flame retardants that are found in children's bedding and strollers and car seats. They actually do nothing to prevent fires, but they do have links to cancer, as well as damaging the liver, kidney, bone marrow and brain. So we would ask that when considering these you also consider some of these Tris chemicals for a ban.

It's irresponsible to continue to allow children to be exposed to dangerous carcinogenic chemicals in their toys and their furniture and their jewelry. So we would ask you to please pass the Toxic Free Toys Act and put it into effect immediately. Thank you.

P.O. GREGORY:

Thank you.

LEG. CILMI:

DuWayne.

P.O. GREGORY:

Jordon, Legislator Cilmi has a question for you.

MS. CHRISTENSEN:

Sure.

LEG. CILMI:

Thank you. Hi, how are you?

MS. CHRISTENSEN:

Hi.

LEG. CILMI:

Just a quick question. My microphone seems to be falling apart here. Is there -- is there an incidental sort of appearance of these chemicals just in different things throughout the environment or throughout, you know, life in general? Is it possible that the -- that these chemicals could appear in, you know, the water that we drink or?

MS. CHRISTENSEN:

Sure. It isn't only children's products that we find these things. We're talking about things like lead and benzene and cadmium. These are in adult products, too. Some of them are found in, you know, food, beverage products. But the reason why a lot of this legislation particularly tackles the children's products is because those under 12 are the most vulnerable. So, yeah, I mean, they are everywhere for the most part, but it's particularly egregious, we think, to have them in say a baby bottle.

LEG. CILMI:

Right. So if it's in there purposefully I completely agree with you.

MS. CHRISTENSEN:

Right.

LEG. CILMI:

But my question is, is it possible that some of these ingredients can find their way into these toys or furniture or what have you in sort of an erratic way, so that the manufacturer or the retailer wouldn't know that they're actually there unless they tested that specific toy.

MS. CHRISTENSEN:

As far as I know, some of them are added purposefully. And I know that there has been state legislation, other states that have banned it, and they've been able to do it successfully means that it isn't completely incidental. Though maybe possibly there's some sort of a cross contamination issue, I don't know, a lot of these are added and there are already safe, healthy alternatives that are on the records. There are companies that already do it, so it's definitely possible to make any product for a child under 12 without these sort of, you know, heavy metals and benzene.

LEG. CILMI:

Is it possible, from your experience, to ensure that these heavy metals were to be totally absent from a given product.

MS. CHRISTENSEN:

Sure. I mean, there are other states that have regulations on it.

LEG. CILMI:

Oh, but forgetting about regulations for a moment. If we agree that it's possible that these heavy metals appear in an incidental way in, you know, possibly our water or whatever, then isn't it possible that they would find their way into products that we purchase incidentally and, therefore, it would be very difficult for a manufacturer or a retailer to know that they're there.

MS. CHRISTENSEN:

Well, honestly what we found is that other manufacturers are successfully doing it and they're testing it. That's what I was going to say about other states, that their regulatory agencies, you know, environmental conservation or health departments, are testing these things. You know, there are ways to get it out. It isn't that cadmium is ending up in children's rings just by accident. A lot of the time it's intentionally placed there. So it does, you know, make a big difference to ban. You can enforce it.

LEG. CILMI:

Thank you.

P.O. GREGORY:

Okay. We have Legislator Stern.

LEG. STERN:

Thank you. Hello.

MS. CHRISTENSEN:

Sorry. Yes, hi.

LEG. STERN:

Hello. Thank you for being here today. On so many issues when it comes to protecting public health and safety, this Legislature has chosen to be proactive and pursue the precautionary principle, especially when other jurisdictions at a higher level, like the State level and the Federal Government, have failed to act. This perhaps is an example.

So my question is are you aware of any other significant steps taken within any other municipalities or jurisdictions throughout New York State or throughout the country that has moved this far, is moving this far? What's your understanding at this point of what action, if any, say the FDA is taking on this matter?

MS. CHRISTENSEN:

I'm not sure. I know that there's been State legislation that hasn't really gone anywhere, which is why we are doing this on the local level. It isn't just you guys, Westchester County, Albany County, there's other places in New York State that right now are considering the same action, simply because we don't have things like a national or a state registry of these chemicals. So it is happening by and large on the local level and then starting the movement up.

LEG. STERN:

Thank you.

MS. CHRISTENSEN:

Sure.

P.O. GREGORY:

Okay. Legislator Lindsay.

LEG. LINDSAY:

Hi. Good evening. Thanks for coming in this evening to testify. You know, my question would be that we've heard representatives from the toy manufacturers have come in and said that these are -- they're acceptable levels, and we hear countless times people come in and talk about acceptable levels. When you add up all those acceptable levels, what's the point where -- is there a cumulative effect where it becomes unacceptable.

MS. CHRISTENSEN:

Right, and I think that's a good point, and I don't know exactly where the point would be. But the truth is we would argue that even some of the technically acceptable levels are not okay when they're in a child's rubber duck toy, etcetera. That there's no reason to be adding these chemicals unnecessarily, and that, yeah, even though technically all I think nine of these heavy metals might be safe levels according to the EPA in some sort of products, the truth is that there's no reason to unnecessarily be exposing children to them regardless of what level they're in. We think the safest level is zero, so why not do that if we can.

P.O. GREGORY:

Okay. All right. Thank you.

MS. CHRISTENSEN:

Thanks.

P.O. GREGORY:

Okay. Bobbi Chase Wilding and then on deck, Gail Senical Heffner.

MS. WILDING:

Good evening. My name is Bobbi Chase Wilding. I'm the Deputy Director of Clean and Healthy New York and it's a pleasure to be back speaking with you again in support of this legislation. We're here again tonight because we really think this is an important step for Suffolk County to take, and I think that, you know, when we look at where we're seeing toxic chemicals in children's products, some of the time it's intentionally added and some of the time it's because manufacturers aren't keeping control of their supply chains. If you're testing, for example, your metals coming into your shop, you know what's in it, and whether it's accidentally contaminating because you are using old electronic waste that's got toxic heavy metals in it, they don't have a place in children's products. So sometimes you can see listings that will say that there are contaminants when, in fact, it's something that is controllable.

We think it's also particularly important that there be real limits set on these toxic chemicals in children's products because they're being exposed through a lot of other means and we can control what's in children's products where we can't necessarily control that -- a particular piece of ground has a higher level of arsenic than another. We can control whether that arsenic ends up in the products that children are putting into their mouths.

I think this is really a valuable piece of legislation. When we look at the impact of environmental chemicals and children's lives, Mt. Sinai School of Medicine did an analysis that found that it costs New York State 4.35 billion dollars every year to treat diseases of environmental origin in children. Things like cancer, asthma, birth defects, learning and developmental disabilities. These have a real

impact in our communities, they have a real impact on children's lives. And as Jordon said before me, we can produce products. Manufacturers are making products today that don't contain these toxic chemicals, and if I held them up side by side and asked you to pick which one contained a toxic chemical and which one didn't, you wouldn't be able to pick it out at the store shelf point of origin. Manufacturers can know this information and they can make sure that their products are safe before they ever get to consumers, and that's what we think is really important about this legislation.

I strongly urge you to support this bill, for Suffolk County to take this important step to protect its residents. And with that, if anyone has any questions I'd be happy to take them.

P.O. GREGORY:

Okay. Ma'am, Legislator Stern has a question.

LEG. STERN:

Thank you, Mr. Presiding Officer. How are you?

MS. WILDING:

Hi.

LEG. STERN:

Thank you for being here again. I know you've been involved in this issue for so long and many like them, so it's really the same question to you. The preference, of course, would be that this type of legislation would be enacted at the State level and ultimately the Federal level, but it falls to us at the more local level to consider it because of the inaction at the higher levels of government. But at this point, what is your understanding of where New York State might be or the Federal Government might be, which is really where this type of legislation is more properly placed.

MS. WILDING:

So at the State level there's the Child Safe Products Act. It's been introduced in both houses. Last year it ended in the Senate with 41 cosponsors, so clearly a majority. However, it didn't get a vote. And we believe that the time has come for action. We hope that the State takes action this year. The Assembly is advancing its bill. But it -- Albany is a chaotic place. Things can change in a heartbeat, and our children have been waiting and waiting for action and not getting it. I would hate to see Suffolk County wait because maybe something's going to happen in Albany. Whereas if you act, that gives -- that sends a stronger signal to Albany that they need to take action, and the bill in Albany is broader than what this legislation is, which makes sense because there's more that Albany can, you know, that New York State can do than a county on its own should be asked to take. The same is true at the Federal level. Yup, there are a couple of bills out there in the Senate. They have not advanced in recent years and it's not clear that they're going to.

And even if it passed, it's not like tomorrow the store shelves will be clear of toxic chemicals. The process that's being proposed under any Federal legislation would still take decades before the kinds of chemicals that we're talking about might be regulated. So we think that it's incumbent on Suffolk County to protect your children and to make sure that -- the action that you can take that will have a meaningful and real impact on their lives gets taken.

P.O. GREGORY:

Legislator Trotta.

LEG. TROTТА:

If this passes, how do you propose we enforce this?

MS. WILDING:

I think there are a variety of ways that this can be enforced. I think the first thing is education for the retailers, letting them know that this is the law of the land is an important step. Following that, asking them to notify their manufacturers that they need to tell them that they're affirmatively complying with this law gives them something in writing that they can point to. So they know that the -- you can -- the County could know that the communication was happening. And then I think spot checking, going in first to check whether or not retailers are tracking that manufacturers are telling them that they're sending them compliant products, and then going and doing some moderate testing, using something like the XRF or a small number of laboratory tests would enable the County to make retailers aware that they are enforcing without having to spend extensive amount of money to do it. I think this is a very affordable project that can be done and still have a very meaningful impact for the County residents.

LEG. TROTTA:

Did you happen to see the 60 Minutes expose on the wood flooring company?

MS. WILDING:

I did see Lumber Liquidators.

LEG. TROTTA:

That was stamped that it was approved, the best stuff.

MS. WILDING:

That's true, and that's why spot checking is so important and that's what happened with Lumber Liquidators. People went and bought their products and checked to make sure that what they were saying was the truth. What they found was that there was a mix, right? The products that were being made in the United States were complying with the standards as they said they were, and the products that they were getting from certain factories in China, were not.

That's why we think that whole chain is important. We start with the education. We make sure the retailers are aware that this is the law. We ask them to make sure that they're telling their manufacturers that they need to meet these standards, that means that communication is happening. And then the manufacturer needs to be an honest manufacturer, but you can catch dishonest manufacturers by going and doing that spot checking. And if they're aware that people are going and doing the look, they're going to be more likely to comply. No law is enforced to 100% compliance, but there is a significant impact on the overall flooring industry because those laws are in place, because those formaldehyde standards were set in place. Catching one bad actor, it's important, but it doesn't really speak to the overall impact that that law and those requirements had.

LEG. TROTTA:

I mean, that's looking at the Federal Government looking at it, but a little locality like Suffolk County is going to go into a store and test the toys? And then do you fine the retailer? Because the retailer bought the product and its marked that it's okay. I mean, there was recently -- I'll give you an example. We did a search warrant years ago on a bodega in Queens. Everything in the store was fake. Fake ChapStick, fake M&M's, fake licorice. Everything. Everything behind the counter was from China and it was all bootlegged. I mean, it's almost impossible to check that. I mean, there was a big thing right on Long Island were they were bootlegging ChapSticks. We were buying ChapStick and it wasn't really ChapStick. And now, you know, the Health Department's got a lot of things. Listen, I'm 100% for this, I understand, but the reality of it is it's just not possible. I don't see how its possible.

MS. WILDING:

I disagree respectfully. I believe that it is very possible to have an impact with this law. Again, you're not going to make an unscrupulous person be scrupulous, but you are going to get companies of goodwill to make sure that they're complying. I believe that the vast majority of companies out there are companies of goodwill, even when they're manufacturing in China, even when the supply chain is extended. The alternative is not to do anything, which ensures that the toxic chemicals we know are in children's products today remain on those store shelves without question.

LEG. TROTTA:

The companies of goodwill will do it anyway.

MS. WILDING:

That's not true. There are companies that -- we know that Washington State requires disclosure. Companies are complying with that disclosure law. That has not prompted all of those companies to say wait, people care about toxic metals in children's products, I'm going to go take them out. Unfortunately, they often require force of law to comply. They want to meet regulations. If there isn't a regulation out there, they're not complying with it.

LEG. TROTTA:

What about other things like, you know, plastic utensils or a pen or a straw or something like that? Is that included in this? Kids chew on pens all the time.

MS. WILDING:

Sure. This law pertains to products that are made and marketed to children because that's a definable scope of products and it's the ones that children interact with most often. Certainly we believe that broader action is necessary. Ultimately, we need to understand which chemicals are toxic and remove them from our overall communities. But we don't think that that's the job for Suffolk County. We do think the job for Suffolk County is to safeguard its children and it is within both the power and the scope of your abilities to be able to do that. And that will have an impact on how those conversations happen elsewhere and it will have an impact on what manufacturers decide to do.

P.O. GREGORY:

Legislator Cilmi.

LEG. CILMI:

Thank you. It's good to see you again.

MS. WILDING:

Hi.

LEG. CILMI:

I'm sorry we couldn't hook up beforehand. The agency at the Federal level that's responsible for overseeing this is the Consumer Product Safety Commission?

MS. WILDING:

Yes.

LEG. CILMI:

Any other agency that would look at this?

MS. WILDING:

Sure. The Environmental Protection Agency is responsible for looking at the toxicity of chemicals in

commerce.

LEG. CILMI:

Okay. Do either or both of those agencies have enough regulatory authority to be able to enact regulation Excused Absence action on the part of Congress?

MS. WILDING:

They -- the EPA has not effectively had that ability. In 1990, the U.S. Environmental Protection Agency attempted to ban asbestos because of its overwhelming conclusion that it causes cancer, but because of the way the current laws are written, they were unable to do so after a court challenge, and they have not attempted to remove any chemical from commerce since then. The Consumer Product Safety Commission has some authority, but they have not acted to remove toxic chemicals from children's products in a way that --

LEG. CILMI:

Why do you think that is?

MS. WILDING:

I think there are a lot of different reasons. I think they are -- most agencies are overextended, most agencies have had their budgets cut, and they do what's on fire in front of them. They have been enforcing regulations on lead and phthalates and that's great, but they also get a lot of pressure from a lot of different voices, and the ones that have the money to be in that room most frequently are the ones that are trade associations for the manufacturers.

LEG. CILMI:

Do they have the ability to sort of specify that certain products are acceptable for certain populations and not for other populations? But my point is could they say, for example, that -- or could they ban the use of these or the incidence of these metals in children's products, but not in other products, or would their regulation have to be sweeping regulation in that it would regulate all products? Do you know?

MS. WILDING:

I think they may have discretion on that. I am not an expert on the Consumer Product Safety Commission, and so I don't want to tell you something as though it's fact and have it be wrong.

LEG. CILMI:

Okay. Thank you.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Good evening.

MS. WILDING:

Hi.

LEG. D'AMARO:

Hi. Thanks for coming in, very informative. I want to take the focus off of enforcement because I think we would all agree that putting benzene or lead in anything that would ultimately wind up in a child's mouth can't be good, and I agree with you on that premise. But what I'd like for you to do is to define for me the problem a little more. All right, so we're here today asking through this legislation to protect children.

MS. WILDING:

That's right.

LEG. D'AMARO:

So talk to me about the need.

MS. WILDING:

Sure. So we have growing and certainly established scientific evidence that shows that children are affected by chemicals in their environment. So the basic problem is we know that children are having higher rates of a whole host of diseases and some of which last into -- through their lives. Rates of cancer go up, the rates of asthma go up, the rates of learning and developmental disabilities go up. And we understand that chemicals, including heavy metals, play a role in how that happens in their bodies. These are chemicals, particularly heavy metals, they don't break down. They last in their bodies, they accumulate. And so even low level exposures build up over time.

LEG. D'AMARO:

Right, I agree with you. If you ingest heavy metals it will probably have a deleterious affect on your health. But how do we trace that back to children's apparel or products that may contain small, trace amounts of these elements?

MS. WILDING:

Well, we know that there's a whole lot of different sources that children are being exposed to, and the real challenge that comes in articulating the problem of toxic chemicals in our environment is that with the exception of lead and paint, it's very difficult to trace back when a person gets cancer all the way back to which chemical exposure it is, and often it's a combination of a lot of them. And so given what we know about the role that heavy metals particularly can play in children's health and how they can harm them, and given that we know that we can make children's products without these dangers, we believe that if we are looking across the world we create for our children, it should be a certainty that the products that are made specifically for them are not adding to that burden.

LEG. D'AMARO:

See, the issue I have with what you're saying is that I agree with everything you say, but now I have to decide whether or not the problem is being caused or partly caused by children's products and apparel, and I don't see you giving me a specific example --

MS. WILDING:

Okay. Sure.

LEG. D'AMARO:

-- of where you can say that these trace amounts of toxic elements are having an impact, a negative impact on children by way of example, perhaps. You know, I don't want to be a solution in search of a problem, so I need to define the problem. Again, on a general level, excuse me, I have a cold, on a general level, these are toxic substances, they should not be ingested by anyone specific -- and especially children. But how do we connect the two that these particular products that you're asking us to ban, in effect, are having this impact?

MS. WILDING:

Well, first I want to be clear that we're not asking you to ban products, we're asking you to make sure that retailers are only stocking products that don't contain these heavy metals. So it's not a ban on a product. Manufacturers can make all of the things that we have found heavy metals in without those heavy metals. So it's not about empty store shelves and it's not about punishing a

retailer, and it's not about banning a product, it's about making sure that chemicals that we know are connected to health problems don't -- I mean, there's again, this is about how it all stacks up. It's about every bit of exposure that you have and when does the straw break the camel's back? Was it the cadmium in the zipper pull? Was it the lead in the necklace? Was it the, you know, where is the -- which is the straw?

That's very difficult to do when you're looking at the cumulative impact on children's health. Do parents notice when their child loses an IQ point? This is not some -- this is subtle in its very specific outcome when we're talking about things like what drove the Consumer Product Safety Improvement Act, that was the case of very high levels of lead in things like on zipper pulls that were swallowed and poisoned and killed children.

The problems that we're dealing with are problems that are chronic and they're problems that often become invisible. Parents don't know when their child develops cancer what in their child's history or their own history is behind it. What we're saying is children's products shouldn't be part of that equation and shouldn't be part of that question.

LEG. D'AMARO:

Do you know if there are manufacturers within the United States that are making these products?

MS. WILDING:

That are making products that are toxic?

LEG. D'AMARO:

With these chemicals that you feel should be, you know, the chemicals named in the legislation that should not be within these products.

MS. WILDING:

I have not done extensive testing of all of the products that are out there. The products that we identified were made overseas. But in the past, when I was testing products that contained -- when lead was the bigger issue, it certainly was the case that we were finding products labeled made in the United States that also contained lead. It was not unique to China.

LEG. D'AMARO:

So there are some manufacturers in the U.S. that have these, like lead for example, in a product that they would manufacture for a child.

MS. WILDING:

That was in my experience in the past, yes.

LEG. D'AMARO:

Okay. All right. Again, I want to support the bill. I think that, again, you know, on a general level these materials are toxic. We don't want anyone ingesting them. But I really would like to make a stronger connection between solving the problem and this particular legislation that would now prohibit even trace levels of these particular materials.

MS. WILDING:

And I do want to say that it's a whole range, right, the levels that we're finding vary, they're not just trace levels. They go all the way up to 15 or 20% of some of the material.

LEG. D'AMARO:

But the bill would ban any product.

MS. WILDING:

Well, what the bill does is says stop using those chemicals. It says hit a non-detect.

LEG. D'AMARO:

I don't think that you've made a connection between this solution and the broad problem that you're defining. So if you're going to --

MS. WILDING:

The overall statistical impact of the rise of these chemicals and products.

LEG. D'AMARO:

I can agree with that, but what if you're wrong and what if passing this bill doesn't have any impact on toxic levels children are ingesting. I mean, I'm sure there might be some impact, but I'm just trying to make a connection between this bill because this is regulation.

MS. WILDING:

Yeah.

LEG. D'AMARO:

This is a bill that's now changing commerce and regulating what can go in a product, what's not in a product, and I want to make sure that there's a problem to be solved, that this would help solve the problem of these toxic chemicals.

MS. WILDING:

So just one more piece on that is that you're looking at the overall supply chain. So you're looking at whether or not heavy metals are being used in commerce as much as they were before. You're looking at whether they are being used in manufacture and therefore contaminating communities in China or here in the United States if they're a manufacture source, and you're talking about what happens when they're disposed. So there is a broad impact that removing toxic heavy metals from children's products would have beyond the specific child, whether they get the specific zipper pull. But I do believe that we don't know when the straw is going to break the camel's back, and I do believe that these are straws. Each one on its own, it may be small. Some of them may be larger, but many of them are small. But they do add up and they do -- and that overall picture, when we look at the overall picture, it's a picture that shows toxic chemicals fairly ubiquitous in children's products and it's something that we can do something about. I do believe that there's a connection. And my question is what if we're right?

LEG. D'AMARO:

Okay. Very good. Thank you.

P.O. GREGORY:

Okay. Legislator Hahn.

LEG. HAHN:

Bobbi, thank you so very much. I just wanted to further clarify, although you kind of touched on it, but can you just make it clear that you were finding levels above trace amounts and above even the recommended allowable limit? Like I remember when the XRF was going off it had numbers there.

MS. WILDING:

Yeah. We've found levels, certainly you can find traces, but we've also found thousands parts per million, so half a percent, so fully like -- so one-twentieth of the item in question being made of antimony, higher levels of some of the elements. We definitely found significant levels of toxic chemicals in the products that we tested, not just trace amounts.

LEG. HAHN:

Thank you.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

Thank you. I'm going to go kind of back to what Legislator D'Amaro was saying about the whole purpose of this, which is to protect children. But if you read the bill, there seems to be some major loopholes in the bill. The law shall not apply to used children's products or apparel that is sold or distributed for free. So that's kind of a big loophole. So if it's secondhand, it's okay to distribute anything. Nor shall it apply to children's products or apparel obtained on the Internet. So there's a huge market for things that are bought and sold on the internet, so that's not going to be regulated at all. And I wonder do you feel that that's a big -- I have a couple of questions for you actually. Is that a big loophole in the bill that should be addressed? Is it serious?

MS. WILDING:

I think that in terms of taking a real bite at the problem this bill is effective in doing that. Obviously we would like to see the whole nation protected from toxic chemicals in children's products, and I think that's where Internet sales come into play. I'm not a legal expert, so I don't know what the ability of Suffolk County is to regulate Internet sales from its residents. So I don't know whether I -- who could answer that question for you.

I think that the secondhand market is a difficult one, and the reason that the focus is on -- when it first enters the County through the retailer and the manufacturer is really because that's where you actually can hold the manufacturer accountable and say only ship me stuff that's nontoxic or doesn't contain these heavy metals and be specific. So I think that that's -- this is -- this is a step, and I think it's an important step. It's not the only step.

LEG. KRUPSKI:

There's another loophole if you read the law. The law shall not apply to protective sporting equipment, and it goes on and on. Why wouldn't you apply that to protective sporting equipment which goes right against a youth's body if this is so toxic.

MS. WILDING:

That's a good question. I think that the concern that I had heard expressed had to do with whether or not those chemicals might be needed in certain applications, but certainly, again, this is a defined scope of products, and you could choose a lot of scopes of products that would also be impactful and have meaning.

LEG. KRUPSKI:

Doesn't it -- doesn't it kind of dilute the meaning if you're going to have big loopholes, and here is one that is really -- I think this is really a big loophole here, the prohibition. It says no person shall sell, offer for sale, give away any children's apparel or children's products. If you go to the definition of children's product it says children's product does not mean batteries, consumer electronics or electronic components, and it goes on and on. So if you look at so many of the toys, and I have three children, and over the years there's been a whole long array of toys that went through the house. So many of these toys are electronic in nature. So, I mean, a pretty high percentage, and now I think it's even more for younger children and they're marketing electronic toys to children at a younger and younger age. Why wouldn't -- and they have -- most of those contain batteries in order to power them. So why wouldn't that be -- if this, you know, if these, especially the heavy metals, are of so great concern, wouldn't they be targeted first?

MS. WILDING:

So electronics often use those metals for specific purposes on the circuit boards, and while I would like to see electronics manufacturers find less toxic alternatives to that, at this time that's pretty much the industry standard unfortunately. I mean, you've got NiCad batteries that have cadmium in them, and so that's a large ball of wax, right? It's a specific sector of the economy that needs to be looked at and certainly is being looked at. But in terms of taking a step here in Suffolk, having regulations that can be enforced, and addressing the kinds of products that children are, you know, likely to be in close contact with on the outsides, right, it's the -- I don't disagree that if a kid takes apart their electronic device that they're going to be coming into contact with a whole host of toxics, but that's -- it's a very specific product sector that has particular reasons for why they're using those metals. And so certainly you could take that on. It would be huge and important. But it's not being done elsewhere at this time in this concept -- in this context.

LEG. KRUPSKI:

Thank you.

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

P.O. GREGORY:

Legislator Cilmi.

LEG. CILMI:

Okay. Thanks again. Just real quickly. You're clearly very experienced with this issue and articulate, and I'm hoping that you can speak to another point of view. Because you've probably heard that other point of view, and I don't think we have heard that other point of view. So if you could speak from the manufacturer's point of view, why would they argue against this? What would be -- what would be their reason for arguing against this legislation?

MS. CHASE-WILDING:

Well, the chemical industry comes in to you and speaks in opposition to this legislation because they support the status quo for their industry, because they want to be able to let their chemical manufacturers continue to produce and mine the chemicals that are in question. And they --

LEG. CILMI:

But let's talk about the manufacturers --

MS. CHASE-WILDING:

So the manufacturers --

LEG. CILMI:

-- physically, not the chemical industry.

MS. CHASE-WILDING:

The toy manufacturers, the children --

LEG. CILMI:

Yeah, and not the retailers, the manufacturers.

MS. CHASE-WILDING:

Well, I think the Toy Industry Association came and spoke to you, so you had the opportunity to hear from that perspective. I was not here when they spoke most completely, so I think you probably heard more from them than I have on this.

LEG. CILMI:

So you haven't heard their arguments?

MS. CHASE-WILDING:

Their argument is usually that it's not enforceable and that you can't test down to zero.

LEG. CILMI:

Okay.

MS. CHASE-WILDING:

And I think that --

LEG. CILMI:

What's your response to that? Not -- forget about the enforcement issue, that's different. Let's talk about not testing down to zero.

MS. CHASE-WILDING:

Sure. In Washington State where they collect data, they test down to the practical quantification limit, and that's a wonky term for the best the lab can do. So you say, *This is the way we're going to test and this is the limit*, we know that's the limit for -- below that we can't find anything, and that's what we're testing to, manufacturers then know that that's what they're testing to, so it gives them certainty. And the way this law would go into effect, the Health Department has the ability to set that practical quantification limit based on the form of testing that they're going to take, if that's the way that they go.

LEG. CILMI:

Okay. Thanks.

P.O. GREGORY:

Okay. Thank you, Bobbi.

MS. CHASE-WILDING:

Thanks.

P.O. GREGORY:

Okay. Gail Senecal-Heffner? Just so that we know, we have about 35 cards.

MS. SENEAL-HEFFNER:

My name is Gail Senecal-Heffner, I live in Northport and I'm here to support the Toxic Toy Act as a concerned grandma. That's new for me, I worry about the chemicals that are going to go into little Sadie's mouth. I want to take the guess work and want to know that whatever I purchase is going to be safe for her.

I also work for the school district in Northport. I work with a lot of kindergartners, I see them with their little toys on a daily basis and they end up on the floor, in their mouth. And I just think it's up to us to keep them safe. Thank you.

P.O. GREGORY:

Thank you. Anyone? No? Okay. All right, Elsa Ford. Ms. Ford, are you still here? Okay. Oh, there she is. And then on deck, Karen joy Miller.

MS. FORD:

I'm Elsa Ford, Founder and President of the Brentwood/Bay Shore Breast Cancer Coalition. As part of our commitment to environmental precautions to prevent cancer and other disease, and on behalf of the many children in Brentwood, we support Resolution No. 2176-2014, to protect children from exposure to toxic chemicals.

Every breath that we take, every bite that we eat, and every sip of water should remind us that we are part of an environmental system within which we must learn to live. To be healthy and happy, we need to know how to make good choices as individuals and together as a society so that we can work them into our life-style. In the real world, risk is not covered by a general acceptable risk calculation of one toxic at a time, but of individual age, health and exposure to a cocktail of chemicals. It would be better for us to adopt a reduced grits policy, similar to a reducing risk policy and sanitation for infectious disease to do what we can in place of an acceptable risk policy.

Our children are the most vulnerable. As parents and guardians, we must keep our children out of harm's way. To do so, we must have information, transparency, an accountability system and enforceable regulations. We are proud of the many Suffolk County laws first that protect us from environmental toxins. We are grateful for Resolution 2176-14, the Toxic-Free Toy Act.

And I would like to thank the colleague from our Latino Breast Cancer Support Group here tonight and ask them to stand and say their name. If you can stand. Come on, say your name. You don't want to say your names? That's it.

P.O. GREGORY:

Thank you, Ma'am.

MS. FORD:

Thank you.

P.O. GREGORY:

Okay, Karen Joy Miller; and then on deck, Chris Goeken.

MS. MILLER:

Hi, everybody. Thank you for the opportunity. My name is Karen Joy Miller, I'm the Founder of Huntington Breast Cancer Action Coalition. I am an Executive Board member for the Childrens Environmental Health Centers at Mount Sinai that bought the textbook on children's health in New York State, that's where we got the information that \$4.35 billion is being spent every year on children's health, one year just on children just in the State of New York for environmentally-caused diseases. Dr. Phillip Landragan, who I've been pleased to work with for a number of years, was the man who got the lead out and proved that when you take lead away, what a battle that was. We actually increased IQ in children six points. So let me just go on with my testimony.

I'm here specifically to talk to the breast cancer issue. Most of you I've worked with over the years. I think Huntington has enjoyed our relationship, so I'm going to pose some things that I've made copies of and all the things that I speak about from a scientific perspective I cite her, but I won't go into the citations.

Several national researchers have found that exposures to tiny amounts of estrogen mimicking chemicals during particular windows of susceptibility such as the prenatal, neonatal and preadolescent periods will place female babies and girls under 12-years old at risk for breast cancer in their adult lives. Moreover, endocrine disrupters like Cadmium have been linked with the onset of early puberty. Early puberty is a well-established scientific risk factor for breast cancer disease later on in life. Children are exposed to these toxic chemicals in toys and many other children's products.

Since babies and young children frequently engage in a hand-to-mouth activity and, therefore, their exposure to toxins will be greater.

According to a recent national biomonitoring study by the Centers of Disease Control, many chemicals that are carcinogenic and endocrine disrupting have been detected in the bodies of most Americans, as well as in the blood of newborn babies. Of the chemicals that have been found in children's products, Benzine, Cadmium, Mercury; each has been linked to breast cancer. Cadmium and other metals are also endocrine disrupters and have high estrogens -- estrogenicity. Where's Doc Spencer?

*(*Laughter*)*

Meaning that they act like hormone estrogen in our bodies. Most breast cancer researchers --

P.O. GREGORY:

Ma'am, please wrap up, your time's expired.

MS. MILLER:

Okay. Most breast cancer researchers and medical doctors agree that elevated lifetime exposure to estrogen and these chemicals play a major role in the development of breast cancer. Years -- for the past years, I want to thank you all for taking the necessary steps to prioritize prevention. Suffolk County was the first to ban the sale of baby bottles and sippy cups. You set the bar high when you passed the Safer Sales Slip Act --

P.O. GREGORY:

Ma'am?

MS. MILLER:

-- and we know --

P.O. GREGORY:

Please, we have a lot of speakers we have to get to.

MS. MILLER:

Okay. I'm hoping that collectively, together, you will address the Toxic-Free Toy bill and pass it, because we've set the bar high. We've been known to educate and be the leading municipality. And on behalf of Huntington Breast Cancer, Mount Sinai School of Medicine and a report that was just given to the U.S. Secretary of Health & Human Services, I'm counting on you to do it again. Thank you very much.

P.O. GREGORY:

Thank you.

MS. MILLER:

And thank you for the extra time.

P.O. GREGORY:

All right. Chris Goeken; and then Lucille Weinstein.

MR. GOEKEN:

Good evening. My name is Christopher Goeken, I'm the Director of Public Policy with the New York League of Conservation Voters. I want to thank you for this opportunity to talk a little bit about this bill. We are very much in support of the Toxic-Free Toys bill, not only here but in other counties. This is something that's definitely being looked at at the Local Law level because, as Legislator Stern

said, there's been a failure to act at other levels. And in fact, in the State Legislature where there has been a bill pending for about five years, last year the bill should have come to the floor, but because of -- in the State Senate, but because of opposition from the chemical industry, it was blocked. And I don't know about you, but if I'm balancing about between the chemical industry and kids, I know where I want to end up -- which side I want to end up on that.

This past December some of you stood with me and Bobbi Chase-Wilding from a Clean and Healthy New York when we released a report here on Long Island detailing the widespread problem of these toxic chemicals and heavy metals in children's products that we purchased here on Long Island. Now, the report that we released had 12 products highlighted, but we did find others. And I think the thing that shocked me that I know shocked some of you was how widespread the problem is. It isn't just toys that are made of metal, but it was jewelry for little girls, it was some plastic items, it was a Match Box car, it was clothing, it was quite an extent of products far beyond what most people think about when they think, *Oh, toxic toys*. And that's why this legislation is so needed, because it was so easy to find products that contain toxic chemicals and heavy metals here on Long Island.

One thing I want to add as an environmental organization, we do -- of course, number one concern with this bill is children's exposure, the hand-to-mouth that some of the other speakers spoke about. But one of the other things that we're concerned about is the entire lifecycle of these substances. When they're mined when the manufactures are using them, and also ultimately what happens to them when they're finished, when the child is finished with them, when they end up in a landfill. And these substances can leach into our groundwater, which is a huge issue out here, or when they're on fire, either in an incinerator or sometimes in house fires and they can create toxic plumes of these substances. So we look at it holistically. And these heavy metals and toxic substances don't need to be used, and throughout their whole lifecycle they can cause harm and cause sickness throughout that entire process.

One last thing I'll mention just to show how manufacturers could get a handle on this, there was a box of Match Box cars that we tested as part of the Toxic Toys Reports that we did it and it was about, I don't know, eight or nine Match Box cars in one box. And I don't want to beat up on Match Box, but half of them had toxic chemicals or heavy metals and half of them didn't. There were two blue cars in there and you couldn't tell by looking at it which one would be potentially hazardous to your kid and which one wouldn't be. So clearly manufacturers, even at that scale, can make these things, make these toys without these toxic chemicals and heavy metals; this legislation would push it in the direction of making sure that they do.

P.O. GREGORY:

Chris, your time is wrapped up, but Legislator Cilmi does have a question for you.

MR. GOEKEN:

Sure.

LEG. CILMI:

Hey, Chris. How are you?

MR. GOEKEN:

Good. How are you?

LEG. CILMI:

Good, thanks. So when you looked at the box of Match Box cars, I'm just curious, and you found the one blue car that contains the toxic chemical or the metal or whatever it was that was in there --

MR. GOEKEN:

Uh-huh.

LEG. CILMI:

-- and one that didn't; did you then go back and find other of the same -- I would imagine this box of Match Box cars was something that Match Box was selling as a package set or something like that. So did you go back to other match -- of the same set to purchase those, to test that same car to see if that same car had the same levels of that metal in them?

MR. GOEKEN:

I see what you're getting at. With the Match Box cars in particular, with that box, we bought one of those multi-packs and we bought several single packs, and there's probably thousands of Match Box cars, so we didn't do that, but I see what you're getting at here.

What we did do in the different counties where we produced these Toxic Toys Reports, which was Albany County, Westchester and here on Long Island, we did purchase the same item, the same item from the same store in all three locations for probably about a half of the items that we had in the Long Island report. So necklaces -- excuse me, a necklace toy set where a girl would make her own princess necklace or ballerina necklace, for example, the amounts of lead and Cadmium varied from place to place. In one place the little ballerina charm was okay and the other place it wasn't, and I don't remember if it was Long Island or Albany or Westchester exactly. There's great variation between the same products in different locations because of variations in the manufacturing, and it's because, as Bobbi had mentioned earlier, maybe they're just not -- the manufacturer isn't keeping track of what scrap metals are showing up at the factory that day, maybe there's batteries that are mixed in with whatever truckload pulls up to the back. The manufacturers that care about this are telling their suppliers, No, we want to use recycled, but it's got to be sorted; *We don't want a bunch of junk ending up in the products that we sell.* Like Melissa and Doug does that. But the manufacturers that aren't are ending up with great variations between, you know, one product on the shelf in Albany County and one here on Long Island.

LEG. CILMI:

So what I'm concerned about, and you may not be able to answer this question, is that how difficult is it for a manufacturer to control whether or not these heavy metals appear in the raw materials that they're using to make their products? So if we've found, for example, that when we went to those Match Box, that package of Match Box cars, that that particular style of car in every single incidence had X level of, let's just say Cadmium. Then we could say to Match Box, and I think we're right in saying to Match Box, *Look, change the design of this car so that you're not using that product, that metal.* But I wonder how difficult it is -- if you found that in some cases the blue car that didn't contain the heavy metal had the heavy metal, and then the blue car that did contain it didn't have the heavy metal, or a detectable level of it at least, then I wonder how difficult it is for that manufacturer to actually control that; how expensive it is or if it's even possible to control.

MR. GOEKEN:

It's definitely possible because manufactures that care about this are doing this, and some retailers like Wal-Mart and Target have started to look at this and started to tell their manufacturers, *We don't want to sell anything that contains,* you know, whatever the list of chemicals it is that they think is important.

LEG. CILMI:

Well, anything's possible, but is it prohibitively, you know, impossible? In other words, you know, I could prevent certain chemicals from getting into food products if I chose to, let's say, you know, grow my food products organically, or whatever. But if I chose not to do that, then, you know, we

have a different set of circumstances. So if a toy manufacturer said, *Okay, we're going to use only -- you know, only these types of metals in our products*, well, then maybe, yeah, they could prevent Cadmium from showing up. But if they're business model is to use recycled metals, as an example, and if they're using those recycled metals extensively in the manufacture of their products, then it might be much more expensive for that manufacturer to control the incidents of that metal in their products; right?

MR. GOEKEN:

Well, I certainly follow your question; I'm going to respond with an example. Crayola Crayons, this is a way that one major manufacturer deals with this problem, and hopefully nobody thinks Crayola Crayons are overpriced our out of the price range. But we were able to obtain their internal manufacturing guidelines; it's a multi-page document, I can certainly share it with you, it's not copy-righted, we didn't get it through any cloak and dagger. But what was very interesting is what they've told their suppliers who provide them with the pigments and whatever they're made of, I guess wax? I don't even know. What their requirements are for purity and what their testing methodology will be to make sure what they're getting from their suppliers meets their stringent test. And they do use the XRF device, which is the same one we use to test each batch that comes in, to make sure that they're not using any of the substances that they don't want in their products. So it is possible to be done. I can't tell you like how much, is it going to be an extra five cents per item; I don't know.

But on the other side of the coin, if it's a contaminant versus something they're intentionally adding, if it's something they're intentionally adding, this bill would tell industry, *You've got to stop using these items*, and that's definitely the direction you want to go.

LEG. CILMI:

Sure.

MR. GOEKEN:

I think on the other question about whether it's a contaminant or not if it's in recycled materials, this bill would get at that. But the bigger chunk is what's being intentionally added, and that's the bigger concern from a health policy perspective as well.

LEG. CILMI:

Okay, thank you.

MR. GOEKEN:

Sure.

P.O. GREGORY:

Okay. Thank you, Chris.

LEG. KRUPSKI:

Question.

P.O. GREGORY:

Oh, I'm sorry. Legislator Krupski.

LEG. KRUPSKI:

So I'm going to ask you the same question that I asked the young lady earlier. There are a lot of loopholes in this law, and would you support a more comprehensive law? If you look at items like electronics that obviously would have a lot of these metals in them, and would you support -- certainly supporting equipment which goes against the skin of a young athlete would be very, I

think, concerning if they had these toxic metals in them. So would you support a more comprehensive law?

MR. GOEKEN:

Well, I would say that the law is covering a pretty broad range of products now, and I think the exceptions that Legislator Hahn put in the bill makes sense for different reasons.

The electronic toys that you had mentioned before, the main concern about this bill, since it is targeted towards kids, is the hand-to-mouth and putting stuff in their mouth. And I think the idea with electronic toys is that most of those lead and the solder inside and all that other stuff, if there is Mercury on a circuit board, I don't know, that's not going to end up in their mouth. Probably some kids break their toys and put in their mouth, but for the most part electronics are going to stay in an enclosed plastic enclosure. Like on an i-Pad it's metal, on an Android phone or something it's plastic, so there's not the same concern there that that's going to end up ingested by a kid. I think for the sporting equipment, again, you don't want to protect kids in one way and then harm them in another. If safety glasses or if the helmet, the football helmets that the kids have require certain of these chemicals in them in order for them to be manufactured -- and it's my understanding that that's the case for some of these things -- you want to make sure the kid doesn't get a concussion or that he doesn't get his eye poked out or what have you, and that's why sporting good equipment was specifically exempted.

And again, you're not going to see a kid chewing on a football helmet, and I understand there are certain, you know, football pads, you know, elbow pads and stuff do come in direct contact with a child's skin, but ultimately breaking bones, getting eyes poked out, getting a concussion, you've got to make that balance and that's my understanding of why those exceptions are in there, and we do support the bill in its present form because of that.

P.O. GREGORY:

Okay. Thank you, Chris.

MR. GOEKEN:

Sure. And I do have Seventh Generation, which is a business that sells a lot of green products, they've actually asked me to submit some testimony. They weren't able to make it today, so I'll just submit that for the record.

P.O. GREGORY:

Yes, thank you. Okay, Lucille Weinstein.

MS. WEINSTEIN:

Hi, good evening. I'm Lucy Weinstein, I'm a pediatrician in Huntington, a Suffolk County resident, two kids, four grandchildren, but I'm the Chairperson of the Committee on Environmental Health for the Long Island Chapter of the American Academy of Pediatrics, which includes Nassau, Suffolk, Brooklyn and Queens. You know they think Brooklyn and Queens are part of Long Island, but we won't answer that, won't talk to that dilemma.

We just want to let you know that the Academy of Pediatrics, Long Island Chapter, is very much in support of this bill. I spoke to it last time, you've heard so much of the evidence as to why we need to protect our children, I want to reiterate that and say that we really need to adopt a precautionary principle. The question was asked earlier by one of the Legislators, *What if we're wrong what? What if we're wrong that these do not have the kind of effect that we believe that they're going to have?* Well, first of all, we know these are harmful. We know that there's a root by way by which these children get these harmful elements into their bodies. There's no reason to think they're wrong, and if we're wrong, what have we done so terrible compared to what if we're right?

We're talking about young children whose brains are still developing, they have a lifetime ahead of them, we want them to start out with the best possible basis and intelligence in health that we possibly can. And I cannot see that there could be any harm, perhaps a small, small -- and even that is questionable, as you heard -- a small financial burden perhaps on the manufacturer. Again, weighing risk and benefit, which is really more important? To save a few cents or to save our children, save their health, their IQ, their development? I can't see that that would even be a question for you, I really can't see.

So with that, I just wanted to say that we are, again, very, very much in favor of this proposal and we thank Legislator Hahn for presenting this bill.

P.O. GREGORY:

Thank you. Thank you, Ms. Weinstein. That is all the cards that I have for this public hearing. If there is anyone else that would like to speak, please come forward. All right. Legislator Hahn?

LEG. HAHN:

Motion. I would like to close this hearing.

P.O. GREGORY:

Okay.

LEG. HAHN:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Hahn.

LEG. SPENCER:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. IR -- excuse me. ***Public Hearing for IR 1069-15 - Proposed increases and improvements to the Outfall at Suffolk County Sewer District No. 3 - Southwest, CP 8108)(County Executive)***. I don't have any cards. What would you like to do? Is there anyone that would like to be heard on this matter? Please come forward.

MS. HORST:

We would like to close.

P.O. GREGORY:

Okay.

LEG. CALARCO:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Calarco.

LEG. McCAFFREY:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Fifteen (Not Present: Legislator Lindsay - Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

(Public Hearing on) IR 1107-15 - A Local Law to amend Chapter 563 Article IV of the Suffolk County Code commonly known as "Precious metal and gem exchanges" (County Executive). I have several cards, the first being Claire McKeon. Where are you, Claire? All right, Claire McKeon; and then on deck, Kerriann Kelly.

MS. McKEON:

Good evening. My name is Claire McKeon, I am the Executive Director of Youth & Disabled Services for the Town of Babylon, I'm also a member of the Regional Justice Team and Sheriff DeMarco 's Task Force. I thank you for this opportunity to speak in support of the proposed pawn shop legislation.

We are all very well aware of the Opioid epidemic. I don't have to preach to you because you've all been working very diligently with community groups, law enforcement agencies and families that have been impacted by this epidemic. The story isn't new, drug addiction doesn't have boundaries and drug addicts just know they need money to feed the monster. Whether it's Grandma's ring or Dad's watch or sister's laptop doesn't much matter to the addict, their disease is controlling them. We need obstacles put into place that make it very difficult to satisfy the monster.

I won't claim to have much knowledge of the pawn shop or secondhand dealers industry, but it doesn't take much to recognize that they are providing a funding stream to the drug dealers in our communities, that is an unholy alliance that warrants regulations with real teeth, regulations that our law enforcement partners can actually enforce for the betterment of our communities. Your support of this legislation will effectuate change that may very well save lives. Thank you.

P.O. GREGORY:

Thank you, Claire. Good to see you. Okay. Kerriann Kelly; and then on deck, William Madigan.

MS. KELLY:

Good evening. My name is Kerriann Kelly, I am the Bureau Chief of the Major Crimes Bureau of the Suffolk County District Attorney's Office and I, too, thank you very much for the opportunity to come and speak with you all this evening about this very important bill.

My Bureau, the Major Crime Bureau, handles all serious felonies in this County, including burglaries. We handle the bulk of the burglaries that do occur in Suffolk County. We have seen a rapid increase in those and in violent home invasions of the sanctity of people's homes, and they're primarily, I'm confident in saying, being committed by individuals who are drug addicts. And we've seen an increase in these burglaries by people who are both pill -- primarily pill and heroin addicted.

These burglaries are devastating for their victims. And we meet them each and every day, they have to come in and testify before Grand Juries and the trials. These are devastating, devastating crimes for them and they are crimes of violence. It's a violation of sanctity of their homes and loss of their valuables, often more of sentimental value than of any monetary value. They're losing

family heirlooms and things of that nature and that most of the time an oftentimes cannot be recovered. Our Suffolk County Police Department Property Recovery Bureau does an excellent job of following down where the property has gone, but this legislation could increase us being able to recover property in many, many more cases.

The legislation as it currently stands is simply inadequate. To require simply a description of an individual who sold the property doesn't help us really to identify who that individual was. It's not a great burden to ask the owner of a pawn shop or a secondhand dealer to make a photocopy of a photo ID, and it's simply asking for that. At the current time, oftentimes they request ID that does not even have a photograph attached to it; that, in my opinion, is ridiculous. How can we follow down information unless we have an actual photo? We can go to the individual and say, *Are you the person who sold this stolen property*, and oftentimes these burglars, or the people that they are acting in conjunction with, are using false names, false ID. In that event, if the seller of the property is not who is actually on the ID, it goes back to that pawn shop owner. So by having this legislation, they have to be much more careful about what they're doing and we can follow down now the disposition of the property and get it back to its rightful owner.

(Beeper Sounded)

What we do find, through the debris thing and allocutions and confessions that are given by defendants in these cases, is that the easiest and fastest way to dispose of this property is obviously through the pawn shop. It's much easier to go to a place where there's an absolute buyer -- clearly they have a buyer at the pawn shop -- as opposed to trying to find the buyer of the property. And the appeal of that for the burglar who is a drug addict is that it's quick money and they go back out. And as the lady who preceded me indicated, it's all about feeding that monster. And this way, by selling to pawn shops, they do it quickly, easily, cash in hand, they go right back out and they get right back out and get more drugs.

P.O. GREGORY:

Ms. Kelly, please wrap up, your time has expired. But I do have a question for you.

MS. KELLY:

Certainly, sir.

P.O. GREGORY:

So you referenced the photo ID.

MS. KELLY:

Yes.

P.O. GREGORY:

Taking a picture of a photo -- an ID with a photo on it.

MS. KELLY:

Yes.

P.O. GREGORY:

But isn't there an additional element, that that information has to be transferred or sent to the Police Department?

MS. KELLY:

Yes, it does.

P.O. GREGORY:

Okay.

MS. KELLY:

It's supposed to be simultaneously entered into the system and transferred to Property Recovery, yes. So it would be much better, in trying to trace down the individual that committed the burglary and/or to trace down the property that we would like to return to the homeowner, if we have an actual photograph of the person who sold the property and if we have an actual photograph of the property itself. There are many different ways that you could describe a single piece of property; if you had a photograph of it, it would make it much easier for a homeowner to say, *Yes, that was my property. That's what was stolen from my home.*

P.O. GREGORY:

And how long are those records kept?

MS. KELLY:

Currently they are kept for three years. I wholeheartedly support the extension of that record-keeping period. The statute of limitations for a burglary is five years, so the records are not even being kept for the length of time that the law allows us to prosecute this crime.

P.O. GREGORY:

So my Counsel is saying that it would be go from three years to seven years.

MS. KELLY:

That's correct, so it would cover the length of time of the statute of limitations, yes.

P.O. GREGORY:

I have one last question, because I know we have a lot of speakers.

MS. KELLY:

Sure.

P.O. GREGORY:

I think that one of the concerns was we're adding an additional burden to the pawn shop dealers, because now you have to -- say you don't have the equipment to do this electronic transfer, now you have to buy it at an expense.

MS. KELLY:

I think the electronic transfer is already in place.

P.O. GREGORY:

Oh, okay.

MS. KELLY:

They're already required to do that. So it would be the photographing of the property and/or of the individual, or of their identification provided they offer identification that does have a photograph on it. So you're talking about a camera, and in this digital age, very simple to retain that information.

P.O. GREGORY:

Oh, okay. All right.

LEG. TROTТА:

DuWayne?

P.O. GREGORY:
Legislator Trotta.

LEG. TROTТА:
Just a quick question.

MS. KELLY:
Sure.

LEG. TROTТА:
I never understood -- I mean, is there something we can put in there so that the police could go into the pawn shop, let's say someone -- we had no right to search the pawn shop. Is there something you can put in there that says if you want this pawn shop licensed, you have to be -- if the police come in and want to look through your material, they have the right to do that.

MS. KELLY:
I believe there is a provision there for the Police to do that; they can periodically come in and do checks of the pawn shops and their records.

LEG. TROTТА:
But only the books.

MS. KELLY:
Yes.

LEG. TROTТА:
Not the saved--

MS. KELLY:
Yes, the books and records.

LEG. TROTТА:
Not the back room.

MS. KELLY:
Well, presumably, if they're abiding by the law and if they're providing us with photocopies or photographs of the property that's being brought to them for sale, Property Recovery should have that information. However, I will tell you, we have of late been doing search warrants on the pawn shops as well where we find that they are not properly recording the information, they're accepting false IDs, so we're stepping up that prosecution as well.

LEG. TROTТА:
Are you doing sting operations?

MS. KELLY:
Yes we are, yes. In conjunction with the Suffolk County Police Department's Property Recovery Bureau, yes.

LEG. TROTТА:
Can they waive their right to a search based upon their County permit to have a pawn shop?

MS. KELLY:
Can they waive their right?

LEG. TROTТА:

Yeah. I mean, it seems to me that Property Recovery should be able to walk in there, you know, if someone may -- there's some kind of probable cause, someone said, *Yeah, I sold that ring to that pawn shop*, and they go in there and there's no record, guess what? I want to be able to look around.

MS. KELLY:

I think currently they're able to do that. But in addition, in conjunction with us, we do obtain search warrants in those circumstances. And we have a task force in place --

LEG. TROTТА:

Because search warrants take time.

MS. KELLY:

They do, but they become somewhat pro forma after a while, because there's only so many ways that you can try and get around what the law is. So we generate those fairly quickly and we work very closely with Property Recovery to that end. And we do have task forces in place at the present time, so we have been able to increase our prosecution in that respect. Thank you.

P.O. GREGORY:

Okay. Thank you, Ms. Kelly.

MS. KELLY:

Thank you very much.

P.O. GREGORY:

Okay. Bill Madigan; and then on deck, Anthony Rizzuto.

MR. MADIGAN:

Good evening, everyone. Thank you for allowing me to appear tonight to speak to you about this very important law. Sergeant Sumwalt just provided, I guess, the Clerk for the Legislature with a handout that I'm going to kind of walk through; I'll try to do it quickly, I understand there is a time limitation.

The Police Department is the one -- we're the driver behind this, we asked for this legislation. We went to the County Executive's Office and they were kind enough to take up the cause and bring it forward. We've asked for this because there are certainly inadequacies in the law as it currently stands. This new law will address many of those inadequacies and can help us to police and solve many of the burglaries and help to show us what has already been deemed the faucet of the heroin epidemic here in Suffolk County. This is clearly a faucet that is providing money to heroin addicts which is causing us to have to do more Narcan saves, you know, when our patrol officers are out there, and it's also increasing the amount of deaths that occur due to Opioid abuse.

Once everybody has a copy of that handout, I can start -- I'll start anyway. There are two main points to this law, okay, the recovery and the return of stolen property to proper owners. That's point one, that's the most important thing, let's get the property back to the people who had it stolen from them or misappropriated from them. The second point is public safety. We have to stop funding the heroin epidemic. We have to cut this money supply off. I don't think there's anybody in the Legislature that would disagree with that.

The overall goal of the legislation is to recover the property that is stolen during the commission of the burglaries or larcenies and return it to original owner; that's key, that's the key element of this whole legislation. Our Property Recovery section right now is staffed by a Sergeant and six

Detectives, they do yoeman's work in this County, anybody can tell you that. They're some of the busiest Detectives in the Suffolk County Police Department. They're recovering property, getting it in where there are prosecutions that are eligible or prosecutions that are made and then getting it back to the rightful owners. They're getting out and contacting citizens of this County and telling them that *We have your property*. And, you know, again, if there's a case to be made or a criminal case, they may not get the property back right away, they can rest assured that they're going to get it back at some point in time.

The shortcomings of the current legislation, quickly, is inaccurate property descriptions; I'll give you an example, I'll give you a really good example of that in a minute. But day after day after day, we get these reports to the Police Department and the articles that have been basically pawned are not described properly in the paperwork or the computer-generated program that comes to us. It's not there. We can't figure it out, you can't make heads or tails out of it, and that's why we need photographs.

The failure to add items on a computerized list. If a Clerk at a licensed establishment fails to hit the button, the submit button, the name of the person who did the pawn or the sale will be there, the item that they put in won't be there. Now we have to recontact them and show that there was an error in the reporting process.

(Beeper Sounded)

The failure to capture gift card transactions, that's a huge trend in Suffolk County right now. A real quick example; steal property, return it without a receipt to a Home Depot or a large-chain store, tell the people *I lost my receipt*. They get what's -- it's not a gift card per se, but it's a money credit for that particular store. They then take that gift card to the shops, to the licensed establish -- licensed by Suffolk County and they're getting \$0.50 on the dollar.

P.O. GREGORY:

Bill, your time has expired.

MR. MADIGAN:

I know.

P.O. GREGORY:

But Legislator Cilmi does have a question for you.

MR. MADIGAN:

Great, bring it on. I have so much more to say about this topic, so

LEG. CILMI:

Bill, thanks for your testimony. No one is more concerned about the heroin problem than I am. And anything, any tool that we have at our avail to quell that problem as much as possible is certainly a good thing in my mind. But I have one concern, and I wonder if you share this concern and if others share this concern. Are you at all concerned that good, law-abiding citizens may have a problem actually getting an ID?

MR. MADIGAN:

Getting the ID?

LEG. CILMI:

You require an ID now, right?

MR. MADIGAN:

Yes, and we're looking for a photographic ID.

LEG. CILMI:

So if somebody wants to, you know, sell something in a pawn shop, they require an ID to do that.

MR. MADIGAN:

Yes.

LEG. CILMI:

Have we had any instances where people have said, *No, I really can't get an ID?*

MR. MADIGAN:

Not that I'm aware of.

LEG. CILMI:

So you don't see a problem with people being able to produce an actual photo ID. You don't think that will negatively impact --

MR. MADIGAN:

No, because actually the law, the way the law is written -- and I understand there may be some amendment to it where it would be a photograph of the ID presented. It could also be a photograph of the person presenting it, that is still helpful for us, coupled with the name, even if it's a bogus name, that they would give us.

LEG. CILMI:

I mean, clearly it would be helpful for us. My question is isn't it possible that somebody would be unable to produce a valid ID, even if they're a, you know, law-abiding citizen; is that possible?

MR. MADIGAN:

It is possible, it is absolutely is possible. But also I think who is getting victimized there, too, is the licensed establishment owner, he's getting victimized if he buys property, ends up to be stolen or somehow misappropriated from its rightful other than in law benefits them, too.

LEG. CILMI:

So you think the benefit of this outweighs the potential hardship to somebody who may not be able to get an ID.

MR. MADIGAN:

Absolutely the benefit far outweighs the burden that's associated with it.

LEG. CILMI:

Thank you.

P.O. GREGORY:

Okay, I have a list here. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So you're saying that this is like a faucet that's feeding people who have these addictions.

MR. MADIGAN:

That's correct.

LEG. KRUPSKI:

Okay. What -- and this legislation would go a big way towards shutting that faucet off.

MR. MADIGAN:

It would.

LEG. KRUPSKI:

All right. What happens to those people who still have the addiction and now they don't have an outlet for money?

MR. MADIGAN:

Well, they're getting input for money. They're selling the property and getting the money so that they can buy their heroin.

LEG. KRUPSKI:

Right.

MR. MADIGAN:

Yeah, it's true, it could drive it underground. However, this is what we're being told. You know, we didn't make this up, we follow the trends. We talk -- as ADA Kelly said before when she was here, we speak to every arrestee, every person that we arrest with heroin or needles that have -- and they're telling us. I can give you 50 people in the last few months that we have arrested that tell us of different pawn shops they've pawned these items at to get the money. If that were to dry up, and I don't believe we -- I don't think it's good public policy for Suffolk County to allow licensed establishments to buy stolen property or what turns out to be stolen property; it's not stolen on its face, but later it's deemed to be stolen. If they go underground with it, Legislator Krupski, then we'll investigate the people that are taking it in, that will make it easy, it really will. If they go to some house, you know, a black market house, we'll find out about it, I guarantee that, and then we'll develop probable cause and we'll take all the appropriate steps and execute search warrants and recover the property there. We always have to chase the trend or the problem.

LEG. KRUPSKI:

Thank you.

MR. MADIGAN:

Thank you.

P.O. GREGORY:

Okay. Thank you, Bill.

MR. MADIGAN:

Sorry I didn't get to say more.

P.O. GREGORY:

Well, we have your --

MR. MADIGAN:

It's all in there.

P.O. GREGORY:

You can come to committee as well.

LEG. STERN:

DuWayne, we have another question.

P.O. GREGORY:

Oh, I'm sorry, I'm sorry. It's been a long day already. We have two more speakers.

MR. MADIGAN:

Oh, sure.

P.O. GREGORY:

Legislators that have a question for you; Legislator Barraga and Legislator Stern.

MR. MADIGAN:

Sorry.

LEG. BARRAGA:

Just one quick question. The fee, you know, three or \$4,000 worth of jewelry. This law is passed, it's on the books, it's a great benefit to you in Suffolk County; what about Nassau County?

MR. MADIGAN:

Nassau County benefits also, believe it or not, because we share our information with the Nassau County police.

LEG. BARRAGA:

Is their law the same as Suffolk's?

MR. MADIGAN:

Their law --

LEG. BARRAGA:

Could I take the \$4,000 and go into Williston Park, go to a pawn shop, I don't have to produce any photo ID, I'm doing what I'm doing in Suffolk, but now I do it in Nassau.

MR. MADIGAN:

Nassau County's law is modeled after ours, or ours was modeled after theirs, the way it stands now.

LEG. BARRAGA:

The way it stands now.

MR. MADIGAN:

Right. We're looking to add to that to make it more difficult.

LEG. BARRAGA:

There is the possibility that they could divert what was stolen to Nassau County. I mean, going into a pawn shop, they don't have to produce any sort of photo ID, they're doing in there what they're doing here and they get their 50%.

MR. MADIGAN:

Yes, Legislator Barraga, they could do that. But I think once this law is in place, the Nassau County Police will be hopefully going to their Legislature and asking for a similar statute.

LEG. BARRAGA:

Okay, that's the point I'm making.

MR. MADIGAN:

Yeah. I think it's good.

LEG. BARRAGA:

I see the benefit in Suffolk County, but I also see the flaw because, you know, a thief, they're ingenious, a lot of these guys. They'll figure out a way to get around it, and just taking a four or five mile trip from the western portion of Suffolk to Nassau County, you get around it.

MR. MADIGAN:

New York City already is taking photographs of the items that are pawned, and I'll give you just a quick description. When these -- when some of the owners write the description in the box when they do the entries into our article tracking system, I'll give you three different descriptions of a way a ring could be described: 10-carrot yellow gold ring with a red stone, that's one; men's yellow metal ring, that's two; Patchogue-Medford High School Class of '89 ring, that's three. We see that every day now, every day that comes in like that. By having a picture, a Detective can look at -- or an officer, anybody in the Police Department can look at that photograph.

LEG. BARRAGA:

I'm hoping that as we pass this particular piece of legislation, the Nassau County Legislature does the same thing.

MR. MADIGAN:

I would hope so, and from your mouth to God's ears.

D.P.O. SCHNEIDERMAN:

Legislator Stern.

LEG. STERN:

Yeah, thank you. I just wanted to go back. Thank you for your presentation, by the way, and I just wanted to go back to the presentation on page two. You were taking us through a list.

MR. MADIGAN:

Yes.

LEG. STERN:

Some bullet points of some of the shortcomings of the current legislation with an idea as to how the new legislation would improve some of the challenges.

MR. MADIGAN:

Yes.

LEG. STERN:

You had gotten through the first three items but not the last one, so I was interested to hear about destruction of data on electronic devices, where the shortcoming is and where this legislation might improve upon that.

MR. MADIGAN:

Absolutely, it's a great question. Basically when a person -- we'll say a heroin addict just because that's the topic we're talking about here. When a heroin addict brings in an i-Pad, an i-Phone to a licensed establishment and sells it, what the owners have been doing now is what they call washing it, they wash it, it's clean. Well, your photographs, your computer records are on there, they want to sell that, they do. When the 21-day period is up, they want to be able to turn around and sell that product, you know, and get, recoup the money they laid out for it, or more, obviously, that's

how they make a profit. By holding it -- we're not asking them to do anything but hold the information on there so that if we, my Property Recovery Section or the Detectives who are investigating a burglary or a larceny, it happens every day in this County where an i-Pad or an i-Phone is stolen out of someone's car or out of a house. They can go there with the complainant, the person who's the victim, the actual victim, can say, *Oh, here's my password*, they enter the password into that i-Pad and they see pictures of Legislator Stern and his family. Well, when we know we got the right i-Pad, then we got the right -- we can bring it back to you, get it back to you.

So what we're asking for is to not wash it for the 21-day period that they have to hold it anyway; it's fair.

LEG. STERN:

It sounds fair and it sounds reasonable. I guess my question then would be at that point how do you prove it? How do you prove that it was not the owner of the establishment that did the washing? What's to say that the owner of the establishment is not going to say that it came in that way?

MR. MADIGAN:

Absolutely, that's quite possible that they could say that and we'll just talk to them, that's what we do. We'll investigate it further. Maybe we arrested that heroin addict. You know, the owner is not going to know how we got there. They may not know we have the heroin addict who's saying, *I brought it there, it had all the stuff on it*. You know, that's what we do.

LEG. STERN:

Further investigation.

MR. MADIGAN:

Yes, further investigation.

LEG. STERN:

Thank you.

MR. MADIGAN:

Thank you.

D.P.O. SCHNEIDERMAN:

Any other questions? Okay, thank you.

MR. MADIGAN:

Thank you very much.

D.P.O. SCHNEIDERMAN:

Okay. Next up is Anthony Rizzuto.

MR. RIZZUTO:

Hi. Thank you. My name's Anthony Rizzuto. I work in the substance abuse field and have been working in the substance abuse field for about the last 13 years, so I guess I'll bring a little bit of a different perspective in terms of what I'm seeing on my end of it.

Most of my work has been directly with patients, but for the last few years I've been doing a lot of work with the families. What I can tell you is that obviously we all know about the Opiate epidemic that we're seeing, and I have numerous families that bring to group and telling me about how they

have three locks on their bedroom doors because jewelry has been stolen, rings have been stolen. I have patients who have told me numerous ways what they had to do to be able to feed their habit.

The withdrawal from Opiates is brutal. And the window of opportunity, when a person says, *Okay, I'm done, I need to get some help*, is very small. When they try to act on that window and they can't get help, access to treatment sometimes could be a problem. And when they can't get access to treatment, what they need to do is deal with the withdrawal, so they need to be able to buy something to be able to help them to deal with the withdrawal. So I can just speak from my end of it, I can tell you that I've heard it on numerous occasions how they're able to get something, turn it into cash at a tenth of the price of whatever the value of it is and be able to get the next one.

The other thing I would say is that I think that there's a potential to be able to deter theft, because what the officer had said previously, if you know that there's a place that you can take this to, I think it just opens up the doors to say, *You know what? I know that within a very short period of time, I can turn this i-Pad into cash*, AKA then turn it into heroin or turn it into Roxys or Oxys or whatever it is.

So I think that from my perspective, what I'm seeing, and looking at the legislation as the way I read it, I think it is -- it's essential to put some safeguards in place. Not to say that that in and of itself is not going to get us out of the Opiate epidemic, let's get real, but there's a couple of things that will happen. One is that a person who is considering robbing something now has to figure out about turning that into cash; it's not as easy as perhaps it is now.

One of the things with the disease of addiction is impulsivity; I want what I want when I want it. And the more you put a delay between getting that urge and being able to act on it, the better the chance you have. And I would even go one step further and say if a person doesn't have the ability to turn it into cash, there's a possibility that they'll work towards trying to get into treatment, because we would love to have treatment on demand. I've been in the field, I work in a facility that has in-patient, out-patient, sober housing, unfortunately there's barriers; a lot of times we have insurance, you know, deny access. I see my time is up.

D.P.O. SCHNEIDERMAN:

It is, but you do have a question from Legislator Lindsay.

LEG. LINDSAY:

Good evening, Sir. Thanks for your testimony. My question would be in your experience, do people seek recovery once the resources run out, when they run out of the cash or they run out of the ability to obtain money to buy more drugs?

MR. RIZZUTO:

Good question. There are several different things, that's one of them. One of the things is when the pain gets great enough they seek a change. And one of the things is when they can no longer support their habit, some people, it starts escalating what they're willing to do to get the next one. But what I can tell you is as consequences start happening, it starts becoming more and more likely that they're willing to get help. As long as their needs are being met, a lot of them don't look for help.

LEG. LINDSAY:

So in your opinion, in your position as a recovery expert, would you agree that this law would assist in trying to cut off that source of revenue for some of these folks and force them, or make them more likely to go into or seek help in recovery?

MR. RIZZUTO:

Absolutely. If you cut off -- if you cut off access to money, it's the same as cutting off access to the drug. Okay? I mean, don't get me wrong, there are different ways that people go about getting it. This is one vehicle that people use, and if we can go ahead and cut off that funding stream, I see it as a possibility of more people getting towards going towards treatment and being willing to accept help.

LEG. LINDSAY:

Thank you.

D.P.O. SCHNEIDERMAN:

Any other questions for Mr. Rizzuto? Okay. Seeing none, thank you, Sir.

MR. RIZZUTO:

Thank you.

D.P.O. SCHNEIDERMAN:

All right. Next up is Linda Ventura?

MS. VENTURA:

I'm an expert at being a pissed off Mom.

*(*Laughter*)*

On March 14th, 2012, I lost my 21-year-old son to the disease of addiction, specifically a heroin overdose. So for me, I lost all my jewelry, my jewelry was stolen. The jewelry that supposedly was mine to go and pick up was similar to what was stolen, but not exactly the same. Which at the moment in time when I was trying to -- my head is spinning with a disease that's running out of control, with a son that's running out of control, it didn't really matter what I got back at that point. However, that being said, I do believe that the new law can also help identify addicts that are in need of treatment. So if they are arrested, maybe they don't get jail time right away, maybe they do get offered treatment as an alternative.

We have to start putting more road blocks and put more treatment available to these young people that are experiencing this. We could have earlier intervention, more access -- well, obviously we work very hard on getting access to treatment. But the more obstacles that are put into place for an addict to get money has to happen, because as their funding dries up, many things will happen. However, that being said also, and I applaud the Police Department, because when my son was selling things, a Police Detective called me and had me sit down while I was still on the phone and wanted to know if I knew how far my son was now in his addiction.

If we could work with the COPE Police also, the Police Officers that are assigned to that, as you start to pick up addicts, to have other police officers go and engage the families to let them know what's going on in their families, because denial is as big for the family as it is for the person who is struggling with the addiction. So all of these things working together, we can start to get families into treatment, perhaps get the addicts seeking treatment at a much earlier intervention to have a better outcome than I had.

And again, the pawn shops. If I don't have a license or I don't have -- you know, I'm not sure where you were going with that, then you don't get to do business with me; period, end of conversation. You know, there shouldn't be too much debate on that. My son stole a lawnmower, a brand new lawn mower. I don't know what he did with it; you know, we found that out after he had passed. So they will go to any length to do anything and cross any line, because the person afflicted

with the addiction is no longer in charge. My son was no longer my son at that point. He was a lying, manipulative, deviant, thief that would do anything for his next fix.

(Beeper Sounded)

So again, the more obstacles that we can bring into place, I think that we will find -- we can help get families into treatment and hopefully get the person struggling with the disease into treatment also.

D.P.O. SCHNEIDERMAN:

Thank you. I'm sorry about your son.

MS. VENTURA:

Thank you.

D.P.O. SCHNEIDERMAN:

Any questions? Okay, thank you.

Applause

D.P.O. SCHNEIDERMAN:

Okay. The last card I have on this public hearing is Frank Nardelli.

MR. NARDELLI:

Good evening, Mr. Deputy Presiding Officer, Members of the Legislature. I would just like to state that the Department of Labor, Licensing and Consumer Affairs supports IR 1107. We do not want County licensed dealers engaged in the buying and selling of stolen goods. This legislation will enhance the collaboration between Consumer Affairs, the Suffolk County Police Department regarding enforcement. It will complement the County's compliance in this area and help protect consumers as well as dealers. The legislation will also help level the playing field for licensed holders who play by the rules and abide by all licensing requirements. It will help weed out unscrupulous operators and help in returning stolen valuables to their rightful owners. It will give law enforcement a new tool by which more effective tracking leads to arrests and convictions and criminals engaged in the buying and selling of stolen goods. It will help all of us do our jobs more effectively and help curb the Opioid use as addicts often sell stolen property to dealers. There appears to be no negative impact to the department, fiscal or otherwise. Therefore, the department requests that the Legislature support these series of bills -- 1106, 1107 and 1108 -- and close this public hearing.

Thank you

D.P.O. SCHNEIDERMAN:

All right. Thank you, Mr. Nardelli. Any questions? Okay. Thank you.

MR. NARDELLI:

Thank you.

D.P.O. SCHNEIDERMAN:

Anyone else who did not fill out a card who wishes to be heard on this public hearing? Okay. Yes, the woman in the back, of the woman in front, fine (*laughter*).

MS. KROLL:

Okay.

D.P.O. SCHNEIDERMAN:

You need to identify yourself for our record.

MS. KROLL:

My name is Teri Kroll, I am Timothy Kroll's mother. Timothy Kroll lost his life on August 29th, 2009, to a heroin overdose. Timothy was prescribed into his disease of addiction, and before Timothy died, Timothy reported the doctor who prescribed him into that disease.

That doctor was arrested, tried and incarcerated because of Timothy's information. That led me to become an advocate, and that led me to fight for laws that need to be changed for the past four-and-a-half years.

I have gone to Albany, I've gone to Washington, I've been here, I've testified wherever I could testify with Timothy standing behind me every single time. The doctor was arrested. We passed the 911 Good Samaritan Law, we passed the I-Stop Law, we passed the access to insurance law. This disease fuels the energy to break the law. It forces the person infected with this disease to break the law to get money to pay for what is illegal. I can't see that we wouldn't pass this law. Every single one of the laws we've passed in the past four-and-a-half years is not the be-all and end-all to this addiction problem. It's not going to save and cure the epidemic, but every little bit helps. And I've testified this for the past four-and-a-half years. I've always appreciated what the Legislator does -- the Legislators do, what the Assembly does, what the Senate does, what the Police Department does. I'm behind them every single step of the way, and yet I have the ultimate loss. So I can't see that we wouldn't change this law and make this more difficult for a person infected with the disease of addiction to break the law to feed that addiction. Wouldn't it be a lot better for them to be able to walk into a treatment center and get treatment instead of breaking the law. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

Thank you. All right, there was at least one other or two other hands that went up. Okay. Again, identify yourself for our records.

MS. NOVELLO:

Hi. My name is Lori Novello and I'm here representing Lindenhurst Community Cares Coalition. Our mission is to reduce substance abuse in our area, and we do that by affecting community level change that will reduce the risk factors. And we really want to support this law because we feel that in partnering with the law enforcement sector of the community, this is going to very much limit access to drugs. The petty thefts that are taking place in the neighborhood and the money that they're getting at the pawn shops is fueling this addiction and we want it to stop as well.

As far as the ID, I see maybe what you're getting at is, you know, a person might not be able to get an ID. This doesn't hurt them in any way, they can still pawn legal jewelry because we can just take a picture of the item or the person. This is a common-sense law, it makes perfect sense, and it doesn't do damage to anyone. So Lindenhurst Community Cares, we want to pledge our support and ask that you do, too. Thank you.

D.P.O. SCHNEIDERMAN:

Okay, thank you. Was there anyone else?

MS. THIEL:

Good evening. I did fill out a card, so I don't know if perhaps I just got pushed off to another hearing number. Because I did put down for --

D.P.O. SCHNEIDERMAN:

What's your name?

MS. THIEL:

Diane Thiel.

D.P.O. SCHNEIDERMAN:

We'll look for you.

MS. THIEL:

Okay?

MR. NOLAN:

Go ahead, Diane.

D.P.O. SCHNEIDERMAN:

Go ahead.

MS. THIEL:

Okay, thank you. Good evening, and I'd like to thank everyone for your time. I know it's getting to be a long night. I would just like to make a brief statement as a resident on three items on the agenda this evening, under public hearings, and I respectfully ask all of you Legislators to agree to accept the proposed amendments as put forth to pass into legislation.

The first would be the ones you're listening to know, 1107, and the second would be the next one on the agenda, which is 1108, both precious metals and gem exchanges. I'm a very involved community member, parent, and I'm also the head of our West Babylon Main Street Community Coalition. One of the meetings I attend regularly is our Suffolk County Police Department community meetings. These meetings have very regular occurrences and issues, specifically regarding issues and concerns facing our officers that affect the safety and well-being of our community as well as the safety of our officers having to conduct these arrests, due to drug use, possession, as well as dealing, which directly affects the rise of burglary and larceny. Street crimes and often illegal weapons and gang issues that directly result from a drug epidemic facing us today. I am sure that you are all just as concerned or worried as I am as a community member. This is also something that worries you beyond the legislation, because it could affect everyone here; our families, our friends, our neighbors.

The Police Department have identified a crime trend involving an increase in larcenies fueled by the Opioid epidemic and then these stolen items are sold to secondhand dealers to fuel the drug addiction. If you pass this legislation, you're helping our police and our communities because it will deter people from selling and buying stolen items and it will make it easier for the Police to identify these items and return them to the rightful owners.

The other part of this legislation is related and also affects our business community, because Police are seeing this crime trend that's affecting these same addicts trying to find money for their addiction where they go and steal items from stores and exchange these items without a receipt for a gift card. And then they're able to sell these gift cards secondhand for cash. I understand these changes may be a concern to some pawn shop owners who don't want to lose customers, who legally are using their services, but as we know, living in the world we do today, we often have to be willing to sacrifice and accept minor inconveniences such as airport security checks, but we all know these things help keep us safer.

I implore all of you to please pass this legislation on both items and help our Police in the community. And also, I'll just give you one last piece, the next one I'll go on to is assistance in 1124, the consolidation of financial management functions in the County. We the taxpayers have already voted to approve this legislation. Since the former Treasurer has taken a new position office and vacated her seat. I believe that we should encourage consolidating to achieve cost savings for the County and allow assets to be used where needed. I'd like to see this measure passed. I believe we can use these funds to help things such as helping addicts maybe in recovery or prevention. I'd like to thank you all for your time and your support and to have a good evening. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you. All right, anyone else on this public hearing?

MR. COSTELL:

Yes.

D.P.O. SCHNEIDERMAN:

Okay. Identify yourself, please.

MR. COSTELL:

My name is Ira Costell, I'm from Port Jefferson Station. I have also put in a card for hearing 1108, so I'll just cede that time back and perhaps address those issues.

Again, some people in the audience here have quite eloquently conveyed the issues that I think are before you. I rise in support of this bill and the companion bill, 1108. And I would be remiss if I didn't thank this body, and in particular Legislator Hahn for their efforts in combatting this issue, that's a very real and serious issue, by your passage of the Narcan Pilot Project, which essentially served as a model that's been taken up by the State Attorney General's Office and is saving lives, which has been reported widely as having saved over 400 people in the last year-and-a-half or two, on Long Island.

The sad reality is that this problem continues unabated, because we lost 315 individuals; men, women, children, brothers, sisters, fathers, husbands, wives. It cuts across all lines, as some of my companions, Linda and Terry so addressed. I, too, lost a family member eight years ago, my nephew David Costell passed away at 22 years of age, from this disease. And every day on Long Island there's another family likely to wake up to that phone call, to that reality. These are not just addicts, they're your sons and daughters, they're your varsity athlete, they're everybody that you come in contact with every day. So this is important, not just as a criminal justice matter. But as Anthony Rizzuto mentioned, I work with a lot of addicts, I give a lot of time and volunteer my time, and unfortunately the reality is, is that many addicts, their first brush with recovery is because of their involvement with the criminal justice system. So it's very important, this will not shut off the supply ultimately, but it will bring people into treatment, it absolutely will.

As a small businessman, I don't like undo regulation, but I recognize that this is a reasonable, prudent approach that will not create a hardship for really anybody; it's logical, it makes a lot of sense, it will help people. I didn't really have any prepared remarks, I only found out about this last evening, but I do care about this issue.

And the reality is, as Legislator Krupski mentioned, the reality is after you pass this, and I hope you do, that you turn your attention to the real issue, the real underlying issue. We can cut off the supply by I-Stop, which we've done, the State has reported a 90% reduction in doctor shopping in the last year-and-a-half since it's been enacted. We've gone from 300 cases a month to 30 a month

in the State of New York, but that problem hasn't gone away. Now that they can't get Opioids from their doctors, who masquerade as doctors, and some of them are, unfortunately, drug dealers, the problem hasn't gone away, it's just gotten into heroin and cheap street drugs. And this will shut off another avenue, but the hope is, is once it's shut off, we will address the problem ultimately, you know, underlying it, and I ask you to turn your attention to those concerns as well.

D.P.O. SCHNEIDERMAN:

Thank you. All right, anyone else on this hearing? All right. Seeing none, I'll make a motion to close the public hearing. Do I have a second?

LEG. LINDSAY:

Second.

D.P.O. SCHNEIDERMAN:

Second by Legislator Lindsay. That is the Administration's --

MS. HORST:

I'm sorry?

D.P.O. SCHNEIDERMAN:

You guys want it closed, right?

MS. HORST:

Correct.

D.P.O. SCHNEIDERMAN:

Okay. All right, so we have a motion and a second to close. All in favor? Opposed? Abstentions?

MR. LAUBE:

Thirteen. (*Legislator Browning - Excused Absence; District No. 12 - Vacant Seat*)

D.P.O. SCHNEIDERMAN:

Okay, IR 1107 is closed.

(Public Hearing on IR) 1108-15 - Adopting Local Law No. -2015, A Local Law to amend Chapter 563-52, Article V of the Suffolk County Code commonly known as "Dealers in Secondhand Articles" (County Executive). I have number of cards; actually, several of them spoke already on 1107. So we'll start with Terry Kroll?

MS. KROLL:

I was speaking to that as well when I was speaking before. Thank you.

D.P.O. SCHNEIDERMAN:

Okay. How about Lori-Ann Novello?

MS. NOVELLO:

I spoke.

D.P.O. SCHNEIDERMAN:

And you spoke, too. All right, anyone else who wishes to be heard? That was easy. All right, a motion to close.

LEG. LINDSAY:

Second.

D.P.O. SCHNEIDERMAN:

Second by Legislator Lindsay. All in favor? Opposed? Abstentions? 1108 is closed.

MR. LAUBE:

Fourteen. *Fifteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12*)*

D.P.O. SCHNEIDERMAN:

(Public Hearing on IR) 1124-15 - Adopting Local Law No. -2015, A Charter Law to expedite the consolidation of financial management functions in the County Department of Audit and Control (McCaffrey). Our first speaker is Walter Long.

MR. LONGO:

Thank you. Walter Long, a resident of --

MS. MAHONEY:

Please use the mic.

MR. LONG:

Okay. I'm Walter Long, I'm a resident of Dix Hills. I support the resolution, okay, to adopt a Charter Law to expedite the Treasurer's Office and consolidate the Office with the Comptroller's Office. I think this matter is good government, it makes sense, it saves the taxpayers \$1.3 million. With a vote of 61% from the Electorate, I think that this is a mandate and the consolidation should take place sooner than later, and I would recommend that this body approve this legislation. Thank you very much. Have a nice evening.

D.P.O. SCHNEIDERMAN:

Okay. Thank you, Mr. Long. Okay. Next speaker is Nancy Gamby.

MS. GAMBY:

Hello. Nancy Gamby, Commack. I am in support of this resolution. Besides the fact that it would save us \$1.3 million in the next two years for just the salaries alone, with 906,309 registered voters in Suffolk County, and having to have a special election for Treasurer of Suffolk County, which we have approximately 1200 Election Districts in the County, at paying each Inspector, which we have four or five on each Election District, \$200, that would \$960,000 to \$1.2 million just for those people that are sitting at your table when you go to vote. That does not count the printing of all the special boarder roll books, the counting of absentee ballots, the storing of records, the setting up the books in binders, the polling places that have to remain open, the machine set-up and breakdown, those machines being at the polling places so they need to be moved there. Hold on one second. So the cost savings we would get by having the merger now with the 1.3, plus the approximate -- you've got to put it at \$1.5 million just for the Special Election, you're talking close -- now, between 2.8 and \$3 million if we consolidate now as opposed to 2018.

If this merger is truly about saving the taxpayers money, then we should merge now while the job is vacated, between the Treasurer, the Chief Deputy Treasurer, the Deputy Treasurer, the secretary to the Treasurer, the Assistant to the Treasurer jobs that we wouldn't be paying. I think that about sums it up.

D.P.O. SCHNEIDERMAN:

All right, thank you. We do have -- wait, wait, don't go anywhere. There are a number of questions starting --

MS. GAMBY:

Okay.

D.P.O. SCHNEIDERMAN:

-- with Legislator McCaffrey and then Legislator Spencer.

LEG. McCAFFREY:

Thank you. Hi, I'm over here. I just wanted to ask you, would you be opposed to this bill if there was not any cost involved in the special election?

MS. GAMBY:

Yes, because we had the referendum where the voters voted to consolidate, whether you like it or not. And it's a waste -- it's such a waste to the taxpayers. Obviously they want to consolidate. Why wouldn't you do it now? It doesn't make any sense not to consolidate now.

LEG. McCAFFREY:

The bill that's proposed is calling for not a special election but for an election to occur in November, and the thought was not to replace the current Treasurer, even though there is a proposal tonight that's going to be discussed concerning putting somebody in there now until the term of the -- the term is up for this year. But what I was proposing is to not change anything right now, keep the people in there now, which is the Deputy -- the Chief Deputy and whoever he has. There's three other people that are now vacant that have left and we're not going to fill those places, so you would get those savings right now by just not doing anything. And the hope was to, just as part of the regular election, which would be no additional cost, would be just put it on the ballot to expedite what the voters already approved.

MS. GAMBY:

For this November.

LEG. McCAFFREY:

Correct.

MS. GAMBY:

For this November, if the voters already -- this is their want, to have it merged, I would be -- oh, I would definitely like to save the taxpayers \$2.5 million in a special election. But I definitely think their wishes should be done as soon as possible, and it is --

LEG. McCAFFREY:

Yeah. So you support this then, right?

MS. GAMBY:

Yes.

LEG. McCAFFREY:

Okay, great. Okay, thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Legislator McCaffrey. Legislator Spencer?

LEG. SPENCER:

Excuse me?

D.P.O. SCHNEIDERMAN:

I'm sorry, come back.

LEG. SPENCER:

I'm right here.

MS. GAMBY:

Oh, I'm sorry.

LEG. SPENCER:

No, I think what the point is there is no special election, it would be during the election that's already coming up.

MS. GAMBY:

Okay.

LEG. SPENCER:

But still, despite that, you're saying it would be a good idea because we would save the salaries. But there's no additional cost in the -- there wouldn't be a special election because there's already an election coming.

MS. GAMBY:

But you would still have like \$1.5 million to do it now as opposed to -- you know, in November, as opposed to in 2018. So the bill does say 2018, to do it prior to that, because the referendum had 2018 on it; correct?

LEG. SPENCER:

Thank you very much.

MS. GAMBY:

Okay.

D.P.O. SCHNEIDERMAN:

All right. Legislator Cilmi?

*(*Ms. Gamby walked away from the podium*)*

(Laughter). Wait, come back. I know you want to sit down.

LEG. CILMI:

Nancy, I just want to make sure that you understood this.

MS. GAMBY:

Okay.

LEG. CILMI:

So currently there will be an election, regardless of what happens with this particular bill.

MS. GAMBY:

Okay.

LEG. CILMI:

There will be an election in November. What this bill basically does is it moves the consolidation up to 2000 -- to the beginning of 2016, so that, as you said, there would be no -- whatever savings that would enure to the County and to the taxpayers as a result of this merger which, based on current circumstances, would happen at the beginning of 2018, that savings now would be moved up theoretically to the beginning of 2016; that's basically what this bill does. I just want to make sure that you --

MS. GAMBY:

That's all right, that's still \$1.5 million.

LEG. CILMI:

It's a savings. You know, if there is a savings to be had, and that has already been decided by the voters, then our position is that we should be -- we should see those savings immediately, as immediately as possible.

MS. GAMBY:

I concur. Just think about those special elections because they're very costly.

D.P.O. SCHNEIDERMAN:

Okay. All right, the next card I have on this is Harold Moskowitz.

MR. MOSKOWITZ:

Good evening to all. As Legislators, you have been entrusted by the people to provide for the needs of the people of this County and to husband the resources of this County. Public funds are a valuable resource, for they represent the money necessary for dealing with the needs of our residents in an adequate and fair manner, yet our ability to provide for their needs has been seriously eroded. We are perhaps a hundred million dollars short of what we need and with one-quarter of 2015 already behind us, tax revenue is badly trailing what it has been in previous years.

Now, we still face the looming crisis of trying to balance the budget. Executive Bellone has justifiably declared the situation to be a fiscal emergency, a structural deficit crisis. With this in mind, I don't see why there might be hesitation to adopt Charter Law 1124-15. It merely accelerates by two years the merger that a significant percentage of voters approved in November. They were, no doubt, motivated by the potential savings and greater efficiency the consolidation would provide. Accelerating the merger by two years offers even greater benefits. In the combined categories of salaries, benefits and other employee-related costs, plus retirement, it is estimated that approximately \$1,312,795 will be saved. This is a significant amount, especially when considering the County's present fiscal distress.

The merger was approved with a large margin of support, with public knowledge of the additional benefits due to the acceleration. It is hard to imagine a possible voter reversal this November.

So today, on this issue of accelerating the acceleration of the consolidation of financial management functions, we should be united in doing what is financially beneficial for all of the residents of our County. Every dollar saved means more resources available for addressing the many needs of our residents, and isn't that what government ought to be about? I urge this Legislature to approve Charter Law 1124-15. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

Okay, that's the last card I have. Anybody else who wanted to be heard on this one?

MS. COLUCCI:

Hi. I have a card in.

D.P.O. SCHNEIDERMAN:

Please identify yourself for the record.

MS. COLUCCI:

My name is Grace Colucci, I'm from Commack. I have a card in to speak on 1154, but I also want to speak on this issue, on 1124.

D.P.O. SCHNEIDERMAN:

Go ahead.

MS. COLUCCI:

I'm speaking to you as a single mother who has been struggling to make ends meet. I'm asking you, our representatives, to use commonsense to consolidate the Offices of County Comptroller and County Treasurer now.

As you have pointed out, the savings to Suffolk County is substantial and we need relief. The savings I believe have been estimated to save around over a quarter -- one point and a quarter million dollars, as others have mentioned, by 2018, which does not even include the savings that could be generated from the elimination of the position of secretary and Assistant to the Treasurer, which could also be eliminated upon the merger adding an additional savings of over \$108,000 a year, barring no raises to either position which would -- there would be an additional undetermined amount in savings. To continue to maintain two separate offices is unnecessary. It is irresponsible. It is unnecessary because then Treasurer Angie Carpenter was being accommodated and she no longer holds this position to hold open a position until January 1st of 2018 is, as I said, unnecessary.

In addition to the cost versus savings, the cost to the taxpayer to hold an election is not only unnecessary, it is irresponsible. Well, Dr. Spencer, who is over there, I remember at the public hearing regarding putting it to a memorandum on whether or not to consolidate the office, you actually went out, door-to-door, to ask your constituents how they felt on the issue, and they overwhelmingly told you they wanted the right to vote on this issue. Mr. Barraga, you also voiced your opinion saying how important you felt it was that the people voice their opinion. Well, the opinion was voiced, they voted and they overwhelmingly, with plurality of 61%, voted to have the offices consolidated. I am sure if the voters were asked today if the now vacant office should be consolidated now or to have an election to put someone into a temporary position, the voters would vote and even a larger plurality, to see the interest of the taxpayer be served and to have the consolidation commence as soon as possible, as proposed in Resolution 1124.

Finally, I remind you that your bipartisan votes to place the consolidation memorandum on the ballot in 2014 to the voters was welcome by the voters and passed overwhelmingly. Now, again, you should vote in a bipartisan manner with the interest of the taxpayers first, to uphold the responsibility to the voters and consolidate the offices now without further delay. Please vote no on Resolution 1154 and vote to pass Resolution 1124. Thank you very much.

D.P.O. SCHNEIDERMAN:

Okay, thank you. Anyone else? All right. Yes? Okay, come on up.

MR. RASULO:

Good evening. Vincent Rasulo, Director of Communications and Outreach for Tea Party Patrons of Brookhaven. I speak in that capacity and as a private resident, and I say I support consolidation as soon as possible.

The pretext for the resolution or the referendum was to save money; we ought to start saving that money as soon as possible. And I will piggy-back on the comments of Harold about properly husbanding our resources. And in light of the prior hearing, I would say that's money we can use to do things like fight addiction and the heroin epidemic, rather than waste necessary, duplicative services. Thank you and have a good evening.

Applause

D.P.O. SCHNEIDERMAN:

Okay. Anyone else? Okay. Seeing none, Legislator McCaffrey, what's your wish here?

LEG. McCAFFREY:

Motion to close, please.

D.P.O. SCHNEIDERMAN:

Motion to close by the sponsor. Second by Legislator Cilmi. Any discussion? Okay, all in favor? Opposed? Abstentions? All right, 1124 is closed. Tim, you have a number?

MR. LAUBE:

Fifteen (Excused Absence: Legislator Browning - District No. 12 - Vacant Seat).

D.P.O. SCHNEIDERMAN:

Okay. *(Public hearing on IR) 1151-15 - Adopting Local Law No. -2014, A Local Law to ban the sale of personal care products containing microbeads in Suffolk County (Hahn).*

LEG. HAHN:

Motion to recess. We have a card? Sorry.

D.P.O. SCHNEIDERMAN:

We have a card; Karen Miller. Karen, are you here? Okay. And is there anyone else who wishes to speak?

MR. WILLIAMS:

Yeah, I would like to say a few words.

D.P.O. SCHNEIDERMAN:

Sir, please identify yourself and you'll have three minutes.

MR. WILLIAMS:

My name is Jan Williams, Nesconset, Suffolk County, New York. I just don't get it. I'm in support of 1124-15, okay? I just don't understand it why there would be any opposition to this. I mean --

D.P.O. SCHNEIDERMAN:

Sir, we've actually closed that hearing. That hearing is closed.

MR. WILLIAMS:

You can't hear me?

D.P.O. SCHNEIDERMAN:

No, that hearing, 1124 is closed now.

MR. WILLIAMS:

Did you ask me to come up on that one?

D.P.O. SCHNEIDERMAN:

We are now on 1151. I'm sorry, sir. I asked if there was anyone else who wanted to --

MR. WILLIAMS:

I couldn't hear. I'll rescind my remarks.

D.P.O. SCHNEIDERMAN:

Okay.

MR. WILLIAMS:

Okay, no problem.

D.P.O. SCHNEIDERMAN:

Okay, on 1151, this is on vetting the sale of personal care products containing microbeads. Anyone? Going once, twice, three terms. All right, Legislator Hahn?

LEG. HAHN:

Motion to recess.

D.P.O. SCHNEIDERMAN:

Motion to recess.

LEG. KRUPSKI:

Second.

D.P.O. SCHNEIDERMAN:

Second by Legislator Krupski. All right. All in favor? Opposed? Abstentions?

MR. LAUBE:

Thirteen (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. The next ***Public Hearing is IR 1152-15 - Adopting Local Law No. -2015, A Local Law to authorize the sale and use of safe sparkling devices (Presiding Officer Gregory)***. We have several cards. Okay, sorry to make you guys wait. All right, Fred Kramer; and then on deck, Anthony LaFarrera.

MR. KRAMER:

Hello. My name is Fred Kramer, I'm here on behalf of the fireworks legislation, Phantom Fireworks out of Youngstown, Ohio. I did speak at an earlier hearing, so I'm not going to go through all that stuff, you guys heard me. I just would like to say there'll be a lot of figures going out there today. Just I ask you guys to please be careful to differentiate between the safe stuff that is allowable in New York and figures that might contain all kinds of fireworks, like aerial devices and explosives. Remember, the law says sparkling with just wooden handles that don't reach at 1200 degrees, that sort of thing, also ground-based fountains, also novelty items, and not the aerials and the explosives that may be included in a lot of figures and stuff that you hear today. So, any questions?

P.O. GREGORY:

No.

MR. KRAMER:

Okay.

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

P.O. GREGORY:

All right. Thank you, sir. Anthony, Tony; and then Jay Egan is on deck.

MR. LAFERRERA:

Good evening, Presiding Officer, Deputy Presiding Officer, Legislators. Anthony LaFerrera, Chairman, Suffolk County FRES Commission.

A Local Law to authorize the sale and use of safe sparkling devices. I'm still waiting for someone to show me what a safe sparkling device looks like. And I want -- the gentleman before me, I'd like him to hold up a safe sparkling device when it's burning after 1200 degrees, I'd like to see that happen.

The legislation concludes that legalizing access of safe sparkling devices will allow County residents to enhance their enjoyment of certain important holidays. Sorry I didn't bring the picture, but I don't think the Presiding Officer would let me bring a picture in the size of that screen of a house burning in North Babylon when someone was enhancing their holiday.

And it also says it's going to enhance Suffolk County businesses. I know in Legislator Cilmi's district a couple of years ago near the train tracks, there was a business that burned. But on the second floor, it didn't start the fire, but guess what fueled the fire? Fireworks, sparkling devices, safe sparkling devices.

So we can only buy these at a certain time of the year. Okay. So, when we buy these, what happens the other times of the year? Where do we store this stuff? Where did Home Depot store it? Where do your constituents store it? Basements, garages, sheds. Okay? I don't know how safe that is for them.

Who inspects or who's going to give the permit, if this law was to pass, on these safe sparkling devices? Town Fire Marshals. I don't know, anybody talk to them? I'll tell you what, there'll be a problem in Riverhead, they only got one Fire Marshal. It will be a problem in Southold, they don't have any, so I don't know how that's going to happen.

Like I said, storage, how is it going to be stored? 7-Elevens, Home Depots, Lowe's. What's the risk to us, anyone else? Home Depot, they're going to store it near the fertilizer, or some of the towns that legalize kerosene heaters where they sell at those stores. I don't know, maybe they'll store it next to those places. I have no idea.

The disposal of those fireworks, do we know how we're going to do that? Because after a couple of years, *Well, let me get rid of it.* Where are we going to put them? I don't know. Anybody look up what the ATF says about disposing of fireworks? Think about it.

There's a company advertising in Suffolk County to sell safe sparkling devices like you would sell flowers at a Mother's Day sale or an Easter sale. Okay. So now they put up their tent, they sell their sparkling devices. Now I'm going to put them away for Saturday night and I could do it again

on a Sunday. So now they're in that U-Haul truck. Where does that U-Haul truck stay? I have no idea. It's parked in my backyard. Now we come there because someone says, "Oh, that truck is smoking." You tell me how safe it is, to us or anyone else.

And also -- I know my time is out -- Suffolk County Police Department does a demonstration every year at the Suffolk County Fire Academy because of the danger of fireworks and safe sparkling devices, and we see what that does. What are they going to do this year?

P.O. GREGORY:

Tony?

MR. LAFERRERA:

Yes, sir.

P.O. GREGORY:

Your time's up, but --

MR. LAFERRERA:

Yeah, I know.

P.O. GREGORY:

-- Legislator Schneiderman has a question.

MR. LAFERRERA:

Thank you, sir.

D.P.O. SCHNEIDERMAN:

I'm curious, because these are those little metal sticks.

MR. LAFERRERA:

No, they're not just those little metal sticks.

D.P.O. SCHNEIDERMAN:

No. Yeah, there are some big ones, too.

MR. LAFERRERA:

No, did you ever see those --

D.P.O. SCHNEIDERMAN:

It's those things that the kids --

MR. LAFERRERA:

Did you ever see those pinwheels that shower, that emit showering sparks?

D.P.O. SCHNEIDERMAN:

I haven't seen those, but I've seen the kids running around with sparkling sticks. Is that the -- is that what we're talking about?

MR. LAFERRERA:

That's part of it, but we're talking about showering devices, sparkling devices that emit showers nine feet in the air. It's not just sparklers, sparkling devices.

D.P.O. SCHNEIDERMAN:

Are those sparklers illegal now? Because I see them for sale.

MR. LAFERRERA:

Right now.

D.P.O. SCHNEIDERMAN:

They are illegal? Because I've seen them in stores.

MR. LAFERRERA:

I know they're around.

D.P.O. SCHNEIDERMAN:

They come in like a 12-pack.

MR. LAFERRERA:

Yes, I understand that. But we're talking about now it's going to be legal for the safe sparkling devices. There's only one company that -- within this area that sells them, eastern Pennsylvania. So how are we going to get that through New York? How are we going to get that to Suffolk County.

D.P.O. SCHNEIDERMAN:

Do the stores know that they're currently illegal?

MR. LAFERRERA:

Well, I mean, like I said, and I hear it all the time, I'm not being sarcastic, you represent -- you talk to me about your constituents when you come see us on a local level. Just think of what they're going to be storing in your district, not only the constituents, the vendors, the businesses, and then we've got to deal with it. And I hope someday that no one has to enhance their family party at the Burn Center.

D.P.O. SCHNEIDERMAN:

You guys may want to send out a letter to those card shops and things that sell them.

MR. LAFERRERA:

So if it becomes legal, we don't have to send a letter, do we?

D.P.O. SCHNEIDERMAN:

No, I'm saying that there are some stores that are currently selling them.

MR. LAFERRERA:

Well --

D.P.O. SCHNEIDERMAN:

How long have they been illegal?

MR. LAFERRERA:

I couldn't tell you.

D.P.O. SCHNEIDERMAN:

Okay. Any other questions?

P.O. GREGORY:

Legislator McCaffrey, and then Legislator D'Amaro.

LEG. MC CAFFREY:

Tony, how are you?

MR. LAFERRERA:

How are you, sir?

LEG. MC CAFFREY:

Good, good. Hey, I guess -- I assume that, you know, being involved with FRES that you're familiar with the -- Suffolk County's website.

MR. LAFERRERA:

Yes.

LEG. MC CAFFREY:

And I'm reading off it and it says, "Hospital emergency rooms treat an estimated 9800 people for fireworks related injuries each year in this country. Nearly two-thirds of fireworks related injuries are caused by backyard fireworks, including sparklers, firecrackers and bottle rockets."

MR. LAFERRERA:

Correct.

LEG. MC CAFFREY:

Okay. So is it fair to say that, you know, even we have this on our own website, and I've heard from almost every firefighters association about their opposition to this, and I think it's pretty universal that almost every firefighter association is opposed to this?

MR. LAFERRERA:

Yeah. Just to let you know, the Town of Babylon Fire Chiefs Association voted unanimously against this bill. I know it was only last Wednesday, so I don't know if the Legislators got the letter, email or hard copy. And also, the Suffolk County Fire Marshals Association is against this bill as well. I don't know if you received that paperwork.

LEG. MC CAFFREY:

You see this as a real danger, not only to the people that are using this, but also first responders and --

MR. LAFERRERA:

Without a doubt. You tell me. Like I gave that scenario before, when the truck's in the backyard and it just says U-Haul on it and it's smoking, what does that -- what is that going to mean for us? We don't know what we're going into. There's a danger to the first responders as well. Not only us, Suffolk County P.D.; they may be there before us.

LEG. MC CAFFREY:

And as we've said, people still are using these fireworks.

MR. LAFERRERA:

Yes. Don't get me wrong, I know it's illegal now and everybody still gets them, we all know that, and I'm sure I had a couple when I was younger, I won't ever deny that, okay?

LEG. MC CAFFREY:

But having them at the checkout stand with your kids would make it a lot easier --

MR. LAFERRERA:

If they weren't there --

LEG. MC CAFFREY:

-- than if they had to go to eastern Pennsylvania.

MR. LAFERRERA:

-- we'd be saving a lot of life and property.

LEG. MC CAFFREY:

So it's fair to say we'd like to see this bill just fizzle out, right?

MR. LAFERRERA:

I would like to see this go way out.

LEG. MC CAFFREY:

Okay. Thank you.

MR. LAFERRERA:

All right.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

How do you follow that? That was good. Okay.

MR. LAFERRERA:

He's good, Louis.

LEG. D'AMARO:

That was pretty good.

*(*Laughter*)*

How are you, Tony?

MR. LAFERRERA:

How are you?

LEG. D'AMARO:

So let me ask you, do you know any of the history why the State of New York went down this path? Were you guys there when they were --

MR. LAFERRERA:

Well, yeah, I can give you a little history from one of my mentors in the back there, Mr. McConville. He works more with the State on the FASNY level. He could tell you a little more about it, because I know he's going to speak, but --

LEG. D'AMARO:

Okay.

MR. LAFERRERA:

The -- I could tell you real quick that I know the Governor, the past three, four years, he vetoed this part of the bill that was a part of Chapter 477, right? And now he's left it up to each individual county to take care of, he's left it up to you guys.

LEG. D'AMARO:

Yeah. No, I'm just trying to figure out why the change.

MR. LAFERRERA:

Well, Bobby might have a better answer for that one.

LEG. D'AMARO:

Yeah. Just, you know, did somehow -- did it become less --

MR. LAFERRERA:

Well, let's put it this way. I'm going to tell you my opinion. The change is probably going to be revenue to the County. How much revenue are you going to get and what the benefit to the County is I couldn't tell you.

LEG. D'AMARO:

Yeah. Well, it could be revenue, but --

MR. LAFERRERA:

Well, how much in 35 days, 37 days?

LEG. D'AMARO:

I don't know. Well, that was my other question. So we have a limited time period, which we would be permitted --

MR. LAFERRERA:

Sure. You're only allowed 35 days.

LEG. D'AMARO:

Right.

MR. LAFERRERA:

And then the two single days at the end of the year and the beginning of the year.

LEG. D'AMARO:

Right. So what happens in between? I mean, the stores --

MR. LAFERRERA:

Well, what happens in between is what I said before.

LEG. D'AMARO:

Are they required to --

MR. LAFERRERA:

It's got to get stored somewhere, right?

LEG. D'AMARO:

Right.

MR. LAFERRERA:

So are there any -- is there regulations on how to store it? And I wasn't being rude when I talked about the ATF before. They could tell you how to store it, or they could give you some ideas on how to store it because they dispose of explosives. And whether you think it doesn't have any explosives in those shower devices, don't be fooled, because they have little pops in there, little -- they have little charges in there.

You can go to a website, it's called TNT Fireworks. That's the company that's looking to try to make revenue here in Suffolk County, TNT Fireworks, offering people to make, whatever you sell, 20% of whatever you sell of these safe sparkling devices. Go to that website, there's over 50 to 60 different types of safe sparkling devices, as they say.

LEG. D'AMARO:

Wouldn't there be regulation on how to store them, similar to say like propane?

MR. LAFERRERA:

Well, if there is regulation, the only person I could probably go -- you could probably go to is the Grucci Family.

LEG. D'AMARO:

No, no, I'm talking about starting with the retailers, let's say the retailers.

MR. LAFERRERA:

No, I don't know of any, and maybe that should have been part of this bill. I couldn't tell you.

LEG. D'AMARO:

I mean, at a minimum, if stores are going to be permitted to sell these --

MR. LAFERRERA:

It will be permitted --

LEG. D'AMARO:

-- we would have to regulate how they're stored.

MR. LAFERRERA:

Regulate and maybe --

LEG. D'AMARO:

You know what comes to my mind?

MR. LAFERRERA:

Go ahead.

LEG. D'AMARO:

Like propane, right, when you go into --

MR. LAFERRERA:

Right, there's a regulation. Home Depot, Lowe's, it's outside in the cage, right?

LEG. D'AMARO:

They lock it up and there are certain precautions that are taken.

MR. LAFERRERA:

Right.

LEG. D'AMARO:

I mean, I would think that would be the same here, or do you think they're going to be sold right at the checkout counter?

MR. LAFERRERA:

No. They will be stored somewhere within a store. They'll be somewhere within -- I hate picking -- I'm not picking on Lowe's, Home Depot or 7-Eleven, anybody, just comes to my mind where places like that may sell it. How they're going to regulate it, or how it's going to be regulated? Well, if the Governor is passing it down to local Legislators, I guess it comes down to this body here how it's going to be stored.

LEG. D'AMARO:

Right. So do you believe that there is a way to store them safely, retail, a retailer?

MR. LAFERRERA:

Off the top of my head, no. I probably would have to do my own research a little further. But since there is nothing written about storage, the only thing you could figure is how things are stored within those certain stores --

LEG. D'AMARO:

Right.

MR. LAFERRERA:

-- on those racks.

LEG. D'AMARO:

Well, it's a combustible material. I would think that there might even be --

MR. LAFERRERA:

I mean, I just hope they don't put it next to the fertilizer, or the barbecue lighter fluid, and things like that.

LEG. D'AMARO:

I'm not disagreeing with you, but I'm trying to explore the details, because, you know, when I first read about this bill, if it's only going to be twice a year, well, what happens for the other, you know 340 days?

MR. LAFERRERA:

I wish I had a great answer for you.

LEG. D'AMARO:

Yes. So they would have to be, at a minimum, comprehensive regulation on how these items are stored, whether they're for sale, it's the time period whether they're for sale or not.

MR. LAFERRERA:

Correct.

LEG. D'AMARO:

So there are other dangerous products that are in Home Depot.

MR. LAFERRERA:

Oh, that we know.

LEG. D'AMARO:

Right. But it's a question of how do we store them.

MR. LAFERRERA:

But they're legal.

LEG. D'AMARO:

Right. No, I'm not disagreeing with you.

MR. LAFERRERA:

Okay.

LEG. D'AMARO:

I'm just saying that, you know, if we were going to pass this bill, at a minimum, you would have to make sure that there were regulations in place on how to store them. But the next problem you have is once you get outside the retailer, how do you -- you can't --

MR. LAFERRERA:

Well, how am I going to tell you how to store it in your basement?

LEG. D'AMARO:

You can't.

MR. LAFERRERA:

I know I can't.

LEG. D'AMARO:

Right. So I want you to talk to me a little bit about your experience as a firefighter.

MR. LAFERRERA:

Would you like me to show you a fire in your district?

LEG. D'AMARO:

Yeah. Yeah, sure, go ahead.

MR. LAFERRERA:

Like I said, I couldn't bring in something like that. Justin, you want to show this to the Legislator, please? I mean, I'm sorry I didn't print it, but, like I said, it's from there, but --

LEG. D'AMARO:

No. If you can't get it up there --

MR. LAFERRERA:

Well, I can't, but it's just --

LEG. D'AMARO:

That's all right, I believe you.

MR. LAFERRERA:

But that was a Fourth of July party.

LEG. D'AMARO:

Right. So -- well, we don't know what -- do you know what the cause was on that?

MR. LAFERRERA:

Yeah.

LEG. D'AMARO:

What started that?

MR. LAFERRERA:

It was under parental supervision, okay? The mortar went -- there was a mortar, but it went into the garage. And guess what was stored in the garage?

LEG. D'AMARO:

Right.

MR. LAFERRERA:

Safe sparkling devices, as well as other things.

LEG. D'AMARO:

Right. Okay, right. So it's your position that even -- I mean, you don't think they can be safely stored anywhere. But even if they could be safely stored at a retailer level, right, then once you get them home, there's no regulation on what --

MR. LAFERRERA:

Home there's no regulation, and how we would regulate it within the business end of it would need a lot of research. I couldn't tell you where to start from with that.

LEG. D'AMARO:

What if the law limited the quantity you could purchase? I guess that's really not enforceable either.

MR. LAFERRERA:

Quantity doesn't make a difference.

LEG. D'AMARO:

How do you enforce that?

MR. LAFERRERA:

I mean, look at what one rocket did.

LEG. D'AMARO:

Yeah.

MR. LAFERRERA:

And it hit the safe sparkling devices.

LEG. D'AMARO:

Right, right.

MR. LAFERRERA:

I mean, it's a public safety issue as well, if you really -- you know, when it comes down to it.

LEG. D'AMARO:

Do you think the sparklers are just -- these sparkle devices are just as dangerous as other forms?

MR. LAFERRERA:

Oh, sure.

LEG. D'AMARO:

You do?

MR. LAFERRERA:

Because that one company that I just mentioned that is looking to sell within Suffolk County --

LEG. D'AMARO:

Right.

MR. LAFERRERA:

-- they have a "No Dud Guarantee". Did you ever hear that?

LEG. D'AMARO:

A what?

MR. LAFERRERA:

A "No Dud Guarantee". So I don't know how -- if I got a dud, how am I going to send that back to Pennsylvania? I have no idea.

LEG. D'AMARO:

No, no. But what I'm saying is there are other types of fireworks.

MR. LAFERRERA:

There's fireworks, but we're talking about --

LEG. D'AMARO:

Are these less dangerous.

MR. LAFERRERA:

No. Anything that's burning at 1200 degrees or better can't be safe.

LEG. D'AMARO:

Right, right. And we are concerned about how children would handle them also.

MR. LAFERRERA:

Children, adults -- and adults, you know, the whole 1.5 million people of Suffolk County, and who else.

LEG. D'AMARO:

And the real small children with the hand-to-mouth problem, it could be toxic.

MR. LAFERRERA:

Well, I thought about that, but, you know, that was their bill and this is the bill that we got to work on.

*(*Laughter*)*

You know, you -- so, I mean, I'm not trying to be sarcastic. Everybody has their reason for being here.

LEG. D'AMARO:

Well, I appreciate your testimony. And I know when you come to that podium, you're speaking from real experience, a lifetime.

MR. LAFERRERA:

I've been coming here since 2003, you know.

LEG. D'AMARO:

Yeah. You know, we all have this connotation in our mind that sparklers are fun --

MR. LAFERRERA:

Of course.

LEG. D'AMARO:

-- they're less dangerous, the kids enjoy them, it's a safer way to let them enjoy the celebration that's taking place, and it's not real fireworks, and I think that's kind of the concept of what people have in their minds.

MR. LAFERRERA:

You know, I can understand that.

LEG. D'AMARO:

Yeah.

MR. LAFERRERA:

And if they do further research, they'd be very surprised.

LEG. D'AMARO:

Right.

MR. LAFERRERA:

That's why I brought it out.

LEG. D'AMARO:

They are -- they do pose a substantial risk.

MR. LAFERRERA:

Correct.

LEG. D'AMARO:

Yeah. All right. Thanks, Tony, I appreciate it.

P.O. GREGORY:

Thank you, Tony.

MR. LAFERRERA:

Thank you, sir.

P.O. GREGORY:

I love ya. Thanks for coming.

*(*Applause*)*

My colleagues want me to ask if all of you are going to say the same thing, but I know you've been sitting here, you obviously want to have your say. So, Jay, you're up, and then Joseph D'Alessandro.

MR. EGAN:

D'Alessandro, he's behind me.

P.O. GREGORY:

Okay.

MR. EGAN:

Good evening my name is Jay Egan. I speak tonight as the Vice President of the Suffolk County Fire District Officers Association, as well as I've been a past President of the Chiefs, Past Chairman with Tony on the FRES Commission, as well as many other organizations.

I'm not a public speaker, I don't profess to be. I'm not a lobbyist, like the individuals that brought that bill, this bill to you, Ladies and Gentlemen, from Albany, but I am a fireman, I'm a fireman of 42 years. I'm very proud of that. In that 42 years, I've seen a lot of things happen, a lot of houses burn, a lot of children who may have lost -- who have lost their life, or who have been in serious incidents and accidents, burns, burns from fireworks, incidents that have happened, as well as speaking as a fireman. We have been given many, many different obstacles, lightweight construction, storage of many chemicals, storage of propane and the way that's done, okay, and the way we've seen the abuse of all the above. As a fireman, I am concerned for my brother and sister firemen that have to go into any building that's going to have storage of safe sprinkling devices, as well as these fountains, sprinklers and sparklers, God forbid -- that's the next one we'll be fighting for -- sparklers, as well as one of the companies has gone as far as to make a model fire truck that you light up and will go down the road sparking and in flames.

LEG. SPENCER:

That's terrible.

MR. EGAN:

It's terrible is right, 100% right. It's terrible. It's a slap in the face of every firefighter and EMS worker in this County and across the nation.

OSPC is people that are going to be charged with the responsibility over overseeing this bill. OSPC is understaffed throughout the state, let alone locally. All the Fire Marshals in every township understaffed locally, including the County Fire Marshals. They do not have the personnel to monitor this or to move forward with covering this bill.

Training, I heard someone talk about training before. Training is only as good as the training -- people that are being trained. You got to understand, these big box stores, they'll be selling something in the summer time are going to deal with summer help. They're going to sell the same product Christmastime with Christmas help. That same training may not occur either time of the year, to either group, and/or to the level that we want to make sure that those people are safe and keeping the residents of this County safe.

I thank you for your time. And I hope this bill goes down in flames.

*(*Laughter*)*

P.O. GREGORY:

Okay. Oh, I'm sorry. Jay, Legislator Muratore has a question for you.

MR. EGAN:

Yes.

LEG. MURATORE:

Hi, Jay, I'm over here. Over here to your left. There you go.

MR. EGAN:

There you go. Hi, Tom.

LEG. MURATORE:

How are you?

MR. EGAN:

You're from my area.

LEG. MURATORE:

First of all, I want to thank all the Chiefs that came down today to spend so much time here from 4 o'clock. You know, you guys do a great job. All of our men and women in fire service in Suffolk County, I thank them. And I'm sure there's not a member of this Legislature that's going to put any of our firefighters in harm's way. I know about storage, you know, coming out of law enforcement. I had bomb guys always going and picking up fireworks and everything like that. I've seen them blown up, what the damage they can do. So, personally, you have my support. You know, I will be supporting this thing. And I'm sure the majority of my colleagues won't be either. So thank you again for coming down, and thank you for all you do for us here in the County.

MR. EGAN:

Thank you, appreciate it. I just -- the fact that this bill has gone from drop-on-the-table to this hearing in 21 days just amazes me. You know, we can't get things that really need to be passed done in 21 days, and we're pushing this thing for what reason? I don't know.

P.O. GREGORY:

Jay, that's just our -- that's just our process.

MR. EGAN:

Okay.

P.O. GREGORY:

It wasn't expedited or anything like that. It's just the way the calendar went.

MR. EGAN:

Just like there's a flaw in this bill, there's a flaw in this process.

LEG. D'AMARO:

Going too fast?

MR. EGAN:

Going too fast, yeah.

LEG. D'AMARO:

Going to too fast, that's unusual.

P.O. GREGORY:

No flame-throwing, all right?

LEG. MURATORE:

That's why we love you, Jay. I'm telling you, that's why we love you.

P.O. GREGORY:

Thanks, Jay. Joseph I see is standing patiently in the back, and then Robert McConville.

MR. D'ALESSANDRO:

Thank you, Mr. Chairman. Legislators, Ladies and Gentlemen, good evening. I'm Joey D'Alessandro. I'm here tonight to speak to you about -- against the safe sparkling bill device. I've been a firefighter in the Dix Hills Fire Department for the past 35 years. Currently, I'm an Ex-Chief, and presently, I'm President of the Suffolk County Fire Chiefs Council.

In all my years of experience, I dread the Fourth of July. It's the worst day we can for being a firefighter, because every Fourth of July the volume of calls increase. Every year, we have brush fires, house fires, and physical injuries from fireworks. The past years, I could remember whole houses being lost, people being severely burned from these devices. As simple as innocent, as a sparkler may be, it can cause serious physical injury. They burn at temperatures over 1200 degrees and are inches away from people's fingers. This may cause burns and/or if dropped, may ignite a fire. All fireworks, in my opinion, are unsafe. Let's leave them to the professionals. Please vote this resolution down. Thank you very much.

P.O. GREGORY:

Thank you. Legislator Trotta.

LEG. TROTТА:

Question. Would you say this bill is a dud?

MR. D'ALESSANDRO:

I think it's fizzled out, sir.

*(*Laughter*)*

If you would -- if you would have come to us and asked us before this all started, maybe we could have -- you know, we would have told you what we're telling you now and we wouldn't have to take everybody's time.

P.O. GREGORY:

We met with the contingency last week.

MR. D'ALLESANDRO:

We did.

P.O. GREGORY:

And I asked you guys to come to the public hearing.

MR. D'ALLESANDRO:

And we're always here to help you guys, that's what we do; 24/7 we're here to help, not to hurt anybody.

P.O. GREGORY:

Thank you. All right. Mr. McConville, and then Jerry Owenburg, my good old friend Jerry. Where is

he?

MR. MC CONVILLE:

Good evening. My name is Robert McConville. I'm a volunteer firefighter for 47 years. I am currently the President of the Firemen's Association of the State of New York, Commissioner and Chairman of the Board of Selden Fire District, and a resident of Suffolk County. I am here tonight to ask you to reject a law that removes -- that removes certain fireworks from the "dangerous fireworks" definition.

Some people will tell you that this law's category change is harmless, but as Suffolk County firefighters, we can tell you that it is not. Statistics clearly show that sparklers and novelty devices can be very dangerous. Many of the fires and emergencies we encounter every year are preventable tragedies caused by fireworks, including sparkler devices that can burn at temperatures of 1200 degrees Fahrenheit or higher.

Nationally, sparklers and other novelty devices that would be authorized under this legislation counted for 34% of the emergency room fireworks injuries in 2011. The legislation we are discussing here tonight allows Suffolk to decide for our County whether or not to allow these fireworks to be sold every year from June 1st through July 5th, and again, through December 26th to January 2nd.

Suffolk County, with one-and-a-half million residents, is the fourth most populous county in New York State, living in a densely populated area of 2,373 square miles, and many of our houses are very closely situated next to each other. These facts are important, because on a typical Fourth of July, there are more fires than on any other day of the year, with fireworks accounting for two out of those -- two out of those five -- of those fires, more than any other cause of fire. As a firefighter, I can assure you that if your neighbor's house is on fire, the closer your house is to the your neighbor's, the higher the risk of personal danger and property destruction.

As long as this relationship of fireworks to fires is, the statistics of fireworks-related injuries is a devastating story. In 2011, 9600 fireworks-related injuries were treated in U.S. hospitals across the country. Even more concerning is the fact that children ages 10 to 12 are two-and-a-half times more likely to suffer from fireworks injury than the general population. Many of these burns and other injuries are on their faces and hands.

Although there are two short windows of time when this law will allow the purchase of the fireworks, there is no limit on times that the fireworks could be used, so we can reasonably expect people to be stockpiling these items in their houses, and garages, and sheds, and maybe even their vehicles, and, as they -- and, as they will be storing the fireworks year round, who knows where. This will cause an additional hazard when we respond to home or business fire and find these items stored there.

And what about the transportation of these fireworks? Will there be large truckloads of them being transported through our community roads? Will they be backseat, truck or glove compartment of the car or vehicle? Will they be in the truck driving beside you, or making an incinerated appearance during a car collision or other motor vehicle accident or car fire.

P.O. GREGORY:

Mr. McConville.

MR. MC CONVILLE:

Yes.

P.O. GREGORY:

Your time has expired.

MR. MC CONVILLE:

I have more to say, but I appreciate your time.

P.O. GREGORY:

And if you want to submit your comments, you could submit it to the Clerk.

MR. MC CONVILLE:

I'm sorry.

P.O. GREGORY:

Legislator Barraga does have a question.

MR. MC CONVILLE:

Yes.

LEG. BARRAGA:

I wanted to ask if you, if I heard you correctly, you're the Chairman of the Firemen's Association of the State of New York?

MR. MC CONVILLE:

Yes, sir.

LEG. BARRAGA:

Has the Firemen's Association of the State of New York taken a public position on this bill?

MR. MC CONVILLE:

Yes, we have a statement. We are opposed to fireworks, as is the New York State Fire Chiefs Association, New York State Fire Districts Association, New York State Fire Coordinators Association, New York State Fire Police Association, Fire Police Chaplains, and fire educators, and probably two or three more that I just --

LEG. BARRAGA:

Your knowledge and your capacity as Chairman, has any other County, because it's a local option, moved to legalize these sparklers?

MR. MC CONVILLE:

We have had a couple at this time. I believe Essex County, and we're not sure about one other. The problem is they don't tell us. And we were very fortunate here in Suffolk by getting ahead of this and letting you guys and ladies know what this was all about. I was waiting for the you guys --

LEG. BARRAGA:

Yeah. I always find it very interesting when it's a local option at the State Level?

MR. MC CONVILLE:

Say what?

LEG. BARRAGA:

I said I always find it very interesting when it's a local option at the State level. Usually that means that some pro fireworks group or corporation wants to legalize, in this case, sparklers in the State of New York, and they go out and they hire a very expensive lobbying firm.

MR. MC CONVILLE:

I would think.

LEG. BARRAGA:

A lobbying firm goes in and speaks to the leadership, and then realizes that the State Legislature is not a bunch of dummies. They're not going to pass this bill statewide, but they agree to pass a bill at local option and press it down to the 62 counties.

MR. MC CONVILLE:

That's correct.

LEG. BARRAGA:

This way the lobbying group that's been hired can go back to whoever sent them the check and say, "Hey, we did our job. You know, we got it out of Albany. Now we're pressing it down to the locals, the 62 counties."

MR. MC CONVILLE:

That is the question --

LEG. BARRAGA:

And the lobbying firm, if I can finish --

MR. MC CONVILLE:

I'm sorry.

LEG. BARRAGA:

-- then says, you know, "And we can even help you there. We have local guys that will go out and push this -- these bills, that bill in every county in 62 counties. So it's a question of just following all the money just so that you have it. So I would say, because you're the Chairman, you better be prepared to go to a lot of different counties. Suffolk County is well organized against this bill, not necessarily a lot of other counties.

MR. MC CONVILLE:

We have -- to answer the gentlemen that asked the question before, the Governor vetoed the bill the last two years. This year, he passed it, only because he let the counties opt in.

LEG. BARRAGA:

Local option.

MR. MC CONVILLE:

So he did take it out of --

LEG. BARRAGA:

The money tree continues.

MR. MC CONVILLE:

He did take it out of our hands. We talked him into not signing it two years in a row. We knew this past year he was going to sign it.

LEG. BARRAGA:

But your association --

MR. MC CONVILLE:

We didn't fight him, but what we have done is fought county by county. We've been in Niagara County, we've in Saratoga County, we've been in Rensselaer County, and now we're in Suffolk County, and I'm sure we're going to be in a couple of more counties before.

LEG. BARRAGA:

And that's your fate for the near future on this particular bill, you're going to have to go into every single county.

MR. MC CONVILLE:

That's correct. We are set to do that we've already done, as I said, seven or eight already.

LEG. BARRAGA:

Okay. Thank you.

MR. MC CONVILLE:

Okay.

P.O. GREGORY:

Thank you, Mr. McConville, thank you you for coming today.

MR. MC CONVILLE:

Thank you.

P.O. GREGORY:

Jerry. Good to see you, Jerry, it's been a while.

MR. OWENBURG:

How are you doing?

P.O. GREGORY:

Good.

MR. OWENBURG:

Jerry Owenburg, West Babylon Fire Department. Also, I sit on the Board of the Suffolk County Volunteer Firefighters Burn Center. You heard a lot of numbers, storage and all that stuff. I'm going to give you some personal stuff now.

Been sitting there 15 years. I've seen a lot of kids burnt, a lot of people burnt. I don't think any of those kids or parents would say any sparkler is safe. Those two words should not be in the same sentence. I urge you to go up to talk to these doctors and nurses that treat these people two, three times a day, 24 hours a day, changing these bandages. Don't be a group of lawmakers that say it's okay for these kids to hold this stuff in their hand and play with it. We fought over years in schools, we've been in schools, houses, firehouses, teaching not to -- matches, not to -- lighters. We have an epidemic right now with scald burns that we're fighting, temperatures too high. Let's not fight this here. Keep it to the professionals, right? And they throw a lot of numbers around, and those numbers, 40% of those numbers that were thrown around of injuries are from sparklers.

So thank you. I wish this would not have to come here, but we'll be here to fight this good fight to keep our kids and people safe in Suffolk County. Thank you.

P.O. GREGORY:

All right. Thank you, Jerry. Peter Cincotta, and then on deck, Jerry Cicciari.

MR. CINCOTTA:

Good evening, county Legislature. My name is Peter Cincotta. I am the President of the Suffolk County Firemen's Association, to which there are 108 fire departments in this County. We strongly oppose this Local Law relating to the possession and sale of fireworks and sparkling devices. We urge you to vote no.

The change in this law is being justified as an enhancing of tax revenue. This is a tenuous argument when if you weigh it against the risks and related costs, as Jerry spoke about injuries, scalds, burns, and what is the cost of a lost limb, or the death of a child, or anyone for that matter? More than 6,000 reports of injuries involving those fireworks were reported in just the 30 days surrounding this past Fourth of July. Yes, this is all over the United States, but that's a short window. These injuries reflect not only the significant danger to the citizens, but an increase in demands on the fire departments and EMS squads who are called to handle these tragedies.

Whether a sparkler is defined by weight or it's magnesium count, it is still a dangerous device, which cannot be encouraged for the sale in this County. There is no reasonable way to assume that a sparkler, once sold to someone over the age of 18, as this law requires, will not ultimately get in the hands of a young person. In fact, the Consumer Product Safety Commission statistics over the last decade point to almost half the injuries reported happened to children under the age of 15, with 800 being 0 to 4 years old. Their report is attached and I've given to the Clerk.

Sparkler devices which are currently banned from sale in this County, as are all fireworks banned from this County, are getting in the hands of children. Injury statistics demonstrate clearly that this legislation can only aggravate the situation and increase the exposure to an unintentioned high risk category of our people, not able to fathom the inherent danger. I don't think any child wants to take then of them and understand that in a coffee can that's a bomb. Safe regulated use of legal fireworks left to the professional companies are the only fire work enjoyment we can support. We firmly believe, however, that the only way to contract the law of a sparkler for a five-year old is to continue to ban the sale of these products in this County.

May God bless us all. Good night.

P.O. GREGORY:

Thanks, Pete. Okay. Jerry, I'm going to mess up your name. Cicciari?

MR. CICCARI:

Cicciari.

P.O. GREGORY:

Cicciari. All right, okay. That was -- yeah, that was impossible. You set me up for failure. All right. And Christine Gillespie on deck, please.

MR. JERRY CICCARI:

Good evening, Ladies and Gentlemen. My name is Jerry Cicciari. I'm a private citizen, I live in Commack. I've been listening for the last half an hour or so, and I have to admit, to my own detriment, I have not read this law. But what I'm gleaning from everything, no disrespect to the fire officials who I have on -- pay a high regard for our safety, but things seem to me sitting here getting confused. The definition somebody started to bring up is what is specifically a safe sparkling device? Somebody answer that to me. I don't know what it is. I think back when I was a child, a little sparkler. One of the gentlemen here started making that reference, and that's what I think this is. I don't know. I'd like the Legislative body to pick that law apart.

Another gentleman brought up, and I'm in wholehearted agreement. The law maybe needs to be defined. What specifically are we talking about? Is something, you know, four inches high? It has a fire rating limit on it? It must be stored in a safe fire enclosure, much like paint containers. The NFPA, if I'm not mistaken, has strict regulations of storing paint cans. And how many of us in our own homes have a fire safe paint can storage container? I bet the majority do not. I know I don't either, and we got them stored in the garage.

But I do concur, that if the law was so specific as to the type of item it is, its size, its burn capacity, education still comes down to what we're all talking about. How educated are we as the people to prevent my four grandchildren? Nobody would ever be touching that at a certain age. Maybe 10, 12 years old if they had a sparkler. I think that's what we were at that time. I'm just concerned that maybe the law just, nobody votes on it yet, but picks it apart and makes it stronger.

There was a lot of histrionics about tragedies, and in the building trades myself, I'm very concerned about that, too. But I think that was being overshadowed as to what the law intent really is. If a lot of these injuries and whatnot are caused by fireworks, let's define fireworks versus the sparkler, which is what we call a "safe sparkling device". If somebody defines that to me, well, then we could focus in on what do we do to protect everybody. When we talk in terms of having the stores, that same legislation would force people to -- who sell it to have these storage containers with this item in it, I would think. If I'm wrong, let me know.

P.O. GREGORY:

Sir, your time's up.

MR. JERRY CICCARI:

So I think I would just like to say in closing, let's not pass the law, but let's redefine it and then put it up for another public hearing.

P.O. GREGORY:

Thank you. Thank you, Mr. Cicciari.

*(*Applause*)*

All right. Kristin Gillespie, and Tom Cicciari.

MS. GILLESPIE:

Hi, good evening. My name is Kristen Gillespie. I'm a special education teacher for children with autism. I respect a lot of you and thank you for wearing your pins and awareness for children with autism.

One, my grandfather was a Lieutenant in the New York City Fire Department, so I do respect everything that you guys have said, and I don't want to disregard your comments. On the other hand, being an educator and hearing most of you say, or at some point someone has said that they've had a sparkler themselves and all of these injuries from the fireworks that are now illegally in our state, the sparklers that we're discussing in this legislation are small. They're not mortars. They don't go more than, I believe, ten inches off the ground.

And any child that's under the age of seven or eight that's using a sparkler in their hands, that has to do with the parent. A child isn't going to buy a sparkler themselves, but they are getting their parents to get them from Pennsylvania, from Connecticut, from out of state and bringing them over state lines, regardless of whether this is passed or not passed. So my opinion is put a regulation on it. Let's pass this bill. Let's allow them. Let's educate the people that are buying them in our state, in Suffolk County, and let's -- and let's have laws on where they are being stored, let's know,

because the people that you guys are going to the fires, and they're in their house already, correct, so they're bringing them from over state lines and they don't know the proper safety, the proper storage, the proper techniques on what to do with them if they're not using them. But if it were to be allowed in Suffolk County, they would.

So I guess that's all I have to say. And thank you for listening.

P.O. GREGORY:

Thank you, Kristen. Okay. Toma? Then Jim Boyachek.

MR. TOM CICCIARI:

Good evening. My name is Tom Cicciari. I'm a father of two children, six and three. I absolutely would like to see this bill passed. I'd like to see a continuation of celebrations for our family and all of our families going forward. But what we all grew up with having sparklers, little small things, nothing that actually explodes. Anyone can come up here and tell you stories and horror stories about big explosions and things. We're talking about sparklers. We're talking about little things that don't do anything. A single match, blue tip match burns at the same rate that a sparkler does. So you have matches all over the place.

Educate your kids. I would absolutely let my kids use sparklers, like I'm sure most of you have. It will absolutely bring revenue to the Town and the County to help pay for these guys and pay for all other services. That's it.

P.O. GREGORY:

All right. Thank you, sir. Jim Boyachek, and then Melissa -- I can't see. Godeh? I can't understand the handwriting on here.

MR. BOYACHEK:

Good evening. Presiding Officer and fellow Legislators, I just wanted to give you a couple of things that we had heard earlier. First of all, there are currently five counties, the only five counties in New York that have voted on this legislation. All five have overwhelmingly passed this legislation. Essex, Chemung, Orange, Saratoga and Washington have all passed this bill. So those are the only five that have currently brought it up for a vote.

Fireworks are now currently legal in 47 states and all that shows storage has never been an issue. Stores and seasonal locations, Walmarts, other locations that sell it, the issue was brought up about storage. July 6th, fireworks are taken, all sparklers are taken out of the stores. They're shipped back to the distribution warehouse. And NFPA says after that, storage is not permitted, so it's going back to the distribution warehouse. No stores will be holding onto this product between the time periods that's allowed for sale.

So for three days after that time period of legal sales, they'll be just taken out. There's no disposing of fireworks, that is against in NFPA, against everything that is allowed there. All fireworks and sparkling devices are transported by DOT regulations, so it's a 1.4G regulated item. So it's all properly shipped and returned from that.

These items, sparklers, do not self-ignite. It's not like what we had heard is that it's going to catch your garage on fire. None of these items that have been -- that have been legalized by the State can be -- can just explode and they cannot make bombs. The sparkling devices that have been heard to make bombs are colored sparklers that are not -- they're not legal here. It's the wooden gold sparklers that have been legalized here.

Children under the age of 18, again, they cannot -- they cannot buy this. So anyone that can buy this have to be -- has to be over 18 years of age. In 2000, Connecticut legalized the sale and use of sparkling devices, similar to this law here. Afterwards, the Connecticut Department of Public Safety showed a 58% decrease in fireworks related injuries in 200, compared to the 14 years data of history there. There's several chain stores, several retailers that are already ready for this, for these items to carry, and they carry them throughout the U.S. right now without any injury, without any issues. A & P, Costco, Big Lots, Walmart, Sam's Club, Target, BJ's Wholesale, K-Mart, Stop & Shop, Dollar Tree, CVS, it's approximately 200 stores potentially to be able to carry these products, sparkling devices and make potential --

P.O. GREGORY:

Mr. Boyachek. Mr. Boyachek, your time's expired, so please wrap up.

MR. BOYACHEK:

Thank you.

D.P.O. SCHNEIDERMAN:

Question. Legislator Stern.

LEG. STERN:

Yes, thank you. Very quickly. You had said that after the period of time that they are then -- they are then taken out?

MR. BOYACHEK:

Correct.

LEG. STERN:

What do you mean by that? What happens when they are then taken out?

MR. BOYACHEK:

Any unsold product are picked up by a trained professional that comes and picks them up from each store, and they are DOT-trained to box them up and bring them back to our distribution facility.

LEG. STERN:

When you say they're DOT trained, DOT meaning who?

MR. BOYACHEK:

Department of Transportation.

LEG. STERN:

So it's DOT?

MR. BOYACHEK:

Yes.

LEG. STERN:

And they are trained specifically and certified by the DOT for -- to be able to handle the type of --

MR. BOYACHEK:

To handle and package the fireworks and sparklers, yes, sir.

LEG. STERN:

Okay. So they come in, they take the product, and then what happens?

MR. BOYACHEK:

It goes back to our distribution facility, where it will be stored properly in the time period that it cannot be sold here in New York.

LEG. STERN:

So it's taken from the shelves, it's brought back to the facility.

MR. BOYACHEK:

Yes.

LEG. STERN:

Presumably stored, and then during the window of time that would be allowed under the law, then potentially shipped back?

MR. BOYACHEK:

Yes, sir.

LEG. STERN:

All right. Thank you.

P.O. GREGORY:

Okay. Legislator Krupski. There's a few more Legislators that have questions for you. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So we have public hearings, because we can't be experts on every subject, and people come in and they give us either their opinions, or they give us testimony that's based on their experiences. You seem to know an awful lot about this topic. Can I ask you how you know so much about it?

MR. BOYACHEK:

I've been working in the fireworks industry for over 20 years. I'm Vice President of TNT fireworks.

LEG. KRUPSKI:

Where do you operate out of?

MR. BOYACHEK:

I'm all throughout the United States. I'm based out of Michigan.

LEG. KRUPSKI:

Okay. Thank you.

P.O. GREGORY:

Legislator Barraga, any questions?

LEG. BARRAGA:

Can you mention the five counties again that have approved this law?

MR. BOYACHEK:

Essex, Orange, Saratoga, Chemung and Washington.

LEG. BARRAGA:

They're all Upstate counties?

MR. BOYACHEK:

Currently, yes, sir, any counties that voted so far.

LEG. BARRAGA:

They're all Upstate counties. I mean, it's not Westchester, Rockland, New York City, Nassau or Suffolk?

MR. BOYACHEK:

No, just the --

LEG. BARRAGA:

Just those Upstate counties?

MR. BOYACHEK:

All those five currently have, yes, 100%.

LEG. BARRAGA:

Because, you know, culturally, in many ways, Upstate is a lot different than Downstate. I learned this when I went up the Assembly. I thought we had one state, but really have two. Just ask and Upstater. They'll tell you there's Upstate and there's Downstate. So far, nobody Downstate has passed this bill.

MR. BOYACHEK:

No. It would be similar to Los Angeles, or Chicago, or any of the -- Washington D.C. --

LEG. BARRAGA:

But nobody Downstate has passed this bill.

MR. BOYACHEK:

-- any of the big cities that currently sells them.

LEG. BARRAGA:

They're all Upstate counties.

MR. BOYACHEK:

Currently, yes, sir, have voted, yes, and all voted 100% for it.

LEG. BARRAGA:

Just on a personal level, I think there is a marked difference between how Upstates operate and how we operate Downstate.

MR. BOYACHEK:

Sure.

LEG. BARRAGA:

And if you have any doubts, just ask an Upstater. Thank you.

AUDIENCE MEMBER:

Niagara County voted it down.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

Please. No comments from the audience, please. We've been very respectful, and we ask that everyone be respectful to speakers. Legislator D'Amaro has a question for you.

MR. BOYACHEK:

Sure.

P.O. GREGORY:

Question.

LEG. D'AMARO:

So you -- is TNT Fireworks a manufacturer, or a distributor or --

MR. BOYACHEK:

A manufacturer and a distributor.

LEG. D'AMARO:

Okay. So I want to just review very briefly what Legislator Stern was speaking to, that -- have you read the New York State Law that permits this?

MR. BOYACHEK:

Yes, sir.

LEG. D'AMARO:

You have, okay. So you're somewhat familiar with that.

MR. BOYACHEK:

Yes, sir.

LEG. D'AMARO:

And as a manufacturer and distributor, are you -- I want to distinguish between what the law permits and what your policy is.

MR. BOYACHEK:

Okay.

LEG. D'AMARO:

Okay? So you distribute to retailers, I would assume, and those retailers are permitted under the law to sell for a very limited period of time. After that period of time expires, what happens then? You said to Legislator Stern, I believe, that the fireworks are then collected and brought back to a storage facility?

MR. BOYACHEK:

That's correct.

LEG. D'AMARO:

All right. And --

MR. BOYACHEK:

Distribution facility.

LEG. D'AMARO:

Distribution facility. Is that required by law, or is that something that's worked out between the distributor and the retailer? How is that done?

MR. BOYACHEK:

That is -- I mean, it is not required. In most states, it's not required by law.

LEG. D'AMARO:

No. I'm talking about in New York, how would it operate?

MR. BOYACHEK:

All the retailers are -- that's how we sell. That's how they are being sold, because they don't really want to hold on to the product after -- when they can't sell it.

LEG. D'AMARO:

But there's nothing in the law that would prohibit a retailer from maintaining the storage onsite?

MR. BOYACHEK:

That's correct.

LEG. D'AMARO:

Okay. And so that's my first question. My second question is this, the -- when the retailer is selling the -- what do they call them, sparking device, is there any regulation that you know of in the State of New York as to how the retailer needs to store those while they're on premise?

MR. BOYACHEK:

They are, from a storage standpoint, or you're saying when they're on the retail floor, correct, is that what you're asking?

LEG. D'AMARO:

Yeah, yeah, right.

MR. BOYACHEK:

Yeah. So there is regulations on how much can be stored, and depending on the size of the building, there is regulation how much they can store in the at one time, yes.

LEG. D'AMARO:

Those regulations are promulgated by the State of New York, that you're aware of?

MR. BOYACHEK:

By the -- it's part of the -- no. It's part of the wider law throughout the United States. The in NFPA has regulations. This is part of the NFPA law that limits that.

LEG. D'AMARO:

NFPA?

MR. BOYACHEK:

Yes.

LEG. D'AMARO:

Right. So, as a distributor, you would be aware of how much product you could sell to an individual retailer?

MR. BOYACHEK:

Yes.

LEG. D'AMARO:

And how much that individual retailer could store onsite?

MR. BOYACHEK:

Correct, yes, sir.

LEG. D'AMARO:

And then it's a policy of you finding your experience that retailers generally will say, after that window closes, they want you to come back and pick them up and not keep them on their site?

MR. BOYACHEK:

Correct, yes, sir.

LEG. D'AMARO:

And do you do that universally with all your customers, or there's some customers that choose not to do that?

MR. BOYACHEK:

There are some that choose to sell year-round, definitely, but --

LEG. D'AMARO:

Well, here they wouldn't be permitted to sell you --

MR. BOYACHEK:

That's correct. So everything would be picked up, correct.

LEG. D'AMARO:

Right. Okay. Now I just want to go very briefly. You said you were familiar with the State Law, correct?

MR. BOYACHEK:

Yes, sir.

LEG. D'AMARO:

So it defines sparkling devices in the State Law, and I think the gentleman who spoke before you was spot on when he said let's take a look at specifically what are we talking about here. And we've heard testimony from our first responders and, you know, they told us about the dangers. So, you know, what are we talking about? And what the law says is that they're ground-based or hand-held devices. So it can be ground-based, right?

MR. BOYACHEK:

The law is very specific on, yes, it can be a fountain on the ground. Nothing can leave the ground at all. It's all --

LEG. D'AMARO:

Right, I see that.

MR. BOYACHEK:

-- on the ground. So it's a hand-held sparkler that's wooden in -- it's not a metal sparkler, it's the wooden much safer sparkler. It is -- and it's a ground-based fountain that cannot spin, as was

alluded to by one of the --

LEG. D'AMARO:
Right.

MR. BOYACHEK:
-- fire guys earlier.

LEG. D'AMARO:
They don't fire inserts or projectiles into the air. They do not explode, it says, right in the law.

MR. BOYACHEK:
No, sir.

LEG. D'AMARO:
They don't produce a report.

MR. BOYACHEK:
Nothing, no.

LEG. D'AMARO:
A big bang. Any kind of audible cracking type effect is not considered in the report. And then it goes into a cylindrical fountain.

MR. BOYACHEK:
Yes.

LEG. D'AMARO:
So what's the difference between a sparkling device and a cylindrical fountain, which is also permitted?

MR. BOYACHEK:
It's a ground-based fountain that sits on the ground, you light the fuse, and it does a sparkling effect. It shoots between five and eight feet up in the air, a sparkling effect.

LEG. D'AMARO:
Yeah. And then just for completeness, it also includes a cone fountain, then it gets into wooden sparkler, or what they call a dipped stick, and those are the areas, those are the primary -- that's the primary definition of a sparkling device.

So I just want to conclude with something I heard you say previously, that they don't explode.

MR. BOYACHEK:
Correct.

LEG. D'AMARO:
I mean, if I took 10 of them or 50 of them and I put them a can and I lit them on fire, what would happen?

MR. BOYACHEK:
It would sparkle and fizzle for quite a while. That's about it.

LEG. D'AMARO:

Quite a while?

MR. BOYACHEK:

Yes, sir.

LEG. D'AMARO:

But it wouldn't produce an explosion, although it could be -- it could a fire?

MR. BOYACHEK:

Yes, sir.

LEG. D'AMARO:

Right.

MR. BOYACHEK:

It sure could, yes.

LEG. D'AMARO:

Right. So you've been -- you've been great in telling us, as a manufacturer and distributor, that there are policies in effect that try and get the devices out of the retailers when they're not being sold, that the device doesn't explode, but there's no regulation on how much a homeowner could store or purchase.

MR. BOYACHEK:

No, that's true.

LEG. D'AMARO:

Yeah.

MR. BOYACHEK:

And the one point on that is, I mean, this has -- currently, this is sold in 47 states throughout the U.S. We have never had an issue with that -- you know, a storage issue where multiple injuries or anything like that has ever happened because of someone buying a whole lot and storing it. It's just -- you know, in my 20 years of -- in the fireworks business, I've never seen that happen.

LEG. D'AMARO:

Do you consider a sparkler an inherently dangerous device?

MR. BOYACHEK:

No, sir. My ten-year-old and eight-year-old, I let them use it all the time and never had an issue. I mean, it's just something that I feel very -- it's -- it can be, let me say that, there can be issues, obviously, if somebody used it incorrectly.

LEG. D'AMARO:

Well, there's a a lot of products that could be dangerous --

MR. BOYACHEK:

That's correct.

LEG. D'AMARO:

-- if they're not used properly.

MR. BOYACHEK:

That's correct. The New York, what we -- what has passed here in New York is the safest sparkling law throughout the United States. There is nothing safer out there, more prohibitive, but it's going to allow New York residents to really celebrate the Fourth of July and New Years in a safe way, just to -- like 47 other states do currently.

LEG. D'AMARO:

Okay. All right. Thanks for answering my questions. Thank you.

P.O. GREGORY:

Okay. You had mentioned earlier that, you know, you have sparkling devices or sparklers in their garage and there's a fire, that they couldn't automatically just get -- light up.

MR. BOYACHEK:

Yes, sir.

P.O. GREGORY:

Why is that?

MR. BOYACHEK:

It's not self-combustible. It's like potato chips. Actually, we've done laboratory tests, potato chips are more flammable than the sparkling devices. Nothing can self-ignite you have to light it with a match or lighter to start a fire with it.

P.O. GREGORY:

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

MR. BOYACHEK:

Thank you. Thank you for your time, everyone.

P.O. GREGORY:

Okay. Melissa?

LEG. SPENCER:

I have a question.

P.O. GREGORY:

Oh, I'm sorry, Doc.

LEG. SPENCER:

Thank you, sir, for your testimony. And I love fireworks, but I guess when I see you come in, and, you know, I appreciate your industry and what you're trying to represent, and I see all of our fire professionals here, and I could understand their point of view, I guess my question is, when I look at a law, I have to ask the question, what is the benefit, and you indicated an economic benefit. But besides an economic benefit, what are the other benefits here? Like when you say that, well, this would allow our people to be able to celebrate Fourth of July, I don't know, we seem to have a pretty good time around Fourth of July here. And so I guess that's what -- if I'm going to take -- I look at something called "relative risk", and I think my concern here is that there's a big difference between, you know, when you say Essex County, where there's a population density of 22 people per square mile, Washington County, 73 people per square mile; Suffolk County, western Suffolk County, 3,000 people per square mile. So there's a -- when I see our fire professionals -- and, again I understand that well, a sparkler isn't the worst thing in the world, but if you talk about a house that's on fire, or a situation where these things are stored, or they could be used throughout

the year, what I'm balancing here is I'm like, well, what am I gaining here? I mean, I could see the economic benefit to you, but what's the economic benefit to us? Sales tax revenue?

MR. BOYACHEK:

Absolutely, sales tax revenue, as well as not just from the fireworks, but other -- like other industries that spin off of this as well. We also have -- I mean, the one big stat, I mean, I think is very powerful is when Connecticut legalized this, injuries went down 58%. This is -- I mean, it becomes a -- they're not going out of state to buy the illegal stuff that is a lot more dangerous people are doing crazy things with. This is sparklers, this is ground-based fountain. It's a lot safer stuff. And then you can go. And guys out there lighting sparklers, they get them for their kids, and he's not -- he's not breaking the law. I mean, it's just -- it's common sense.

LEG. SPENCER:

Well, I guess I was going to say, I strongly disagree with you. But the last point you did say, that if you have actually have proof that injuries go down as a result of people not going to buy the illegal things, that's probably one of the most valid things that I would say --

MR. BOYACHEK:

Absolutely.

LEG. SPENCER:

-- that I agree with it. But it's -- when I see a lot of our fire professionals who are here, and I'm relying on them and dealing with them every day, I've built a relationship, and they're telling me, "Legislator, don't do this," it's kind of a hard sell to say, you know -- and if you were to look at the total revenue and what we may gain in sales tax. But if you have evidence that it actually improves safety, then that's a different story.

MR. BOYACHEK:

And I'll --

LEG. SPENCER:

But I would love to see evidence that would, and how that -- how you came to it, how they came to that conclusion.

MR. BOYACHEK:

I'd love to show that. And also, with that, we have -- I mean, we have several hundred fire departments that actually sell sparkling devices and fireworks throughout the United States as a nonprofit group to help raise money for the community. It's done -- we have over 6,000 stands and tents throughout the U.S., and several hundred of them are run by volunteer firefighters and stuff. And I understand the obstacles of bringing the law in for the first time, and there's a lot of -- you know, being scared about it, but it really does. I mean, we've seen time after time, it reduces injuries, it reduces fires, it's a much safer avenue. And this is -- we're all about safety and we find -- I mean, I know that's -- we've heard that it's a contradiction with fireworks, but it is. Some fireworks are very dangerous. This is not -- these are not them, these are sparklers.

LEG. SPENCER:

Thank you, sir.

MR. BOYACHEK:

Thank you.

P.O. GREGORY:

Just one last question. What are the three states that it's not legal?

MR. BOYACHEK:

Currently, Massachusetts, New Jersey and Delaware.

P.O. GREGORY:

Okay. All right. Thank you. Okay. Melissa.

*(*Applause*)*

MS. GODUTI:

I have letters from constituents and business owners. Good evening. Thank you Presiding Officer and fellow Legislators. My name is Melissa Goduti. I'm Regional Director for New York for TNT Fireworks. I've been with them since 2007, and I am the person who's on the ground, working with the fire departments, permitting and making sure that everything compliance-wise on the ground here is in -- up to date. So I -- if anyone has any questions, feel free. I am here as a partner, and I'm here. We can bring in training and provide that. But I'll go on.

Fireworks are synonymous with July 4th celebrations since 1777 and our nation's first birthday. Here on Long Island, it's no different. Illegal fireworks have been brought in, sold for decades, funneling tax dollars and profits to other states' black markets. Today is an opportunity for Suffolk County to end this vicious circle. FASNY would have this panel believe that fireworks in themselves inherently evil. New York is the 47th state to legalize the use of sparklers.

When Governor Cuomo signed this bill into law on November 24th, 2014, he and fellow Legislators felt that New Yorkers could safely operate sparkling devices, just as citizens do in 46 other states, which they are currently legal. Just as during Prohibition alcohol was finding it's way onto streets, illegal fireworks are making their way into Suffolk County. The repeal of prohibition allowed regulators to control the safety of alcohol. The resolution is giving Suffolk County the ability to regulate, as well as a disincentive for citizens to seek out and improvise dangerous explosives.

States' municipalities throughout the country have realized that the responsible legislation makes communities safer by regulating these devices that are used. These now legal sparkling devices are meant for backyard family celebrations. Additionally, there'll be tremendous economic impact for Suffolk County. We have economists who have estimated over \$4 million of an economic impact in Suffolk County.

Additional sales and tax: No longer will citizens of New York have to travel to neighboring states to purchase these devices and celebrate. The Legislature had vetted these products for now legal -- that are now legal in New York to ensure the general public has safe family fun. The products are available in New York are not aerial. Ground-based hand-held device, approved devices in New York do not explode. Sky rockets, bottle rockets and firecracker are not legal. The age limits on purchasing, meaning children will not be allowed to use these devices without proper supervision, sparklers will only be sold during two distinct periods tied to important celebrations, Independence Day and New Years.

The Federal DOT, which is U.S., has tested and certified the safety of these sparklers to be transported. The bill is also -- which was a question, is regulated by NFPA 1124. That's what's regulating our storage, how we set up, how close the tables could be, the spacing, everything. 1124 regulates everything, and that is also in the bill.

Over the last 25 years, insurance companies and risk management professionals have continuously certified these products as being safe. Data used by our opponents includes large fireworks explicitly banned in New York and will remain that way. To --

P.O. GREGORY:

Melissa.

MS. GODUTI:

Yes.

P.O. GREGORY:

Your time has expired. Please wrap up.

MS. GODUTI:

Okay. To quote injury data related to these products that are still banned in New York are misleading, disingenuous and dangerous. If you have any questions, I'd be happy to help.

P.O. GREGORY:

Okay. Anyone have any questions? Okay. Thank you. If you -- you can submit your comments if you -- if you had some remaining that you didn't comment.

MS. GODUTI:

Okay.

P.O. GREGORY:

Okay?

MS. GODUTI:

Thank you.

*(*Applause*)*

P.O. GREGORY:

All right. Thank you. Okay. Pat Halpin.

MR. HALPIN:

Thank you very much, Presiding Officer Gregory, Members of the Legislature. I know that you have many burning issues to contend with, and I guess this is another one of them.

I love these guys in uniform who are here today. I had the privilege when I was a County Legislator to be the Legislative representative to our Fire, Rescue and Emergency Services Council, and it was an honor to be with them. What's so interesting about this legislation, and I think Melissa and the speaker before, you know, really outlined very carefully, this is a very carefully crafted law. And as you heard, it passed the State Legislature several times before the Governor signed it. And during that time, they worked very hard to be very clear in their definitions as to what is a safe sparkler.

We all know that there are sparklers, and fireworks, and mortars, and all kinds of explosives being sold illegally in the black market throughout this region. In the 47 states, to Legislator Barraga's points, there are suburban communities that have sparklers. There is a difference between Upstate and Downstate, but there isn't a difference when it comes to concerns about safety.

The statistics that have been cited by both my friends in the fire services and by the industry itself all come from the same source, and it's the -- it's the Consumer Products Safety Commission. And what's so fascinating about it is that the study that was done in Connecticut, when they saw this dramatic reduction in fire -- fireworks-related injuries came after the adoption of a similar piece of legislation. And when you think about it, you say why is that? Well, the reason is, is that when you're traveling through Pennsylvania, and I did that a couple of years ago when I came home

visiting -- from visiting my daughter up at Cornell, you see big signs, "Get Some Fireworks." So let me go in there and get sparklers and maybe some Roman candles. I walked with an arsenal of things because it was just there.

*(*Laughter*)*

And the same people who are selling the stuff illegally say, "Yeah, we've got some sparklers for you, Doc Spencer, but, by the way, we also have these," and these are the guys selling it out of their trunk, out of the back of a truck, or behind some store here in Suffolk County. So you figure, while I'm there, I may as well -- I came for sparklers, but I may as well get a couple of these other things. That's not going to happen here.

Now the other question was raised about storage. Let's talk about storage. You heard about all the regulations and all that, those are Federal regulations through the Bureau of Firearms, Tobacco -- what is it, the Firearms, Tobacco -- what's the other one.

AUDIENCE MEMBER:

Alcohol.

MR. HALPIN:

And what?

AUDIENCE MEMBER:

Alcohol.

MR. HALPIN:

And alcohol. Yes, thank you. So, anyway, so they have -- they carefully regulate this throughout the United States and they set their rules and regulations. When somebody -- when somebody is a storekeeper, they may buy a couple of cases of sparklers, they may buy it illegally and then they're stuck with it. Or if buy it from a company like TNT, what happens is that whatever they sell, they sell. Whatever they don't sell, they give back and get a credit for it. That's another reason why they're not going to keep this stuff stored illegally.

So my last point is I understand you all have a lot to consider, and I appreciate and I really respect it, because I know what it's like to be behind that horseshoe, I had the privilege of serving there. But this is one of these opportunities to do something that actually makes our County safe. And I've spent a lot of time at Viennese Hours. Some them were fire department dinners, and they bring out those big Italian pastries, row after row, tray after tray, all lit up with sparklers, and they're illegal. This is an opportunity to take something that's prevalent --

P.O. GREGORY:

All right (laughter).

MR. HALPIN:

-- that's pervasive and may make it safer. Thank you very much.

P.O. GREGORY:

Thank you. Anyone have any questions? I think the --

MR. HALPIN:

I don't blame you, it's been a long night.

P.O. GREGORY:

All right.

MR. HALPIN:

Thank you very much.

P.O. GREGORY:

All right. I don't have any more cards. Is there anyone else that would like to -- oh, boy. All right. If you haven't spoken already --

MS. GAMBY:

I'm going to be really fast.

P.O. GREGORY:

-- please come forward and state your name for the record.

MS. GAMBY:

Nancy Gamby, Commack. As a mother, I think any of us have had our children put their hands on a hot sparkler on the ground or stepped on it. I personally -- of all the things, I hate sparklers. I love to -- you know, I love to hold them, but I don't like them after they're done.

And this is a real tricky one for me, though, because, you know, I'm all for freedom and you should have the choices to make your decisions, and if you, you know, don't want to take responsibility for treating it properly, but I just think there's a whole lot of money coming on in this room, and, you know, they're worried about the store storing a certain amount and the square footage. And so if they're not hazardous at all, why would it matter? I'm just saying.

P.O. GREGORY:

All right. Yes, please state your name for the record, sir.

MR. THEBOLD:

Good evening. I'm Scotty Thebold. I'm president of Brookhaven Town Fire Chiefs. I'm also on the Board for Suffolk County Fire Chiefs. I'm not going to bore you with any statements. We all heard from our constituents tonight. It seems to be we're not in favor of this bill, and we would ask that you pass unanimously not to go with this bill.

It's a safety feature. We all know what we respond to, we all know what we do every day. We don't need an extra burden in our County that we have to worry about with our children and our families, whether it's storage, on the streets, on the road, behind the building. We have -- we have emergencies now that we don't know what we're responding to, we don't need that also. So, please, find it in your heart to vote this down. Thank you very much.

P.O. GREGORY:

Thank you. All right. Anyone else who has not spoken?

MR. MURPHY:

I think you got a whole line of us. Ryan Murphy from Patchogue. I'm Vice President of Suffolk County Volunteer Firemen's Association. I am also graciously appointed by this body to the FRES Commission as well.

The gentlemen that have spoken to you from the fire service that are here in the room tonight represent approximately 15,000 first responders within this -- within this County, between the fire and EMS service. I'm hoping that this issue is, you know, all but dead at this point based on one of

Legislator Stern's comments before with regard to how this body has -- when it comes to protecting public health and safety, you've chosen to be proactive, where other jurisdictions have not. So would I hope that we would continue to make those same good choices again here.

The way I see it, you really have two opposing viewpoints that you're looking at, as with any argument, of course. The one is from the perspective of individuals that potentially stand to profit off of this. And I think you need to look at where the different opinions, of course, are coming from in the background on it, and the other is from those of us that really are members of the voluntary emergency services in this County that have nothing to gain from this, but to protect and enhance the safety of our neighbors, which is our goal on any single day. So I think, really, that needs to come into play when you're looking at this.

The two real arguments that I've heard with regards to trying to bring -- and again, I don't believe you can really label any sparkler as a safe sparkler. Maybe you want to try and say that some are safer than others, but I don't buy into the argument that any are safe sparklers. I do -- to answer the question from before, I believe they all are inherently dangerous. Maybe you're trained better on how to operate it than somebody else, but I believe there's an inherent danger, just as there is an inherent danger in what we all do as firefighters. To not recognize the inherent danger I think is foolish.

But the two arguments that I've heard are tax revenue based, and also the argument of, well, people are just going to get them in other places anyway and bring them into here, so why don't we try and regulate them. Well, if we go that avenue, I guess a pot bill is up next, because you could go to Colorado and get it and bring it back into here, and so why don't we just legalize it in Suffolk County. I don't think anybody's looking to go that direction, so why would we take that same approach with anything, and sparklers being the issue that we're talking about right now. So I think that kind of loses its legs very quickly.

And the revenue, I think when you really start to boil it down and look at the numbers on it, I would imagine that we'll discover that the additional costs that are going to be incurred by Suffolk County or any other municipality on the enforcement side, on the inspection side, they're going to along with this, checking the vendors that are now going to be selling and storing this product, because it's not a mandate that they return the product at the end of the period. So are they storing anything in, you know, agreement with what State fire code indicates, or NFPA standards indicate? All of that's going to boil down to an inspection basis and an enforcement side that's going to fall onto the municipalities.

So I don't know what the revenue -- I know everybody's got their own studies. The industry is going to site what potential revenue could be gained by the municipalities. We're going to say, you know, other things as well from other studies that are conducted. But the fact of the matter is, there is going to be an additional burden that's placed on the municipalities to enforce codes that deal with this, to conduct inspections that deal with this.

So whatever revenue you may consider that this would generate, I think you need to start to write off at least part of it, if not all of it, right away. So if we take out the, "Well, they're going to bring it in from someplace else, so why don't we regulate it," I don't think that that's a really viable argument. And then we start to write off some of the dollar value that you might generate in the way of revenue through taxation. I think we've eliminated the two strongest points as to why proponents of this legislation are arguing for you to support it. So I think that the wisest and most prudent decision for the safety of your constituents would be to go against this legislation and not allow it.

LEG. D'AMARO:

Can I ask a quick question?

P.O. GREGORY:

All right.

LEG. D'AMARO:

Yes. I just want to ask your opinion very quickly, because it's getting late. What about the argument that passing this bill would enhance safety with respect to fireworks and fireworks-related injury?

MR. MURPHY:

I haven't seen any of those studies to support that. I would, you know, certainly be interested in hearing them, but I think -- I see flaws to that argument, because I think all you're doing is making people potentially or some people potentially less sneaky about their use. You're not eliminating all the other dangers that also go along with it, the additional storages that we look at, and things like that, that enhance fire load in a structure that's now burning, the other safety considerations that we have to look at on our side of the field. So I really don't think that you have a tremendous gain there at all.

I can't imagine that that's the case.

And I don't think you're ever going to get honest reporting statistics there, because anyplace that's got them where they're illegal, people aren't going to report whether the injury necessarily occurred from the use of an illegal device, so the numbers could be much higher than you actually believe. So I don't know if we're ever going to actually get to the bottom of that.

LEG. D'AMARO:

Yeah, I agree with you, I don't know anything about it either. I just wanted to -- I was wondering whether you had heard anything like that, or were aware of what might be, or something like that.

MR. MURPHY:

Nothing to support that argument.

LEG. D'AMARO:

Yeah, okay. All right, all right. I was just wondering. Thank you.

P.O. GREGORY:

Okay. All right. Thank you.

MR. MATTEO:

Good evening. Michael Matteo, Jr., Selden Fire Department, Chief of Department; 31 years in the fire service. I also have the unique perspective of also being 20 years in Code Enforcement. I'm a Fire Marshal for two different Townships throughout the County over the last 20 years, and I was also a fire prevention educator for three or four years.

As a firefighter, I see the dangers of fireworks all the time, especially, as we said, during the Fourth of July season. It's a very dangerous thing. The fireworks that are used illegally, or now possibly legally, do cause burn injuries, are probably our most -- our biggest problem with the fireworks, but they do cause fires as well. I've investigated many, many fires that are caused by fireworks use and abuse throughout the County, the two jurisdictions that I worked in over the last 20 years.

As far as the storage of these items in a commercial occupancy, we talked a lot about big box stores. One thing about big box stores is they're expected to have a lot of items inside those stores, large quantities of items, some hazardous items, flammable liquids, possibly pool chemicals and such, so the building itself is designed for those hazards. And when you bring fireworks in, it's another hazard into that store, but it may meet the -- or the building may meet the requirements to handle that hazard. But what about the 7-Eleven that has a limited fire alarm system and no fire sprinkler system? How is that building going to handle the added load of fireworks, whether it's there for three weeks or for three years? It can't, it's not designed for that.

The last speaker, very quickly, said that the -- what do you call it? The burden on the inspection process is going to be tremendous, and it will be. How do we know which stores have them and which stores don't have them? Do we have to look for the advertisement in the window and try to get the local jurisdictions out there to do those inspections? It's not going to happen. Every jurisdiction, yours as well as the townships, villages, right down to the fire districts themselves, are limiting their manpower due to financial constraints. We don't have the ability to handle what we have now. Bringing these fireworks into these areas will just add to that.

The question you had a minute ago about the numbers coming down from injuries from legalizing, one of the speakers who brought that up said that -- talked about prohibition and alcohol. Alcohol being legal, has that stopped the deaths and injuries from drunk drivers in this County? No. The Police Department has been doing that. Why? Because the proliferation of alcohol out there, which is now legal and on store shelves, has caused people to have this readily available source to go out and drink and drive. Now we're looking to take fireworks, which are inherently dangerous, putting them on store shelves. Yes, you have to be 18, but if you look 18, you could probably buy them, okay? Or if you have an 18-year-old brother or sister, they could probably buy them and hand them down to you. We're not putting them in the hands of adults. 18-year-olds are not adults, I think, because we've already said you can't drive, you can't drink, you can't -- you have to meet certain standards and age.

LEG. SPENCER:

You can't smoke.

MR. MATTEO:

You can't smoke, okay? Right, very good. So these are the things we can't do, okay?

The NFPA also is not a law, it's a standard, it has to be adopted. The laws come from the State, come from the County, come from the Townships. They all have to get on board with this as well. They do adopt the NFPA, not always as a whole, and sometimes in part. The standard is a good standard, but it's not meant for Suffolk County. We're just too dense in population, it can't happen here.

P.O. GREGORY:

All right. Thank you. All right. Next.

MR. RASULO:

Hi. Vincent Rasulo, Tea Party Patriots of Brookhaven. I didn't expect to be speaking once, let alone twice this evening.

I've heard a lot. I'd like to say I don't have a horse in this race. I'm not a Fire Marshal, I'm you not a fireworks salesman, but I would like to ask you all to consider these issues from a basis of principle.

One very troubling thing I heard was one of the Legislators ask if the vendor had anything other than an economic interest at stake. And I would like to say that the Fourth of July these sparklers are intended to be used to celebrate, one of the things that it celebrates is our independence and our liberty, most of which is economic liberty and security in our property, and the notion that regulation ought only to bear upon the people and their property when it is absolutely in the public interest. Otherwise, it's considered an unjust taking of their resources. And so I do not smear a man's economic interest, I honor his economic interest. It is his economic interest and his business that pays the taxes, that pays for this County, and pays the taxes that pays for these firefighters. And they are honorable men, and I respect what do you, absolutely, but --

*(*Comments from Audience*)*

P.O. GREGORY:

Please, please don't.

MR. RASULO:

But it maintains the equipment and the firehouses. You may not be paying it personally --

P.O. GREGORY:

Please address the Board, okay? Thank you.

MR. RASULO:

It is troubling that the only people that heckle in this entire hearing were the firemen, who are otherwise very honorable men, but --

P.O. GREGORY:

Please continue.

MR. RASULO:

I yield to that. Please consider this from the point of view of regulating when it's necessary. And to the extent that this bill fails to keep these items safe, which it very well may not keep these items safe, that's a failure of the regulatory bodies to write these bills properly and enforce them properly, because there are dangerous items shot through our society. There's alcohol. You can't drink unless you're 21 or over. And, yes, it requires enforcement, or requires enforcement in every single store that sells alcohol. There are cigarettes, you can't smoke cigarettes unless you're now 19 or over. That requires enforcement in every single store that sells cigarettes. So enforcement alone is not a bar to this.

The sparklers are not phenomenologically dangerous or unusually dangerous. There are far more dangerous things. There's nothing unique about sparklers that makes them somehow impossible to regulate properly, and dangerous, more dangerous than anything else. Any dangerous item that falls into the hands of a child is illegal, and the proper people, be it their parents or those people who sells it, they're liable for breaking those regulatory laws and making that accessible to a child. Anyone who has a -- to the extent that sparklers can explode upon impact, sparklers in their glove compartment, as I heard before, you can't -- anything you have in a place like that that can do those things are either improperly regulated, or you're already breaking a law that's properly regulating that thing. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you. All right. Next, sir.

MR. AMMIRATI:

Hello. My name is Vincent Ammirati, I'm with the Selden Fire Department. I'm the Assistant Chaplain. I'm also past President of Riders of Fire Motorcycle Club. But I just wanted to -- we were talking about safety or how safe things are.

A friend of mine's sister went to a concert a couple of years back, a Great White concert up in Rhode Island, Providence, and they had fountains there, it was part of the pyrotechnics. And I think that -- I honestly don't remember how many people died, but it was in a nightclub. It was professionals that were running it. It was fountains, it was sparks, it wasn't -- you know, they were going up four or five feet. I don't know if it was the building's construction or what, too many people and they couldn't get out, but you want to talk about safety or how dangerous these things are, I just want to give you that to think about before you guys go home. And thank you for your time, I appreciate it. Thank you.

P.O. GREGORY:

Thank you. Okay. That's our last speaker. Mr. Clerk, I'm going to make a motion to close.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman. There are no objections to that. Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen -- Sixteen (*Legislator Browning - Excused Absence; District No. 12 - Vacant Seat*)

P.O. GREGORY:

Okay. Our next hearing, public hearing, is ***I.R. 1154 - A Charter Law to clarify and strengthen the procedures for filling County Legislature vacancies (Sponsor: Presiding Officer Gregory)***. I don't have any -- actually, I do have a couple of cards. Grace Colucci.

MS. COLUCCI:

Hi. I'll be very brief, since I spoke on 1124. I want to reinforce what I said before.

I feel that having a vote to fill a temporary position is irresponsible to the taxpayer and the voters who already voted to have the office consolidated. Please consolidate and pass 1124. Thank you.

(*Applause*)

P.O. GREGORY:

All right. Thank you. All right. Ms. Gamby, Nancy Gamby. Don't forget, we have your credit card. We're --

MS. GAMBY:

No, I already got it. Sorry.

P.O. GREGORY:

All right.

MS. GAMBY:

But we could use it now. But I would like you to vote no on 1154 and support 1124. I think it's in the taxpayers' best interest and the County's best interest.

P.O. GREGORY:

Okay.

*(*Applause*)*

Okay. Thank you. We don't have any cards, any further cards. Anyone else like to speak, please come forward. Okay. I make a motion to close.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen.

P.O. GREGORY:

Okay. I.

MR. LAUBE:

Fourteen. (Not Present: Legislators Muratore & Hahn - District No. 12 - Vacant Seat)

P.O. GREGORY:

J.R. 1175 - A Local Law to protect privacy in Suffolk County (Tom Muratore). I don't have any cards for this public hearing. If there is anyone that would like to speak, please come forward. Okay. Mr. Muratore, what would you like to do with your public hearing?

LEG. MURATORE:

Close.

P.O. GREGORY:

Close? All right. Motion to close by Legislator Muratore, second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen. (Not Present: Legislator Hahn -Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay.

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

P.O. GREGORY:

Okay. I would like to make a motion setting the date for the following Public hearings on April 28th, 2015 at 2:30 p.m. at the Maxine Postal Auditorium in Riverhead:

IR 1189, IR 1248, IR 1260, and the 2016-2018 Capital Budget & Program.

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

MR. LAUBE:

Fifteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. We'll go back to *Tabled Resolutions (Cont'd)*:

IR 1104-15 - Amending the 2015 Adopted Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program and appropriating funds in connection with the effect of the Millstone Nuclear Power Plant on the temperatures of the Long Island Sound (CP 8710) (Schneiderman).

LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

Thank you. So Legislator Schneiderman laid out a compelling argument why we should study the effects of thermal pollution in the Long Island Sound from the Millstone Nuclear Power Plant, and that certainly affects not only my district, it affects, you know, the whole North Fork. And if anything ever happens at Millstone, it's a nuclear power plant, the Long Island Sound will be contaminated with radioactivity, the North Fork or the farm fields will be contaminated; it would be a big disaster. And if anybody remembers like I do, when I was back in high school, you know, how the Farm Bureau fought the nuclear power plants at James Port and they didn't happen for that reason.

But the reason that I'm speaking about this bill, and I guess it's not Legislator Schneiderman's bill specifically anymore, is that we have -- no doubt the scientists at Stony Brook are excellent scientists and there's no reason they couldn't adequately study this, but we have limited resources in our 477 Fund. You know, most of that money from 477 that should go towards water quality improvements actually has been used for salaries. And I was just on the phone today with the Commissioner of New York State DEC and there's a proposal now to extend the scallop season all through April, and that's because 30 years of drainage work by the towns and by the County DPW, which does a great job, and a massive effort by New York State DOT, community groups trying to stop runoff into the water have raised the water quality to the point where we have the best scallop season in 30 years; the best scallop season since the brown tide hit in 1985. The legacy that we can leave here is not -- you can't always quantify it in a study, it's just the joy of being able to go out at night crabbing or spearing a few eels.

And so because we have so little money, I'm not saying the study to study the water -- the thermal pollution from a nuclear power plant isn't important, it is. If there's any way of closing that down, I would be behind it. But we have such limited resources, it should be spent I think on bricks and mortar. You can improve water quality, and not just on the North fork but all of Long Island. Every road was designed to run storm water into our surface waters and it carries all the pollutants with them, and I think that's where the money should be spent and that's why I would rather not approve this. Connecticut should study its nuclear power point, Connecticut should -- that should be their responsibility.

P.O. GREGORY:

Okay. Legislator Barraga.

LEG. BARRAGA:

Thank you, Mr. Presiding Officer. Mr. Schneiderman's bill will call for a study of the effects of Millstone Nuclear Power Plant and the Long Island Sound and the Peconic Estuary, really taking a look at the once-through cooling system versus the so-called closed-cycle cooling system. You know, I think one of the things we have to do here is really take a look at the State of Connecticut and what their approach or attitude is with reference to the Millstone Nuclear Power Plant. We're going to spend a nominal amount of money to do a study, but what is the attitude or approach of the State of Connecticut? This nuclear power plant is located in Waterford, Connecticut, and it's been on-line now since 1975, it's privately owned by Dominion Resources. And when we contacted one of the selectman from the Town of Waterford to get his approach or attitude about this particular study, we found out that no funding is given by the Town of Millstone. The Town receives tax revenue from this nuclear power plant, there's no oversight from the town, the Connecticut Department of Environment and Energy Protection and the U.S. Regulatory Commission have oversight authority. There's no legislation pending in Waterford to deal with the Long Island Sound on this particular issue, and this particular individual indicated to us that he believes the environment of fishing has been improved based on information from Millstone's own studies. He talked about additional screening units to protect fish, entrainment, return path of fish that get drawn to the water cooling system, fewer fish are being killed based on the type of system currently being used. The volume reduced during flounder spawning season in the summer and the Millstone itself test the water on a regular basis.

So you can see from the Town of Waterford's perspective, they fully support what's being done by the Millstone nuclear scientist and environmental people that are on station at the plant itself. When you talk to the Millstone representative, in this particular case we contacted Director of Public Information, he indicated to us that they have their own environmental lab, it has all of the data collected and that Stony Brook has already contacted Millstone and will be using Millstone's data to conduct its computer modeling.

He pointed out the water monitor for the plant has a 1.5 mile radius and is used to collect data on water temperature as required by the Connecticut Department of Environmental Protection. The intake to discharge temperature increases the temperature at the outflow by 20 degrees. But according to the Millstone people, once you go out this 1.5 miles, the degree difference is down to 1 to 2 degrees.

Millstone itself, according to them, has implemented various screens to protect the aquatic life on the intake pipes. Variable frequency drives are used to limit the flow during specific times of year, and specifically during winter/flounder/spawning season; can reduce the intake up to 25%. They were ordered by the Connecticut Department of Environmental Control to conduct a four-year study dealing with the very issue that Mr. Schneiderman talks about. The study was completed at the end of 2012, here's a copy of the study. As the study progressed over a period of four years, the Connecticut Department of Environmental Control asked that certain criteria be met, and it dealt with this whole issue as far as the closed-loop system. What the study basically says at the end is that the closed-loop system is not really feasible, but what probably caused the facility to be off-line for approximately a year, would additionally cause an increase in ratepayer rates per the housing market and significantly decrease home values in the immediate area due to the increase in mold from steam, humidity and the blocking of sight lines from the cooling towers.

The point here is Millstone and Waterford, as well as the Connecticut Department of Environmental Conservation, everything indicates to me that they're going to approve that additional permit that they need to continue the outflow process. The question is how effective is the study going to be when it's being done in a County which is not even in the State of Connecticut by a university that's not in the State of Connecticut? In the end, Stony Brook will use much of the information that's already put together by Dominion and submitted, as I speak, to the Connecticut Department of

Environmental Conservation. It's a nominal sum. The question becomes do we spend a nominal sum to at least say that we did something to protect the Long Island Sound, or do we just let it go? Probably for \$79,000 we should proceed with this, but I don't think it's going to be effective at all. The dye is pretty much cast on the permit process here.

Now, putting Mr. Schneiderman's bill aside just for a moment, and Mr. Krupski kind of alluded to this, and just give me a couple of minutes on this. I think we have defined the wrong problem as far as Millstone. Millstone as a nuclear power plant must be shut down, the same way with Indian Point. If you take a look at Millstone, it was built in 1975. The first reactor was completed in 1976, the next one in 1986. The average life span of a reactor is 40 years; 40 years. Instead of the Nuclear Regulatory Commission coming in and saying, "*Okay, your 40 years are up, that's it, close the plant,*" they issued permits for Reactor II and Reactor III to extend their lifespan another 20 years. So those reactors, by the time it's done, will be 60 years old, both reactors. What is the feasibility or probability of an accident? The same way at Indian Point. Each plant, Indian Point and Millstone, generate about 2,000 megawatts apiece. We have alternative sources of energy, we don't need these plants anymore. There's tremendous risk, tremendous danger associated with these plants.

You know, there's an old story, I used to hear it when I was a kid, about coal miners going in. You know, and if they suspected a coal mine wasn't really that safe, they'd bring a canary in, and as long as the canary was singing things were good, but if the canary died, you got the hell out of that coal mine pretty quick. In the last 35 years, Ladies and Gentlemen, we've had three canaries die. The first one was 1979, Three-Mile Island in Harrisburg. For those of us who are old enough to follow that, that was a terrible situation, and it emanated from a valve that they opened and it didn't shut down automatically, and panic set in because the reactor began to heat up. And meltdown was supposed to be at 5300 degrees, and all of a sudden it went up to 4700 degrees within the matter of hours, and they couldn't figure out, the scientists there, the engineers couldn't figure out what happened. That's always the case in all of these emergencies; this wasn't supposed to happen, but it did happen.

In fact, there was a guy by the name of Thornberg, he was the Governor, because in the end he had to make some tough decisions; it always goes back to the elected official. But there were only two phone lines at Three-Mile Island and you couldn't get through, and these engineers didn't know what to do. Finally, the actual architects of the plan, because they couldn't get through on the phone lines, reached out to another facility, and the guy got in the car and drove over to Three-Mile Island to tell them what to do to start cooling down the core, and they did. And they thought the crisis was gone, it was finished, it was complete, we got through it. A couple of days later, the crisis emanated again, they said it was a hydrogen bubble in this plant and that at any moment it was going to blow and radiation was going to be spewed all over the place, and they went into a panic. Thornberg, if I recall correctly, he told pregnant women and children to get out, but you couldn't get out because this thing was on the Susquehanna River and it was one bridge everybody was going through. And it got so bad that priests on Sundays were giving general absolution to parishioners because those people, believe it or not, expected to die, because this one scientist said, *This thing is going to blow*. Another scientist said, *No, I don't think you're right*, and both of them got together and worked out the calculations and the one who said the hydrogen bubble was toxic, it was going to go at any moment, in his very in-depth formula, he put the wrong formula in in one section and he agreed he had made a mistake. The hydrogen bubble was through there, but it wasn't going to blow, so the crisis was averted. Yet three years later, when they dropped a camera down the rod of the core, 50% of that core had melted.

Now, if you take a look at that and you take a look at Chernobyl, another one, only the Russians this time had a plan, and the thing blew. The thing blew and the radiation went through Bellaruse, Northern Russia, part of the Ukraine, Northern Europe, they evacuated 350,000 people; those people never went back, they never went back to those cities, to those towns. They're still

abandoned today. And the interesting thing about that scenario is that after it blew, they realized the Russians, within a few days, the plutonium was still sitting there and it was eroding the base and it was going to go to the water system, and they sent the equivalent of 500,000 soldiers and civilians to dig a tunnel underneath this Chernobyl to prevent the plutonium from going into the water.

D.P.O. SCHNEIDERMAN:

Is this a filibuster?

(*Laughter*)

LEG. BARRAGA:

No, it's not a filibuster, it's a story. It's a story to show you how we're living here on Long Island and how it all could end tonight because of these two plants. If that plutonium had ever hit the water and there was another explosion, Europe, Europe as we know it, Ladies and Gentlemen, would be uninhabitable. So what -- this Fukushima three years ago -- I'm sorry, Fukushima. The same thing. If you asked those scientists, *Can this possibly happen*, they would tell you, *No. We built this plant, don't worry about any sort of problems with reference to anything, everything is going to be fine*, and then an earthquake happens at a 9.0 level, level seven, the worst case scenario, a tsunami rolls in and the whole place, three reactors out of six, blow up. When you go to Japan today, within 23 to 30 kilometers there's nothing, all the people are gone; 125,000 people, that's the number, they're gone. And yet we sit here, we have Millstone there and Indian point there, two plants within 15 to 20 million people. Think about that. You could go to bed tonight and tomorrow morning you could turn on your radio or your television and a radiation plume has gone across Long Island and it's like having Millstone right next door.

LEG. CILMI:

And we'll have sat here all night long.

(*Laughter*)

LEG. BARRAGA:

And you -- I'll finish. And everything will be gone, everything will be uninhabitable, the land will be gone. For example, like that plutonium at Chernobyl, if that ever escaped today, 100 million people would be poisoned. This would all end here. Now, what's the probability? Well, you could sit back and go home and just like, you know, *Hey, what the hell*, you know? But the very fact that we continue to sit here and allow those plants to exist; think about that. Everything that you do here, you know, Krupski with the scallops and the environment and the farmland and Esposito and she's out there doing her thing and Amper; it could all go, it could all go. And you sit there and say, *What the hell happened? What the hell happened?*

It wasn't just about Shoreham. It never was about just Shoreham, it was about Millstone. It was about Indian Point. Instead of shutting down these plants, the Nuclear Regulatory Commission is extending the reactors, and the United States is the only country that hasn't gotten the message. After what happened in Japan, Italy, Switzerland, Germany, they got out of the business. The Russians never built another plant. No plant has been built in this country since 1975. There's a reason for that; the God-damn things are too dangerous, they're going to kill us eventually. One of them is going to go. And someone says, *Oh, these were unique. You know, Chernobyl, Three-Mile Island, what happened in Japan*. Baloney. Every time it happens, those scientists on the job, they don't know why. They don't know what the hell has happened. And that's the worst thing, because when the radiation goes, it goes quick, minutes, hours, the plume goes right out.

So, you know, I'll support Schneiderman's bill -- it's a good bill, you've got to do something -- but that's not the central issue here, it's never been the central issue. He only has this bill in because that plant still exists, and that shouldn't exist, it should be gone, they should all go. You've got 62 plants in this country, you have 104 reactors, it's time to get rid of every single damn one of them. Okay, you can go home now.

*(*Laughter*)*

Applause

P.O. GREGORY:

Okay, Legislator Spencer. Are you going to go give us absolutes, Reverend? Reverend Dr. Spencer.

D.P.O. SCHNEIDERMAN:

That's a tough act to follow.

LEG. BARRAGA:

Cheer us up.

P.O. GREGORY:

You're at a loss for words, okay. Legislator Spencer.

LEG. SPENCER:

I'll be brief. That was fantastic, thank you. I learned a lot from that, too; seriously.

I guess getting back to the point of this study, to do it or not to do it. I think my concern with my colleague, Legislator Krupski's remarks, when we talk about water quality, we're seeing the same thing in Northport where a lot of the bivalve crops this year are not diseased and, you know, we're saying that because the Northport sewer treatment facility is now seeing nitrogen levels that are down to five. But I do -- I have heard some concerns that the water temperatures have been a lot colder this year and that it might be a little premature to start celebrating, you know, the bivalves and the scallops have returned.

And so since I've sat on the Health Committee, at one point we directed the Health Department to study one of the chemicals that we thought were killing the lobsters, we're looking at water temperature, we're looking at nitrogen levels, and we're directing a lot of resources in our water quality towards figuring out what is going on. And I can tell you, as I see and I always compare things to medicine, you know, for the last 30 years we've told you that fat was bad for you, now we're saying that it's sugar and that you can eat as much cholesterol as you want. There really -- what I'm saying is that it doesn't make sense to spend this type of money when the science is changing. And if we're going to spend millions of dollars to figure out solutions to solve what is happening in our Sound, then to spend \$75,000, especially when we look at the effect of water temperature, and to indicate that, well, there's the 10-degree change and 20-degree change in temperature in the immediate area, but 1.5 miles out it's only one degrees; one degrees makes a big difference in a closed echo system.

And I think that if we have a chance -- instead of relying on the money that they're spending in Connecticut, where if we can get our own data from our own universities and here to be able to look at what's in the best interest for the people that we represent, and for \$75,000 to be able to take our greatest minds and be able to look at this problem that was completely endorsed and looked at as being something urgent, then I think to blindly throw money at just workforce resources and not be able to have a long-term vision that we adjust constantly on what the needs are or what the solutions are, I don't know if that's the best use of resources. I think that, you know, I strongly

support this study. It's something we have to do for \$75,000, to know the temperature effects.

And I'll say one last thing. I just toured last week the Northport Power Plant and they have a system, too, where they have an in-take and out-take and there's like a -- and they are prohibited from having a temperature difference from more than 20 degrees because of the shock to the surrounding sea life. And when you look at this plant that's taking in billions of gallons of water per day and you're saying that, *Well, it's across the pond over there, it doesn't effect us here*, I think that we need to have our own answers, our own study and I think we need to be able to direct our workforce as efficiently as possible and that's why we have to do this. So I fully support this legislation, Legislator Schneiderman, and thank you for bringing it forward.

LEG. KRUPSKI:

Just a point of clarification on that, though. It's not temperature or nutrients that close down shellfish beds. New York State DEC regulates shellfishing closures based on coliform and total fecal coliform bacteria. So that's the -- and that comes from failing septic systems, it comes from wildlife and it comes from pet waste that washes in over land into your water body. That's what causes shellfish closures.

LEG. SPENCER:

You're absolutely right.

LEG. KRUPSKI:

Not those other things. So if you cure those things, at least you have a chance in opening your shellfish basin.

LEG. SPENCER:

But coliform growth is dictated by temperature and colder temperatures does limit coliform growth.

LEG. KRUPSKI:

No, the coliform can't grow outside of a warm -- they need, you know, warm-blooded animal's gut, it can't survive out in the surface water.

LEG. SPENCER:

No, I understand that. But when we look at -- when we talk about brown tides and when we talk about algae, that there is -- the temperature does have an impact on those.

LEG. KRUPSKI:

No, I'm not talking about that. I was just saying, shellfish closures based on DEC regulations and water testing they're based on coliform bacteria.

LEG. SPENCER:

I get that, but I don't think you can separate the interaction between what's happening with the algae, with the nitrogen and the amount of oxygen in the water and the coliform. I am pretty certain that it is kind of related and the water temperature does have an impact on that whole ecosystem. But thank you, Sir. I appreciate your time.

P.O. GREGORY:

Okay. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

All right, thank you. Well, first let me talk about priorities. The Long Island Sound obviously is the entire north shore of Suffolk County and then wrapping into the Peconic Estuary; it's a significant coast line of our County region. So I think nobody's going that it's not an important water body,

both of these two, both Federally protected water bodies.

The 477 Fund was set up to -- you know, for projects to improve water quality. We set up a committee, the Water Quality Review Committee, to help guide us, make recommendations as to how to spend that money. They had roughly \$4 million in surplus money to spend, they sent out requests for proposals. The sum total of all the requests they got were about \$2 million worth; some projects got approved, some may not have gotten approved. This one got approved unanimously with an urgent recommendation that this should be done. The team at SOMASS is a pretty good team.

I want to address Legislator Barraga's comments, and I really appreciate, Tom, you doing your homework. I've done my homework here, too, I've made trips to Millstone, met with officials, I'm familiar with what, you know, the company line is on whether they're affecting the temperature or not. They are not supposed to, under their permit, be affecting temperatures beyond a mile and a half radius, they call it the zone of influence. Though I've been tracking marine boeey data all winter, and it's been a particularly cold winter and you see with the in-going tide the warm water from the New London area going all the way out to New Haven, which is about 50 miles away. Actually, Montauk is much closer, only 25 miles away, the plant is about 11 miles from Orient Point. So you're seeing this temperature effect.

In terms of what can this do, and I appreciate Legislator Barraga saying, you know, that it shouldn't be there. Well, there is something called the Clean Water Act and the Clean Water Act has very specific standards. One is it's supposed to be using the best available technology, which clearly they're not because cooling towers would not be affecting the water body. But in particular, they're not supposed to be affecting the population of marine species. I mentioned earlier, you know, before we went into public hearings about the lobsters, I mentioned the eel grass, I mentioned winter flounders. We're seeing collapses in the Long Island Sound and the Peconic Estuary, they're very important marine species.

A university study from Stony Brook, which is reputable, entered into the record that will be considered, because September is when their permit runs out for renewal, can potentially affect the issuance of this permit. If they continue to issue it, it opens up an avenue if somebody wants to bring an action in U.S. District Court that they did not meet the varying standards under the Clean Water Act, that's a possibility, too. But this is the Achille's heel of the industry, because this is happening everywhere. They thought it wasn't going to be a problem. You look at Indian Point, the Hudson River, the same battle is being fought there over warming temperatures and Hudson River. Even some of the bigger coal plants, like Brayton Point and Rhode Island. They were -- they're shutting down. I mean, they were forced to go to cooling towers and they discharged a third of the temperature that this plant discharges, but they were told they had to reduce and go to cooling towers.

This is a problem for the industry and they know it. It's a lot of heat. It's hard to imagine, but imagine a flow rate that's equivalent to Niagra Falls, and the water coming in at one temperature and coming out 20 plus degrees warmer, it gives you a sense of how much heat they're putting into this body. This will give us a predictive model to tell us ecologically, if we continue to do this for another five years, how it's going to effect the ecology of the Long Island Sound. This is a tool we need. It's an important tool and I hope it has the result that, you know, Legislator Barraga spoke about. But, you know, having it developed by SOMASS I think is critical.

LEG. KRUPSKI:

You can't filibuster your own bill.

*(*Laughter*)*

P.O. GREGORY:

Okay. Legislator Stern?

LEG. STERN:

Yeah, thank you. Mr. Presiding Officer, through the Chair to Legislator Schneiderman. And you started to go through it, I was thinking maybe you could just expand on it.

My question here is then strategically, what is the study then used for? It's going to give us important information, it's going to give us a road map, the people at Stony Brook are going to do a great job in giving us the information that we need from a substantive point of view, but as far as the regulatory process that the plant is going through and the review process, can you speak to what this study may do for us along those lines?

D.P.O. SCHNEIDERMAN:

So the request by Millstone has already been made now to the Connecticut DEEP, which is the Department of Energy & Environmental Protection, for a new five-year permit. The permit expires, as I said, in September of this year. They have to meet certain standards for variance under the Clean Water Act. This will give those regulators some input as to how that continued use is affecting a broader body of the Long Island Sound and the Peconic Estuary.

What they do with it, I hope they take it seriously. It might lead to more studies, it might lead to extensions of the current permit, but not a new five-year permit. And it will open up the door, if they issue a new five-year permit, for intervention. So, you know, I don't want to presuppose what the study will find. The data I've been collecting and crunching quite a bit of data all winter is that the temperature effect is significant within a 50 to 70-mile radius of this plant. I said earlier that the Long Island Sound, since this plant opened, has been going up at one degree per decade; that is significant because the various interactions between organisms cannot adjust to that temperature change that quickly. These interactions developed over hundreds of thousands of years. As water increases it holds less oxygen, you end up with hypoxic conditions which we've seen throughout the Sound, more algal blooms, various effects. And certain organisms have very limited windows of temperature which they can survive in, and that's the case with some of those species I mentioned that are being eliminated from the Sound.

Our water temperatures are becoming more like Chesapeake Bay. In the middle of this winter, when it was, you know, below freezing everywhere, out by New London you found 36 degree temperatures, you had to go down to Virginia to find water temperature similar to that. That's the kind of climate we're seeing in the Long Island Sound, it's radically different than what it was. So the hope is that this kind of study will give the regulators the information they need to make a better decision.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

So I don't disagree that there should be a study done, I just don't think that our taxpayers should be responsible for paying for any of that study. No doubt that there may be some impact to Suffolk County from the effects of what Millstone is doing. But as Legislator Barraga pointed out, there was a study done in 2012.

LEG. BARRAGA:

Finished in 2012.

LEG. CILMI:

Finished in 2012. I don't know, do you happen to know, Tom, if there was any action based on this study?

LEG. BARRAGA:

They --

LEG. CILMI:

Through the Chair, if I could just ask.

LEG. BARRAGA:

The study basically said that the closed-loop system -- which Adrienne Esposito talked about which is, I think, the solution -- is not feasible in this particular plant, because it would cost about two-and-a-half million dollars. And the Nuclear Regulatory Commission does not mandate the closed-loop system on existing nuclear facilities, only new plants, and there are no new plants. So whatever is pretty much there will stay there.

LEG. CILMI:

So nothing happened as a result of this study.

LEG. BARRAGA:

Right.

LEG. CILMI:

I wonder how much this study cost. Probably at least 70, 80, \$100,000, maybe more.

LEG. BARRAGA:

In fairness to Mr. Schneiderman, the study was for three to four years, and during that four-year period, Connecticut DEC had input, they asked specific questions that they wanted Dominion, the owner of the company, to answer in the report. So that's another reason. This report is already in the hands of DEC in Connecticut; partially, it's like their report, so they're going to adopt this. You know, I'd be shocked if they came to any other conclusion other than renewing the permit, all right, for the current flow-through system.

LEG. CILMI:

So I recognize the sponsor's intent here, and certainly we all want to be cognizant of impacts to our environment by the variety of things that we as humans do. But the bottom line is that we don't really have any jurisdiction over the State of Connecticut or Millstone or the town that this is in or the city that this is in whatsoever. So we're going to spend this money and Stony Brook University is going to spend money, they're going to use information and data that has already been collected, and we're going to show it to the Nuclear Regulatory Commission or we're going to show it to the State of Connecticut and they're going to say, *Thanks*, and it's going to sit on some shelf somewhere and we'll have thrown \$80,000 pretty much out the window.

And I think there are better things that we can do right here at home with that money, things that we can actually control. I just don't think -- I don't think there's anything positive that can come out of this. Yes, it might give us some information, but once we have that information, what we can do with it is extremely limited. So I will not be supporting this today.

P.O. GREGORY:

All right. Legislator Trotta, then McCaffrey.

LEG. TROTTA:

Well, I'm going to go with what Adrienne Esposito said and what I know, because I've lived there in Northport for 30 years, 50 years. I'm sure it's screwing up the sound; there's not a doubt in my mind it's screwing up the Sound. You're saying that five years from now, it's been up there for 40 years. So we know what's going on. No report, no anything is going to change anything. It's just going to say, *Yeah, it's warming up the temperature of the water. It's screwing us up, we know that, we've got a report sitting right there saying it.* So I don't -- you know, I'm not going to waste \$80,000 on a study that's something that we already know, that you know, that Adrienne Esposito knows, we all know it. It's something that shouldn't be happening. I'd rather spend \$80,000 promoting it to get rid of it, and I don't think this study is going to -- it's going to say the water is getting warmer. So while I agree with you it's screwing it up, I don't think this is the way to get it solved

P.O. GREGORY:

Okay. Legislator McCaffrey.

LEG. McCAFFREY:

I agree with Legislator Trotta, I just don't think that this is going to show anything that's going to make a difference. But I do agree with Legislator Krupski that said that this money, this Water Quality money should be used for other purposes. I think this is just putting money down the drain, we're talking about water quality, water quality. Let's put this money to good use for something we think that will effectuate a change. This will not, so I'll be opposed to this.

LEG. D'AMARO:

(Raised hand).

P.O. GREGORY:

Okay. Mr. Clerk, what do we have?

LEG. D'AMARO:

DuWayne?

P.O. GREGORY:

Oh I'm sorry.

LEG. D'AMARO:

Excuse me. I struggle a little bit with the cost. I wanted to ask, through the Chair to the sponsor, why is it that Suffolk County has to fund the study as opposed to any other source of funding? Why -- I mean, Stony Brook University is a large state room facility, they have a research department that obviously has the expertise to do this type of study. Why is Suffolk County funding the study?

D.P.O. SCHNEIDERMAN:

It would be great if funding was coming from somewhere else. The study needs to be done and we have a, you know, Water Quality Fund that can pay for this, it's a legitimate expense for the County. You know, we spend millions of dollars trying to reduce nitrogen, as you know, and even if you bring nitrogen down, if the temperature is not right it's not going to, you know, be a suitable habitat.

LEG. D'AMARO:

Yeah.

D.P.O. SCHNEIDERMAN:

You know, again, the Water Quality Review Committee found that it was suitable. Stony Brook is now matching it. They are telling me they think it may be less money than the 79,000 here, so that is a good thing. You know, but it is a -- you know, like we've done hydrological models, groundwater models. This is going to be a predictive model, so you'll be able to put in a heat source of a particular size in a particular place over a particular length of time and see how that heat will move based on currents and depths of water. It will be a very powerful model to use in analyzing any thermal pollution. It's just that this happens to be a big source of thermal pollution whose permit is expiring, and we have an open comment period where we have something to say here. So I think we have a vital interest because so much of the Long Island Sound is -- you know, forms our boundary as well as the Peconic Estuary.

LEG. D'AMARO:

Yeah. I mean, we may have --

D.P.O. SCHNEIDERMAN:

We need to come to the table and comment, I think, on -- because it is affecting this water body.

LEG. D'AMARO:

Right. We may have no jurisdiction, but that doesn't mean we don't have a responsibility. And, you know, I'm a little surprised at some of the comments because every journey really begins with a first step. If we don't get the study done, if we don't have the ammunition and if we don't move forward with something like that, then we're never going to get to a position where we can influence the outcome. So it seems to me, with something as vital as the Long Island Sound where a neighboring state is affecting the Sound, which also affects New York State and Long Island, it seems to me that it's not even an issue of jurisdiction, it's really an issue of responsibility. So I agree that -- and as Legislator Barraga explained, you know, the ills of nuclear power, and in particular this plant and warming the Long Island Sound, these are all things that are -- that have to be addressed. And if this study can help to call attention to that, well, that's the first step, that's the journey we need to take. Maybe we need, you know, unanimous approval of this study so we send that message and get people interested and start to advocate against the State of Connecticut, or at least the plant as to *Look what you're doing to our environment*, and we need to call attention to this issue. At least that's what I see our role as. My only issue was why are we paying for this as opposed to Stony Brook University, but you're saying they're matching the funds that we put up to do the study?

D.P.O. SCHNEIDERMAN:

Yes.

LEG. D'AMARO:

Okay. I'm going to support this.

P.O. GREGORY:

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

LEG. KRUPSKI:

Opposed.

*(*Legislators Muratore, Cilmi & McCaffre raised their hand in opposition*)*

LEG. STERN:

In favor.

MR. LAUBE:

I'm sorry, Legislator Trotta, I can't --

D.P.O. SCHNEIDERMAN:

Roll call? Should we do a roll call?

MR. LAUBE:

Yeah, give me a roll. I can't tell who's hand's up or not.

P.O. GREGORY:

Okay, roll call.

MR. LAUBE:

Thank you.

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

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

LEG. KRUPSKI:

Nay.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

Pass right now.

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

No.

LEG. BARRAGA:

Pass.

LEG. TROTTA:

No.

LEG. McCAFFREY:

No.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

LEG. MURATORE:

No.

MR. LAUBE:

Barraga? I'm sorry, I had a pass.

LEG. BARRAGA:

I'm still thinking about it.

MR. LAUBE:

Okay, thank you.

LEG. BARRAGA:

I'll go yes.

MR. LAUBE:

Eleven (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay.

LEG. D'AMARO:

That's only the first.

P.O. GREGORY:

All right. I have a request to take a couple of bills out of order.

IR 1186-15 - Confirming appointment of Suffolk County Commissioner of Information Technology (Vincent M. Mezzanotte)(County Executive).

MS. HORST:

We're going to go grab him. So do I have a second?

LEG. ANKER:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay, I'll take a motion from Legislator Anker to approve. Anyone second?

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Okay, second by Legislator Muratore. Anybody have any questions? Legislator Trotta.

MR. NOLAN:

Let's bring him up.

P.O. GREGORY:

Bring him up, Mr. Mezzanotte. Is it Mezzanotte? I'm a little weak on my Italian tonight.

LEG. CILMI:

Mezzanotte (Spoken in Italian accent).

MR. MEZZANOTTE:

Good evening.

P.O. GREGORY:

Good evening. Legislator Trotta had a question for you, Sir.

LEG. TROTTA:

Yeah, I've got a couple of questions for you. You're familiar with the Verizon Centric System?

MR. MEZZANOTTE:

Yes.

LEG. TROTTA:

I would like to know your opinion on the inability to dial 911 off the system.

MR. MEZZANOTTE:

Well, I mean, from my perspective, that's a policy decision. As a technology guy, my role would be really to weigh in on what the technology challenges are, what the costs are, what some of the long-term impact is. But in terms of the decision on whether or not we would pursue that, to me that's a policy decision that the leadership needs to make.

LEG. TROTTA:

In your opinion, a phone system that doesn't dial 911, is it a working phone system? When you dial 911 and it doesn't go to the police station, would you consider that not a working system?

MR. MEZZANOTTE:

I guess if there wasn't an alternative to being able to access the police, then that would be a non-working system. But if there's an avenue for still making that call, then I think it's a work-around, but it's a functioning system.

LEG. TROTTA:

Would you say it was the best system to have?

MR. MEZZANOTTE:

No, it wouldn't be the best system, no.

LEG. TROTTA:

When you were at the railroad, you had a Centric System.

MR. MEZZANOTTE:

We had a mix of Centrax and Voiceover IP and plain old telephone service, too, but primarily our Centrax.

LEG. TROTTA:

You started moving it to VoiceOver IP.

MR. MEZZANOTTE:

Yes.

LEG. TROTTA:

Do you foresee yourself doing that here?

MR. MEZZANOTTE:

I would need to really look at the analysis on it to see if it was cost beneficial. There's a huge cost associated with moving to a VoiceOver IP solution. And knowing that we are under some fiscal constraints, I think that's a decision that would need to be made based on detailed analysis, cost timelines, etcetera.

LEG. TROTTA:

Are you planning on hiring any Deputies or other people in your staff, like secretaries or other IT guys?

MR. MEZZANOTTE:

I know there's several vacancies. I haven't had a chance to really take a look at how the resources are currently allocated and where the needs are. I would suspect, though, that if there's vacancies that they would need to fill those vacancies. But again, not really knowing the details, it's hard for me to say yes or no.

LEG. TROTTA:

I did some checking, there's about \$300,000 worth of vacancies in the past year. And the current Acting Commissioner has, as far as I can see, done a good job, you know, saving 300,000 plus your salary. I mean, do you think that this is something you're going to do, you're going to need to do, or is there -- has it been running poorly?

MR. MEZZANOTTE:

Again, not really having the opportunity to get in there and assess the environment, I want to look at the organization, the people, the processes and the technologies. It's really difficult for me to say whether or not it's running efficiently. I would think there's probably plenty of things that we need to be doing that we may not be doing because those vacancies exist. But again, without really doing the analysis on it, it's hard for me to sit here and say yes or no.

LEG. TROTTA:

How would you -- I mean, I don't know if this is even your function -- negotiate with Verizon. You know, they're saying that this 911 fix is approximately 165,000, and I spoke to a couple of guys in Verizon out in California, they said that's ridiculous, it should be like, you know, \$20,000. I mean, apparently the phone system is coming up for renewal right during this time. Do you think

\$165,000 is an exorbitant fee or do you think that you can negotiate this better? Do you think it's something that the County should be doing?

MR. MEZZANOTTE:

In a public forum, I'd like to say that I think Verizon should do a better job. I would want to work with them to understand what they can do in terms of a long-term agreement. They need to also understand that we do have other options that we would be considering, maybe that would serve as some leverage. But you know, on the surface, I don't -- I think that number should be something that we can negotiate. However, you know, we need some kind of leverage in order to make that --

LEG. TROTТА:

Oh, you have the ultimate leverage. You have a -- I think we pay them over \$2 million a year or maybe more.

MR. MEZZANOTTE:

Yeah, but the per line rate -- again, I'm not real comfortable negotiating it in public, but I think the per line rate is pretty reasonable.

LEG. TROTТА:

So is it your opinion that this is something that you think that you could work out or spread this sum figure over the life of this and that it would be beneficial to our phone system and our County employees and the employees in all the buildings and the visitors in all the buildings that we can get this done for substantially less?

MR. MEZZANOTTE:

I really -- I can't say yes or no at this point. I have to understand a little bit more of the details associated with what they're proposing and what our contract is. I don't have all of that information right now, I'm sorry.

LEG. TROTТА:

Okay, thank you.

P.O. GREGORY:

Okay, Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. Mr. Mezzanotte, you may or may not know this, but do you know how long the position has been vacant?

MR. MEZZANOTTE:

I believe it's been vacant since August of last year.

LEG. McCAFFREY:

August of last year.

LEG. TROTТА:

It was April.

LEG. McCAFFREY:

April? Okay.

MR. MEZZANOTTE:

April? I'm sorry.

LEG. McCAFFREY:

Have you had an opportunity to -- so it's almost a year now it's been vacant. Have you had an opportunity to view the facility or become familiar at all with what our processes are there or what their general -- you know, an overview of it?

MR. MEZZANOTTE:

Yeah, I've had some conversations with the leadership team, I had a tour of the facility. I've seen the data center, I started to work with staff to look at some of the current policies and procedures that are in place. But I haven't really started officially in the position, so I'm going to really need, you know, more time once I'm on board to start assessing all those different elements.

LEG. McCAFFREY:

Is your sense that it's a fairly well-run operation at this point?

MR. MEZZANOTTE:

You know, I'm -- from what I've seen, I've seen some positive things, but it's hard for me to say it's a fairly run operation. I need time to really do that assessment.

LEG. McCAFFREY:

Based on the fact that it's been running for a year and the way it is without --

MR. MEZZANOTTE:

Well, I mean, I've seen departments run, it's a question of whether they're running effectively and efficiently. So, yeah, it's functioning, however, without really knowing yet what the needs of the County are and how they map back and match back to the actual ability for us to provide that service, I wouldn't feel comfortable sitting here saying that we're running effectively and efficiently.

LEG. McCAFFREY:

Would your expectation be that you would have additional support staff besides yourself?

MR. MEZZANOTTE:

Absolutely. There's no way one person's going to make that much of a difference in the functioning of a department. I believe in collaborating and communicating and connecting with staff internally to make decisions.

LEG. McCAFFREY:

No, I meant hiring people in addition to yourself, you know.

MR. MEZZANOTTE:

Yeah. I mean, back to the question that Legislator Trotta asked. I would think that we have vacancies, those vacancies are there based on, you know, past management and I would think that we need them in order to operate effectively.

LEG. McCAFFREY:

Well, there's maybe vacancies, but there's no money to pay for them, though. That's the problem. So, okay, no more questions. Thank you.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Mr. Presiding Officer. And Mr. Mezzanotte, we had an opportunity to meet in committee and you answered all of my questions and you answered them sufficiently also, I might add. I want

to point out that -- and we took some time to go through your experience. You have 34 years of experience in this area, and about 30 of that, or maybe even a little more than that is in the public sector working with the MTA. You're very familiar with the types of systems that require attention from a government perspective, the kind of system the County has and what the needs are. And even on top of that, having the technical ability, you have also put together a budget for a department while you worked with the MTA as well; is that correct?

MR. MEZZANOTTE:

Yes.

LEG. D'AMARO:

Yeah. And I think you said in committee that that budget was around \$50 million?

MR. MEZZANOTTE:

Yeah, it was 50 million at Long Island and 60 million at MetroNorth.

LEG. D'AMARO:

Right. So you're not only part of the geek squad, but you're also an administrator to boot, which is a rare find, I think. I think that it's -- I think we're lucky that you are stepping forward and offering yourself again for public service and I very much appreciate that.

And we did get into, in the committee, a little bit about the County system, long-term goals, short-term goals, but I'm not going to go through that tonight because I know that you really need a chance to get in there, evaluate that system and bring your expertise to that system. But I did appreciate your answer that you will keep in mind that in government, when things are a little tough, as they are right now with the belt tightening, that you will always keep in mind that there's the flip side, which is the expense to what we want to do. You know, everyone wants to have the Cadillac, but maybe sometimes we have to settle for less given budgetary constraints, and I appreciated all of your answers. I want to ask you very briefly, since it was brought up; the 911, dialing 911 on the phone, would that be something under your department, that you would be responsible for, the phone system itself?

MR. MEZZANOTTE:

Yes, it would be something that the IT Department coordinates with Verizon to input.

LEG. D'AMARO:

Right. Is it possible to program the phones to dial 911 with -- for no cost at all?

MR. MEZZANOTTE:

From my brief conversations with staff, that's not an option.

LEG. D'AMARO:

So whether -- you know, we can talk about how much and who to believe, but there's some cost to doing that.

MR. MEZZANOTTE:

Yes.

LEG. D'AMARO:

Okay. All right, well, I want to wish you the best of luck. I hope you are approved here tonight. I want to encourage my colleagues to vote for this gentleman, I think he's highly qualified to be our Commissioner. And I wish you the best of luck either way.

MR. MEZZANOTTE:

Thank you, I appreciate that.

LEG. D'AMARO:

Thank you, Sir.

P.O. GREGORY:

All right, Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Thank you, Mr. Mezzanotte, for coming out tonight and staying till almost midnight, which I understand is the translation of Mezzanotte, isn't it?

MR. MEZZANOTTE:

Yes, it is.

D.P.O. SCHNEIDERMAN:

It's midnight, so I guess not so hard for you then. So you're a resident of Suffolk County, are you not?

MR. MEZZANOTTE:

Yes, I am.

D.P.O. SCHNEIDERMAN:

Okay, that's good (*laughter*). I'm going to ask you an uncomfortable question, but I've asked this before to other Commissioner candidates, particularly in IT. In IT you're going to be purchasing certain products, directing the County in certain directions; do you have any conflicts of interest, any ownership in any proprietary software, any products that might cause conflicts within your roll as IT Commissioner?

MR. MEZZANOTTE:

No, I do not.

D.P.O. SCHNEIDERMAN:

Okay, good. I appreciate that. And we spoke on the phone and I appreciate the call and I got to -- because it's late, I don't want to go into all those areas where I think we need attention. I do want to bring up one area of open data, because I think that, you know, the County has a lot of information that we store in databases, particularly real estate information. You know, I have been approached by software developers looking to gain access to work with the County on software applications, you know, iPhone and other devices where they can, you know, make money by selling that data to other users in user-friendly accessible ways. So I would just ask you to review the open data policy; well, we don't have one, an open data policy, but to look at that because it might be a source of funds for the County or significant revenue for the County. Maybe a quick comment on that?

MR. MEZZANOTTE:

Yeah. I mean, I actually was part of an Open Data Task Force with MTA where we were trying to accomplish the very same thing, and in fact did accomplish certain avenues where data was made available to the development community so they can manipulate it in a way where it was meaningful to the public. So I think that that's a positive initiative and one that if the data is available and in a format that can be consumed by developers, then that's a great path to follow.

D.P.O. SCHNEIDERMAN:

The last thing I'll bring up -- and really, Doug Miller, who's been Acting Commissioner, has done really a remarkable job, literally moved mountains in a particular area. We had passed a bill to make the County's websites accessible to the visually impaired, to print readers, it turned out to be a lot more difficult than any of us realized and a tremendous amount of staff resources, time was put into it. And some of the main pages are now accessible and the disabled community, they're very happy, the messages that I'm getting back are they're really thankful. But we also want to see this process continue to other important pages so that they have access to job opportunities, meeting data, emergency notifications, all kinds of things that may or may not now be available. So I would just ask that you work with the disabled community and those advocates in making sure we continue what appears to be a really excellent start in that program.

MR. MEZZANOTTE:

Okay.

P.O. GREGORY:

Okay, Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Presiding Officer. Like my colleagues, I was very impressed by your qualifications and experience when we met in committee. There's no doubt you'll bring a tremendous amount of value to the County and I think the County will benefit tremendously from your leadership.

I asked you sort of a strange question at that committee meeting and I said, *Do we need you*, given the expense. And I guess the point I want to drive home to you today, while I'll support your confirmation here, but at the beginning of the year this year the County Executive declared a fiscal emergency in this County. We continue to see reports that we have, effectively, an operating deficit, a structural deficit, if you will, of somewhere in the neighborhood of \$100 million; it means we're spending \$100 million more annually than we're taking in.

And so with respect to those other positions that some of us made reference to, I would respectfully ask you to consider not filling those positions for the remainder of this year. Have a look at the department. The department has run, as some of us have said, remarkably well over the last several months with Doug Miller as Acting Commissioner. With your addition now, the department will have had the benefit of a very high level, very experienced additional body in that department to help lead that department; and frankly, I think that should be enough for now.

This Legislature in September will begin looking at the County Executive's proposed budget for next year, and at that time I would welcome your input as to what your needs may be beyond, you know, what the County Executive proposes. But until then, again, given the fact that we have a structural deficit, which is nearing, if not surpassing \$100 million, we continue to get bad news with respect to sales tax revenue in the County. And considering that there is a fiscal emergency, I would ask you to seriously considering not filling those other positions that are vacant at this time. Other than that, welcome to Suffolk County.

(*Laughter*)

And I very much look forward to working with you. I have been supportive of what this County has tried to do from an IT perspective and I suspect I will continue to do so.

MR. MEZZANOTTE:

Thank you.

LEG. CILMI:

Thanks.

P.O. GREGORY:

Okay, Legislator Trotta.

LEG. TROTTA:

Just a quick question to Robert Lipp who's been sitting there quietly all night. Was there money budgeted for his position this year and last year?

MR. LIPP:

Yes, there's money in the budget for him.

LEG. TROTTA:

And the other employees that may or may not be hired?

MR. LIPP:

I'd have to check on that one.

LEG. TROTTA:

But last year when we had nobody there, there was money budgeted.

MR. LIPP:

Yeah, and the money is somewhat fungible. The County Executive or the Budget Office could move the money around a bit within the structure of the budget.

LEG. TROTTA:

And there was money probably for the two or three other people budgeted?

MR. LIPP:

Like I said, I'd have to check on that.

LEG. TROTTA:

Could you?

MR. LIPP:

Sure.

LEG. TROTTA:

Thanks. For a later discussion tonight.

P.O. GREGORY:

Okay, Legislator Anker, and then we'll call the vote.

LEG. ANKER:

I want to welcome Vincent -- I think it's Mezzanotte? Yes -- to our General Meeting. And I just want to emphasize how important it is to work with the Legislators. I know the former Commissioner worked with us, and also Doug Miller who's been filling in, the Stop Bullying Awareness website. And again, you know, I appreciate the outreach to, again, not only the Legislators, but to the department individuals and how important that is. And also, keep in mind that we really need to be fiscally conservative in what we do and to utilize new technology to get to that goal because, again, you know, that's what technology is about, making life more efficient, more effective, and I hope we can do that, you know, with you at the helm. So, thank you.

P.O. GREGORY:

Okay. Doc? And then Legislator Barraga.

LEG. SPENCER:

I have to push back a little bit against my colleague there, Tom, with his flash remarks. And I think that although I understand and I respect his thoughts and his opinion, we're just -- it is a fiscal emergency, but -- and we looked at the department and I feel that it has run well, but departments can run well sometimes without a leader because they're able to maintain the status quo, but we need a vision moving forward. And if you need -- you're going to get in and you're going to assess your department as a Commissioner for what you see the needs are, and you know that the direction from this Legislature is that, yes, we are in a fiscal crisis, but you need to put the team around, and you sometimes you may need to fill certain positions in order to be able to save us a lot more money down the road. So I'm counting on your independent assessment for what your workforce needs, and at least my personal opinion is that you will work with this Legislature. But you have to give us an independent assessment and I don't think it's fair to constrain you to say, *Don't fill positions, please*. I think you need to do what you feel is best and we're confirming you based on your experience and your ability to be able to lead the IT department forward, and that's with all due respect to my colleague Tom who I have respect for. Thank you.

LEG. CILMI:

Of course.

MR. MEZZANOTTE:

If I could just comment on that real quick. I think that, you know, initiatives need to be looked at on a case-by-case basis, and in some cases you want to invest in technology to save in other areas of the organization. Technology is an opportunity to introduce cost savings in many ways, if done properly and addressed in conjunction with process change. So I would just say that if additional resources are requested, it should be based on various criteria, one of which is cost savings. So I would -- you know, I would encourage that as well, but of course those are decisions that would need to be made at this level.

LEG. SPENCER:

Thank you.

P.O. GREGORY:

Okay. Legislator Barraga?

LEG. BARRAGA:

You and I had a chance to speak on the phone about a week ago -- over here.

MR. MEZZANOTTE:

Oh, I'm sorry.

LEG. BARRAGA:

And certainly you come very highly qualified for this particular position. I'm sort of listening to Mr. Cilmi and Mr. Spencer, and you're a Commissioner of a department and certainly, you know, you're being brought in here to make that department run effectively and in the best interest of the taxpayers of Suffolk County. Once you get your -- you know, once you're seated there a while and you understand what's going on, you know, we would expect you to make the appropriate decisions to keep the taxpayer in mind. If that means you keep a couple of positions vacant, so be it; if you feel you need people in a certain area to be more effective, you've got to make that decision. All right? You are from West Islip, right?

MR. MEZZANOTTE:

Yes, I am.

LEG. BARRAGA:

So am I, so obviously you've got my vote.

*(*Laughter*)*

MR. MEZZANOTTE:

Okay (*laughter*).

P.O. GREGORY:

Okay, Legislator Anker.

LEG. ANKER:

Just one last comment. The top priority for me, as the Chair of Information Technology for the County, is security. Please don't compromise on security. We're having a time right now and throughout the global world, it's all about security with technology, so.

MR. MEZZANOTTE:

I agree.

P.O. GREGORY:

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

D.P.O. SCHNEIDERMAN:

Congratulations.

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

Applause

MR. MEZZANOTTE:

Thank you.

P.O. GREGORY:

All right. Congratulations.

Okay, I'm going to make a motion to take 1188 out of order. It's in Ways & Means, **1188(-15) is a Resolution confirming the appointment of Barry Paul as the Suffolk County Treasurer (County Executive)**. Do I have a second.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. Same motion, same -- I make a motion to approve. Second by Legislator Schneiderman. Mr. Paul, please come forward. Hopefully we can finish this by 12 o'clock. Okay. Anyone have any questions; questions, complaints, concerns? Legislator McCaffrey, Legislator Krupski.

LEG. McCAFFREY:

Thank you. Mr. Paul? Over here. Hi. How are you?

MR. PAUL:

I'm fine, thanks, Legislator.

LEG. McCAFFREY:

Good, good. Obviously -- have you familiarized yourself with the operation in the Treasurer's Department?

MR. PAUL:

I did spend recently an afternoon there meeting the staff and talking to the team that's out in Riverhead, and also the office in Hauppauge, yes.

LEG. McCAFFREY:

Okay. Your thoughts on how the operation is running right now?
I know it was only an afternoon.

MR. PAUL:

(Laughter), exactly. They're in a little bit of a lull right now. Their busy season's about to start when we get to the summer, as you understand. They have --

LEG. McCAFFREY:

I spent an afternoon there as well.

MR. PAUL:

Yes. They have some technology that helps them with the accounting and the tax processes. The front desk looks like it could use some kind of automation and help with the telephone system. I think the employees there have some good ideas that need to be reviewed and understood, and that would be part of my plan initially is to sit with the employees, get the improvement plans they may have initiated but haven't completed yet. And for those folks that have ideas that they would like to see implemented, I would help -- encourage them and remove the boundaries that have been in the way in the past to implementing those improvements. But I do think the office is down many staff positions, there's a lot of empty desks. And I don't look -- it doesn't seem to me that it's been reorganized to accommodate some of those things, just by looking at empty desks. So I would do a complete employee capacity assessment to see that there's the right staff in the right places to support the constituent services that are needed there, as well as the internal financial functions that are there.

LEG. McCAFFREY:

And in your former employment with the County, what was your roll?

MR. PAUL:

Are you speaking of Nassau County or Suffolk County.

LEG. McCAFFREY:

No, no -- well, yeah, Suffolk County most recently. You've been with us for how long?

MR. PAUL:

For three years. My assignment was Deputy Commissioner in the Department of Health Services until this past January.

LEG. McCAFFREY:

Okay.

MR. PAUL:

My current assignment is the Director of Performance Management in the County Executive's Office.

LEG. McCAFFREY:

Okay. And in your role as the performance manager -- and how long did you have that role?

MR. PAUL:

Since January of this year.

LEG. McCAFFREY:

January of this -- okay, so only recently then. Okay. And your Nassau County experience?

MR. PAUL:

Eight years in the Office of Management & Budget as Deputy Budget Director, Chief Deputy Budget Director and Director of Performance Management.

LEG. McCAFFREY:

Okay. Did you have any experience in the Treasurer's Office there?

MR. PAUL:

Yes. In Nassau County, the finance vertical included OMB and the Treasurer's Office, so I worked very closely with the Treasurers in the Nassau County Office of the Treasurer, and we worked very closely on bond upgrades and cash flow management and putting all of these functions in place. Previously, when we first got there, all of those functions were handled by outside consultants. So it was our job in OMB and the Treasurer's Office to bring those type of functions in-house to be done by County employees.

LEG. McCAFFREY:

And I'm sure you're well aware that this -- it's going to -- well, a couple of things could happen. At the very least, you're expected to not stay in that position or not run for that position; is that what I understood?

MR. PAUL:

That's correct.

LEG. McCAFFREY:

Okay. So you expect this to be kind of a short-term gig for you?

MR. PAUL:

That's correct.

LEG. McCAFFREY:

Okay. That's all I have.

P.O. GREGORY:

Okay, Legislator Krupski.

LEG. KRUPSKI:

Thank you. I think Legislator McCaffrey asked a lot of the questions that I was going to ask, the principle one being, you know, what your short-term plans were in that office and what your impression of it was.

I think you've come to me pretty highly recommended because of your success, your recent success in the Health Department. And I think it's good to have a fresh set of eyes going into a County department to look at something that is undergoing a great deal of transition. Whether it's this year or in a few years, the transition's coming and I think it's good to have somebody come in sort of from the outside, even though you're already with the County and that's an advantage, but coming in and taking a look at that, and I think your services could be very valuable there.

P.O. GREGORY:

Okay, Legislator Lindsay.

LEG. LINDSAY:

Good evening, Mr. Paul. Thank you for coming in. As the sponsor of the merger legislation, I spent a considerable amount of time going through the Treasurer's Office and looking at the functions there and some of the policies and formats in which they go through their day-to-day functions. At last check there was about 15,000 tax abatement grievances in backlog. I don't know if you had an opportunity to review any of that information, the afternoon that you spent there, and I understand it was just a short period of time.

MR. PAUL:

I did meet with the staff that processes those tax refund payments and they worked very hard, but I don't know that anybody reviewed the process in quite some time. So that would be a high priority, just as it was in the Health Department, to look at those processes with high backlogs, high cycle times and go after these as priorities. So absolutely, that's an area that would be priority.

LEG. LINDSAY:

I appreciate your willingness to prioritize that. Because to me, that is one of the key functions of that department, and to make taxpayers have to wait a year or more to get the money that they overpaid to the government to begin to me is unforgivable and we should be devoting every resource possible to getting those people back their funds as quickly as possible.

And I think to further exacerbate the issue is that there's now groups of homeowners that were affected by Sandy that are due. Not small funds but large amounts of money, in some cases their entire tax bill for a year or more, and to hold that -- to hold up those refunds to me is obviously an issue that -- I am encouraged that that would be a key priority to you.

At the last -- my last meeting with them, the system that they had in place very little automation that was being utilized and they can clear about 50 of those documents per day. Do you see an opportunity to utilize some type of automation or technology to expedite that process and to allow them to increase that number?

MR. PAUL:

Yeah, I do see an opportunity there. We need to look at the process. It seems to me and, you know, I don't know this a hundred percent for sure, but it seems to me there's a lot of manual calculations of the reassessed values and individual tax rates, sometimes for multiple years, and perhaps we could bill data sets that could automate those processes. Tax rates are things that should be known, they should be in a data file someplace so that you can just apply those new assessed values right into the -- load them into the system and have the system recalculate. They may be oversimplifying it, but at first blush I think there's more automation that could be put there.

LEG. LINDSAY:

Okay. Do you also -- again, I understand it was a very short amount of time you had to spend there, but it seemed like the department was very paper heavy. There was still the utilization of paper files and, again, limited automation. Is there -- do you think there's an opportunity there to move it more towards a paperless-type environment, for lack of a better word, and to possibly get it to a position where whether or not you can achieve that in the short amount of time you're going to be there, but get it at least into a position where it could be paperless and then some of the information or more of the information can be accessed from an on-line database rather than having to write to the Treasurer's Office to get the information or come into the Treasurer's Office to get the information.

MR. PAUL:

As was an objective in the Health Department, to make the department accessible 24/7 through on-line engagement is an absolute objective. To do as much digitally as possible and to have citizens have access to the office around the clock with the appropriate on-line engagement is something we'd like to design in many places in the County. But having seen the amount of customer interface that goes on out there, in particular after the Tax Receivers, you know, cut off their date for receiving tax checks, it certainly makes a lot of sense to move to towards that objective.

LEG. LINDSAY:

Okay. And my final question, next month we're going to be considering some legislation to expedite the merger, and I'm glad to see that my colleagues agree that the merger was the right thing to do and it was a good idea, to the point where they want to expedite it and do it sooner rather than the initial intention of the legislation.

How long do you think it would take you to go through the department and assess the possibility or the impact that expediting the merger would create on not only the Treasurer's Office, but also the Comptroller's Office, since the two departments would be put under one umbrella.

MR. PAUL:

Well, that's a very good question. I wish I had a real good answer for you. It will take some time to understand all the stakeholder needs as well as the internal needs. And certainly the Comptroller, who is going to be the owner of these functions and services, has a large voice in what an expedited schedule will mean. But certainly I would think in 30 to 60 days I'll have a better feel for what the Treasurer's Office can do, and I assume the Comptroller is thinking about that as well. But we need to think about it in terms of how the functions will operate together and what the new model will look like, and whether that can be done by the end of the year or not is a good question right now.

LEG. LINDSAY:

Okay. Thank you for your input. I wish you the best of luck and I look forward to working with you.

P.O. GREGORY:

Okay, Legislator Cilmi.

LEG. CILMI:

Thank you. Hey, Barry. So you are currently the Director of Performance Management; correct?

MR. PAUL:

Correct.

LEG. CILMI:

What is Tom Melito's title these days? I thought he was the Director of Performance Management?

MR. PAUL:

He is the Deputy County Executive for Performance Management.

LEG. CILMI:

Ah. So we have a Deputy County Executive for Performance Management and a Director for Performance Management. Now, in your roll as Director of Performance Management, what are your responsibilities?

MR. PAUL:

My two prior responsibilities are to stand up, Suffolk Stat which is a performance measurement tool that the County will use in all the departments of the administration to improve County operations; and secondly, to stand up a County-wide and the administration departments, a County-wide, Continuous Improvement Training Program. We are going to partner with Stony Brook University to deliver the training and our objective is to touch all the employees in the County with continuous improvement, language tools that can assist them in their everyday -- improving every day work that they're functioning with each day. So, those are my two main programs.

LEG. CILMI:

What do you mean by stand up?

MR. PAUL:

These are the two brand new programs initiated by the County Executive in the 2015 budget. So they did not exist previously, so they're brand new programs that need to be rolled out to the departments, work with the departments. Suffolk Stat will involve some technology enabler to present data in an information format that managers can use to make day-to-day decisions. And certainly, the collaboration with Stony Brook is developing a training program for all levels of employees; that's not a small task. So a training program that can communicate with Executives as well as with front-line employees who deal with constituents every day.

LEG. CILMI:

Okay. So you've described your primary functions as Director of Performance Management basically in two categories; one is to roll out this -- what did you call it, Suffolk Stat?

MR. PAUL:

Suffolk Stat.

LEG. CILMI:

Suffolk Stat, which is a cross-department statistical modeling, basically.

MR. PAUL:

Correct.

LEG. CILMI:

And as well as a training program that's expansive throughout the County. What's going to happen with those two initiatives that are prime among your responsibilities with you taking on the role now of interim Treasurer, or Treasurer?

MR. PAUL:

We, we moved them quite along the line with regard to design, so we've designed Suffolk Stat. There are staff there who can assist in the implementation. The County Executive, if you remember, put resources in the 2015 budget to bolster performance management and to bring these programs out.

I've had three months to help design Suffolk Stat. I've also -- we're at the point with Stony Brook of negotiating a contract. So to a large extent, the design of both programs are in place.

LEG. CILMI:

Okay. So --

MR. PAUL:

They can afford for me to work on the Treasurer's task while Stony Brook does the training over the next six months and while Suffolk Stat is rolled out to the departments.

LEG. CILMI:

So explain where you're at with Suffolk Stat, then. What exactly has been designed at this point?

*(*The following was taken by Lucia Braaten - Court Stenographer
and was transcribed by Kim Castiglione - Legislative Secretary*)*

MR. PAUL:

We're designing an enabler, Technology Enabler in SharePoint. It basically will provide departments with an input environment to put data, goals and objectives that are in alignment with strategic goals and visions of the County, the missions of the departments. And those departments will be able to input that data, including plans and targets for the data into the system, and the system will monitor those -- the performance against targets on a monthly basis.

LEG. CILMI:

And I'm somewhat familiar with SharePoint. That takes quite a bit of training.

MR. PAUL:

The Department of IT has been developing for the last three months the SharePoint environment, so the development of the tool is being done by County IT. It won't need to be done by the departments. Departments will just be users of the enabler.

LEG. CILMI:

But in order to be an effective user, there's got to be training, and with SharePoint it's got to be extensive training.

MR. PAUL:

That's not my understanding. The design of this tool is for -- with very simple, quick start training that you just input your data and your text in the field as indicated. I've seen a demo of it. It does not look to be any kind of high tech user environment. This looks to be a very low tech user environment.

LEG. CILMI:

So you feel like you've already gotten that to the point where it's sort of off and running, and that your management or leadership of the rollout of that department-wide is not going to be necessary, and you've yet to sign a contract with Stony Brook in terms of their training for what I believe to be a Lean initiative in the County. And you still feel like you're not necessary for that role going forward this year?

MR. PAUL:

As you already noted, Tom Melito is running the Performance Management Team. He's still there, and the County Executive put additional resources in place. We have hired IT professionals or transferred IT professionals inhouse into a Performance Management environment. They're the folks building the SharePoint Technology Enabler. And we've also brought on --

LEG. CILMI:

They're now in Performance Management?

MR. PAUL:

They're in the County IT Department dedicated to Performance Management.

LEG. CILMI:

When you were hired, if I recall correctly, you were introduced to me as a Performance Management guy who was going to be assigned to the Health Department.

MR. PAUL:

I was a part-time member of the Performance Management Team, yes, while I was at the Health Department.

LEG. CILMI:

Right.

MR. PAUL:

My full role was Deputy Commissioner with day-to-day operating responsibilities. I was a part-time member working on initiatives in the Health Department.

LEG. CILMI:

What has the Deputy Commissioner of the Treasurer's Office been -- or the Deputy Treasurer I should say, what's he been doing on these past few months?

MR. PAUL:

I can't answer that for you. You'd have to ask him.

LEG. CILMI:

Well, surely you've had a conversation with him.

MR. PAUL:

I've had many conversations with him about current operations. I have not, you know, sat down and done a personnel assessment with him in terms of what his accomplishments have been in the last three months, no.

LEG. CILMI:

Is he managing the department as far as you can tell?

MR. PAUL:

I've been there for one afternoon. I can't give you an assessment of anybody's performance in the department based on that.

LEG. CILMI:

What would prevent you from continuing in your current role as the Director of Performance Management, and as the Director of Performance Management, spending some time in the Treasurer's Office, some quality time if you will, with the leadership in the Treasurer's Office developing programs that might improve the operations of the Treasurer's Office, but that wouldn't necessarily require your undivided attention.

MR. PAUL:

In my opinion, there's a very large difference between being an invited guest making recommendations and being a leader in charge of making change.

LEG. CILMI:

Well, that's true, but that wasn't my question.

MR. PAUL:

Could you restate it then.

LEG. CILMI:

Yeah. Well, I mean, in your role as Treasurer you would have to work with the Comptroller who, as you said, would eventually take on the role of leadership in the combined department anyway. So I assume that much of what you'd be doing in the department for the next few months would be developing systems that would work sort of in that environment. So my question is, and they already have a Deputy Commissioner. Why not just consult with the Deputy Commissioner on a regular basis and allow that Deputy Commissioner to do the work that, quite frankly, he should be doing right now in the absence of the Treasurer?

MR. PAUL:

Based on what I've seen and what I've heard from different Legislators, there's a change that needs to be made there immediately. And that would be my role.

LEG. CILMI:

Define change.

MR. PAUL:

Reduce the backlog in tax refund payments significantly.

LEG. CILMI:

So as the Director of Performance Management, surely your role includes Countywide developing systems that would reduce backlogs, that would allow us to operate more efficiently. Why couldn't you do that as the Director of Performance Management? Do you feel like the current team in the Treasurer's Office wouldn't embrace that assistance?

MR. PAUL:

Well, I think I said that the first time around. I think there's a big difference between being a guest who's recommending a change versus a leader who is responsible to make the change.

LEG. CILMI:

Well, one way or the other you have to get buy-in from the employees, right? You know as a Performance Management guy that unless you have buy-in from the employees you're not going to get things accomplished.

MR. PAUL:

I wouldn't necessarily agree with that. That is -- obviously that's what you would strive for, but at the end of the day, if you're leading a department, you make the choices and you make the decisions.

LEG. CILMI:

And your current salary as Performance Management Director?

MR. PAUL:

One thirty-two.

LEG. CILMI:

And will that be changing in your new role as Treasurer?

MR. PAUL:

It will change for six months, yes.

LEG. CILMI:

To what?

MR. PAUL:

One eight-seven.

P.O. GREGORY:

Legislator Lindsay.

LEG. LINDSAY:

Barry, I think we've spoken and we've identified that there's some issues that currently exist in terms of backlogs and so forth within the Treasurer's Office. You obviously have, from reviewing your resume, you have extensive experience in terms of merging departments and creating more efficient systems and functions. In your opinion, is that a task you'd be able to complete on a part-time basis or would you need to be in the department working on daily basis full-time?

MR. PAUL:

To do day-to-day management of the department, to continue the constituent services that need to be done on a regular routine basis, and get an in-depth assessment of all the processes and functions in the Treasurer's Office is a full-time job, especially for someone who's going to be interim. And to get the value that I'm designing to get out of this effort, I need to spend my time there, 110%.

LEG. LINDSAY:

And then, again, using your past experience in merging departments for other government functions, when those merges occurred, were there growing pains or were there issues that arose during that initial merger?

MR. PAUL:

There always are. Things change during the process. People leave. Stakeholders change. Sometimes rules change. And you have to be aware and do your due diligence of all the component parts of both the two existing functions that are going to be merged and then what the new model is going to be to make sure there's no gaps, particularly in stakeholder services.

LEG. LINDSAY:

So then wouldn't you agree that you would want to delay or hold off that merger until a department was fully functioning without backlogs and more efficient, as opposed to less efficient, and had systems in place that would make that merger go more -- as smoothly as possible. We know there's going to be bumps in the road and nothing's going to guarantee that those aren't going to occur but, you know, in an effort to make the merger successful wouldn't you want that department before it's handed over to the Comptroller, wouldn't you want it to be as efficient and have as light a backlog as possible?

MR. PAUL:

I think that would be highly desirable, both from a constituent's perspective and also from the Comptroller's perspective. The Comptroller is going to have a lot to do with the -- absorbing these functions and continue them on an ongoing basis. So, yeah, I would agree.

LEG. LINDSAY:

Would your plan as part of that merger be to get the Comptroller's input and have his buy-in as --

MR. PAUL:

Absolutely. That's the second part of my role, because I have experience in going through the due diligence process for this. Secondly, my role would be to meet with the Comptroller and the County Executive and further the merger along and add value wherever I can.

LEG. LINDSAY:

So then to kind to go back to the question I asked you before, about that it would take you some time to assess the department, I mean, you'd also have to collaborate with the Comptroller at the same time to get his input and his assessment in terms of not only when the department is ready to be handed over, but also when he's ready to bring it inhouse and is comfortable with the processes that are in place and the personnel that's in place in order to make it as smooth a transition as possible.

MR. PAUL:

Absolutely. I would be working in parallel on the -- on coordinating with the Comptroller and the County Executive on -- not only just moving the finance and taxation functions into the Department of Audit and Control, but again, trying to make -- trying to provide added value and added cost savings over and above what was originally designed into the merger.

LEG. LINDSAY:

And, you know, with all due respect to my colleague, I think it would be impossible for you to do that function along with the current job that you're in. I mean, we had a full-time Treasurer who was in place, who was there on a full-time basis. To try to replace that person with somebody part-time in the midst of transitioning that department for a merger, in the midst of trying to get a backlog that's existed for a long period of time cleaned up, it just sounds like we would be setting you up for failure if we asked you to do it on a part-time basis. Would you agree?

MR. PAUL:

Yeah, I would agree, yes.

LEG. LINDSAY:

Thank you.

P.O. GREGORY:

Legislator McCaffrey.

LEG. MC CAFFREY:

Thank you. Mr. Paul, let me ask you, so for the last three months you've been in Performance Management; correct?

MR. PAUL:

Correct.

LEG. MC CAFFREY:

What have you done in the last three months?

MR. PAUL:

I just explained that to Legislator Cilmi. I'll do it again. I've been establishing the design for the Suffolk Stat Program.

LEG. MC CAFFREY:

Okay, you're right. I did hear that. Now, who would do that job if you were to move over to -- is there someone who will be moving into that spot to continue that work?

MR. PAUL:

No. There'll be no person filling my vacant position in the County Executive's Office.

LEG. MC CAFFREY:

So the work that you were doing, which would -- I understand is important work, will stop?

MR. PAUL:

It won't stop. It will be assumed by other staff in the County Executive's Office. Because it's a priority they'll assume some of these -- some of the functions for Suffolk Stat and the continuous improvement program.

LEG. MC CAFFREY:

So it's fair to say then if you weren't there someone else could merely fill in for you?

MR. PAUL:

In the current development of the programs, yes.

LEG. MC CAFFREY:

Okay.

MR. PAUL:

My expertise was in designing those programs and rolling them out.

LEG. MC CAFFREY:

We had you doing that. Now, we've come up with this idea to move you to the Treasurer's Office, and we quickly find somebody that can fill in the role that you were doing?

MR. PAUL:

The people are already there. They were hired with me in January.

LEG. MC CAFFREY:

So we had too many people?

MR. PAUL:

No.

LEG. MC CAFFREY:

Well.

MR. PAUL:

We had the people who were budgeted and proposed in the 2015 budget that was passed.

LEG. MC CAFFREY:

I'm not talking about what was budgeted, I'm talking about people that do the job.

MR. PAUL:

We don't have too many people to do the job.

LEG. MC CAFFREY:

Let's just go back a second. I said if you were to move over to the Treasurer's Office, correct, the important work that you were doing for these three months so far, day in and day out, you said without skipping a beat someone else who's already on the payroll can come in and do what you were doing.

MR. PAUL:

They can fill in for me, yes.

LEG. MC CAFFREY:

Okay. So we have -- either we had or we have too many positions in that -- in that department.

MR. PAUL:

No, there'll be -- this is priority work. Not all work is the same priority. Other work will be delayed, but not the priority work.

LEG. MC CAFFREY:

I don't think that was the answer to the question I asked.

MR. PAUL:

That's the answer that I'm providing.

LEG. MC CAFFREY:

That's the answer you're willing to give?

MR. PAUL:

That's I'm going with.

LEG. MC CAFFREY:

That's what you're going -- okay. George, could you -- Mr. Presiding Officer, can I ask the Counsel a question? George, the statute as you know it, is there a requirement to fill the Treasurer's position?

MR. NOLAN:

Yes.

LEG. MC CAFFREY:

Is there a time limit that's specified in the statute for filling that position?

MR. NOLAN:

No, the Charter doesn't give a time frame for when it has to be filled.

LEG. MC CAFFREY:

So there's no sense of urgency right now that we had to have that position filled, the Treasurer's position, according to the statute?

MR. NOLAN:

The statute doesn't set forth a time in which it must be filled. It says it shall be filled by appointment by the County Executive subject to our approval.

LEG. MC CAFFREY:

So there's no time constraint that says we need to do this right now?

MR. NOLAN:

There's no time set forth in the Charter.

LEG. MC CAFFREY:

Okay. Mr. Paul, you had mentioned before about you had heard about backlogs in the -- in terms of getting assessment rolls out or getting the rebate checks out?

MR. PAUL:

Correct.

LEG. MC CAFFREY:

Can you expound on that?

MR. PAUL:

There's over a 12-month backlog and upwards of 15,000 payments that are due to go out that have been approved by the courts that have not been issued to residents and commercial business owners. That's excessive.

LEG. MC CAFFREY:

Okay. Thank you.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. I don't know where to start. I guess I want to start first with the time period in which to fill the position. It would seem to me that if the Charter is silent as to time period then it would either be a reasonable time to fill the position. So, you know, it leaves it open to interpretation. Would it be two weeks or ten weeks, but certainly the Charter does contemplate filling the position. I also want to agree with Legislator Lindsay, that we've had a full-time Treasurer and Deputy for I don't know, 40 years, or however long it's been. I mean, we're sitting here tonight arguing that now suddenly, magically an entire department no longer requires the department head. I mean, it may be true, it may be true that for the short period of time that they are managing the department and running it, but to suggest that the department head should not be in its position is to say well, why did we have an elected Treasurer for all these years? I don't understand how we can say that you're going to handicap this office for the next ten months by not putting the Treasurer in place. That's the very person who has to run the entire office. The Deputy might be responsible for day-to-day operations, but certainly no one would suggest while the Deputy was running the office while Angie Carpenter was there, that she wasn't off doing other things that a Treasurer does. I mean, to suggest that the Deputy can do it all for the long-term I think is just misplaced. I don't agree with that. I think that you need to have a -- you know, it's similar to we're department heads in our district offices. I mean, can our offices run day-to-day? Yeah, they can, but at the same time, you need to have the person that's accountable, that's heading the department. That would be yourself.

So in any event, I think that we do need to fill the position. I don't think we should handicap the department, especially one that's 12 months behind now in getting out taxpayer refunds. I mean, we're talking about -- that's not money that would go into the County budget, that's refunds and interest expense that taxpayers are owed or being paid that would be made up for them. I just don't know how we suggest that, you know, let's handicap this office a little bit more and not give it the leadership and the personnel and the very department head to run it. I just don't understand that logic.

Look, this office is going to exist for ten more months. This gentleman before us has experience in County Government, has experience in Suffolk County Government, has experience with Performance Management, has experience with merging offices. I mean, it's a perfect fit, in my view, that we have this gentleman stepping forward who can come in for ten months, not only act as Treasurer, which will be your primary responsibility in my view, you have to act as Treasurer first, and then as part of that you can also start to do your Performance Management evaluation to determine how you want to help to effect the merger, whether it's coming in ten months or whether it's coming in two years and 10 months. We do have to start down that road.

So I think that -- I truly believe that we need to fill the position. I don't think that we should handicap a department that's already showing that it's over a year behind in one of its primary functions. And I would suggest that if and when you get in there as Treasurer, you should set that as a priority.

As far as your Performance Management work being done, I don't have any issue with the fact, and I thought your answer was accurate, that other employees will fill the void as best they can. It doesn't mean everything will get done that you did you, but they'll prioritize and some things may be delayed and other things will be accomplished. That's what we do. It's very similar, again, in a district office. If an Aide goes on medical leave, you don't hire someone else in the interim, usually, and the other staff members pick up the slack. Some things may suffer, some may not, but you have a department head there that's going to figure out what the priorities are.

We have can have a debate, I guess, later on as to whether the merger should be ten months from now or two years and ten months from now, but I think that's a different debate. I think right now we need to have a Treasurer, we need to let the Deputy do the Deputy function, and then we need to decide -- I think we're putting in the right person to make an evaluation as to how that merger can take effect and how it can achieve short-term savings, especially over the next ten months or ten months and two years. So I'm certainly going to support your appointment. And I think it comes -- it can't come a moment too soon. Thank you.

P.O. GREGORY:

Okay. Let's vote. We have a motion and a second to approve.

MR. LAUBE:

Yes, you do.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Twelve. (Legislators Cilmi, Trotta, McCaffrey and Muratore - Opposed; Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

We have a CN I want to take out of order, too. There's some people from Long Island Railroad. They've been waiting very patiently. Sorry about that. ***IR 1174 - Authorizing execution of agreement with the LIRR in connection with the LIRR Second Track Project at Lakeland County Park (SCTM Nos. 0504-018.00-01.00-064.000, 0504-018.00-01.00-066.000, and 0504-019.00-01.00-001.000).*** I'll make a motion to take it out of order. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. Do I have a motion from anyone? All right. I'll make a motion to approve.

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

Second by Legislator Hahn. Anything on the motion?

LEG. TROTTA:

What is it?

P.O. GREGORY:

This is 1174. It's in the red packet.

LEG. MC CAFFREY:

But what is it?

P.O. GREGORY:

It's the LIRR connection with the second track. It's going through the Lakeland County Park. Is Dennis Brown -- is Dennis here?

LEG. CILMI:

If I may, Mr. Presiding Officer. This was an easement that we talked about in committee, and one of the concerns was exactly what they were going to do with respect to the walkway and I think they included some language or they changed the bill to include some language to require some particular types of greenery or what have you on the -- on this boardwalk, which necessitated the CN. How did I do, Dennis?

MR. BROWN:

That was almost perfect.

LEG. CILMI:

The story of my life. Almost.

MR. BROWN:

I thought I heard plantings on the boardwalk, so that was -- but good morning, everybody.

LEG. MC CAFFREY:

Five minutes before it's morning.

LEG. CILMI:

That was almost perfect.

MR. BROWN:

There are many people here from -- (*Laughter*) -- well, anyway, there is a whole planning team from the Long Island Railroad to answer any of the questions that you may have. But, seriously, Legislator Cilmi did sum it up very well. As you know, there is a second track project that runs from Farmingdale to Ronkonkoma for the Long Island Railroad. Approximately one mile of that track runs through the Lakeland County Park. And in exchange for -- I'm sorry. So as they build through their right-of-way on Lakeland County Park they're going to encounter some wetlands. And so the Long Island Railroad, they had to go to the DEC and they had to go to the Army Corps of Engineers to get a wetland permit in order to do the construction within their right-of-way. And the right-of-way, it pre-existed the park and so they absolutely have the right to go into our park and do the work on their right-of-way.

So in connection with the work on the right-of-way, there would be a small loss of some wetland area, .1432 acres. And the Army Corps of Engineers said well -- because they had to do a retaining wall and build a culvert as well. So in exchange for that loss of wetland, the Army Corps of Engineer, they imposed some conditions that you had to do an equal amount .15 acres of environmental mitigation in the park. So two of the projects involved, was a boardwalk over some wetland area, but would give pedestrian access, and also in particular access for disabled people,

people that use a wheelchair and other means for mobility. The boardwalk is approximately 345 feet long. It's about five feet -- about five feet eight inches wide, to accommodate people over wetland area.

And the second part of the mitigation project is to help restore some, I guess, denuded shore area which has become a beach, that there will be some plantings to help bring everything back to its natural state. We did go through CEQ on Monday. It was evaluated by CEQ as an unlisted neg dec action, no significant environmental impact. And I don't know if anybody has any questions about it, but I think that about sums it up.

P.O. GREGORY:

Okay. Legislator Krupski has a question.

LEG. KRUPSKI:

Thank you. Why is the Army Corps of Engineers involved? Do they consider that navigable -- that pond?

MR. BROWN:

They don't consider it navigable. I don't think that it is. I think at times it's dry. But because I believe the Clean Water Act and, you know, there is a lawyer here that does have more environmental experience than I do, but I believe because the Clean Water Act and the impact and so there would have to be a permit from the DEC and the Army Corps.

LEG. KRUPSKI:

I thought that was unusual that the Army Corps would be involved. I'd like -- yeah, I would like an answer on that actually.

P.O. GREGORY:

Okay. We have to hold the meeting up just for a minute. I'm going to make a motion to extend the meeting, you know, midnight.

LEG. CILMI:

Second.

P.O. GREGORY:

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

LEG. SPENCER:

Opposed.

*(*Laughter*)*

MR. LAUBE:

Fifteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay, go ahead.

MR. BROWN:

The Railroad's environmental lawyer.

LEG. KRUPSKI:

Thank you.

MR. OGGERI:

Hi. Bob Oggeri, Long Island Railroad, Director of the Second Track Project. Because of the small area, less than half an acre, it fell under the jurisdiction of a joint application between the US Army Corps and the DEC. So a joint application was filed. Both the US Army Corps and the DEC weighed in on it, and both gave us permits once we designed compensatory mitigation. Again, like Dennis had said, it's about 1432 acres.

LEG. KRUPSKI:

Thank you. I reviewed the plans and I understand the DEC's involvement with that if the town, you know, local municipality had none, but I don't understand the Army Corps involvement in it if it's not navigable waters.

MR. OGGERI:

Yeah, it's a joint application just due to the small area. Freshwater wetlands comes under the purview of US Army Corps.

LEG. KRUPSKI:

Where do they get their regulatory authority from?

MR. OGGERI:

I'll have to pass that on to the attorney.

LEG. KRUPSKI:

All right. To me that's unusual.

MS. MOBLEY:

The Army Corps seeks to regulate areas that aren't just connected to navigable waters, but also are accessible to interstate commerce, such as through migratory waterfowl. And so this is a type of wetland that is regulated by both the Army Corps and the New York State Department of Environmental Conservation.

LEG. KRUPSKI:

You said they seek to regulate those. That doesn't mean they have the authority to regulate those. I mean, that's a problem, I think, country-wide where they're seeking to overreach their current authority.

MS. MOBLEY:

I represent Long Island Railroad. My name is CB Mobley. I'm a lawyer with the law firm of Bryan Cave in New York. Sorry, thank you. The Long Island Railroad denied -- challenged the Army Corps' jurisdiction. If you read the materials, this project was exempt from the State Environmental Quality Review Act and Freshwater Wetlands Act under New York State Law, pursuant to an exemption under the Public Authorities Law of New York State.

When we went to DEC to work with them to ensure that there would be no environmental impact, specifically because of the wetland issues through Lakeland Park, we agreed to seek a permit, because it was a joint permit that also required an application to the Army Corps. There is a nationwide permit that was applicable in this particular case because it's a linear transportation project. Nationwide permits are kind of cookie cutter permits. It had pre-established thresholds. And so this one, as long as you were a linear transportation project beneath I think 0.15 acres of wetland impact, it was a threshold under which you automatically received a permit.

LEG. KRUPSKI:

Thank you. Just a question for Dennis Brown. So we're -- the MTA is building the boardwalk?

MR. BROWN:

Yes. In fact, I just wanted to add one thing, Legislator Krupski. The only thing that was before CEO and the only thing that's before -- was before the Legislature is the access agreement and the environmental determination. The Long Island Railroad, in connection with their project, they are exempt from SEQRA review generally under 1266 of the Public Authorities Law, and notwithstanding their exemption, they did do their own environmental impact over the second -- the Second Track Project. There was a finding of no adverse significant -- no -- a finding of no adverse significant environmental impact at that time. But as part of the project package they did have to make that application to the DEC and the Army Corps and the condition of the permit was the environmental mitigation in the park.

LEG. KRUPSKI:

No, I understand all that. I reviewed the file and I understand the remediation. And I also, from experience, understand the MTA or the Long Island Railroad has a very good track record recently of environmental stewardship when they conduct the operations. But that wasn't my -- my question was why the Army Corps of Engineer was involved. That was my question and I think that was -- I'm not satisfied with the answer, but I think that's what you're going to give me tonight -- this morning, so.

MR. BROWN:

Yes. I just didn't -- it's not the project. I was just trying to illustrate, and I respect your point that you understood it, it's just that that -- I don't know if you did know that or not. It's not the project that we were looking at. But I think in answer to your question, the Army Corps is building the boardwalk. The mitigation is at their expense. The CEO recommended also that the Long Island Railroad and parks take a look at using engineered materials instead of lumber with respect to the construction of the boardwalk and both the Railroad and parks are agreeing to that and they'll look into that.

LEG. KRUPSKI:

That's standard building materials for light penetration, it's not complicated. So where -- the Parks that are responsible for the maintenance of the boardwalk, once the MTA builds it, we own it?

MR. BROWN:

Actually with respect to the mitigation project, there is a five-year commitment from the Railroad. As far as the plantings are concerned, there has to be at least an 85% survival rate of the planting part -- of the plantings, which are part of the mitigation effort, and the maintenance of the boardwalk, once it's built, that's Parks.

P.O. GREGORY:

Okay. All right. Legislator Lindsay.

LEG. LINDSAY:

Dennis, I just had a quick question for you. There was -- apparently there was a letter that was sent by the Village Mayor -- the Islandia Village Mayor?

MR. BROWN:

Yes, he sent that to CEO on Monday.

LEG. LINDSAY:

Is there any possibility of them mounting a legal challenge that could hold this up?

MR. BROWN:

The answer to that question is yes, but I also do not think that there is merit to the five points that he raised in his letter. Two of his points related to the classification. The classification is an unlisted as recommended by the Planning staff. We happen to agree with that. And at the CEQ meeting the Planning staff rejected Islandia's argument that it should be a Type I classification.

Another argument that he made was that there was -- alienation was an issue, and we don't think that alienation is an issue at all. There's absolutely no loss of the park. There's only enhancement to the park. Access to the park is through public access ways. The access to the right-of-way is over -- is over access ways that already exist. With respect to some of the mitigation that has to be done, there does have to be some new access construction, but it's going to be all restoration for any work that's done for the mitigation. So the impact is de minimus, none of it is permanent. We lose nothing and it's only enhanced.

He raised two other points with respect to the project, not the mitigation. In one point he talked about weight restrictions on village roads and in another point he said that he should be part of the access agreement. I say he, which is Mayor Dorman, actually I should, I guess, refer to it as the Village. But they did make the point that they should be part of the access agreements since access is occurring through roads that go through the Village. We don't agree with that either.

LEG. LINDSAY:

Okay. Thanks, Dennis.

P.O. GREGORY:

Legislator Hahn.

LEG. HAHN:

No, I think that this is a good project. I think that -- and you missed the 85% that has to survive of the plantings is for five years.

MR. BROWN:

Five years, yes.

LEG. HAHN:

Five years and 85%. So I just had one quick question based on what came up. Who was responsible for the surveying of the size of the acreage?

MR. OGGERI:

We had an outside environmental consultant survey the area and they came up with the area. We went back and forth a few times between the DEC and Suffolk County Parks. The original area they were looking for, the one to one mitigation, so about .15 acres. We actually had one area in mind, the beach area that we all talked about. That wasn't big enough, so we had to create another area. And there was some wetland creation and some enhancement. So it was a combination of a couple of items. But Amy Greene's office, an environmental consultant, actually did the wetland survey and so forth.

LEG. HAHN:

And they measured what was lost, the amount lost as well?

MR. OGGERI:

Actually the amount lost, you're talking about on the Long Island Railroad right-of-way?

LEG. HAHN:

Yes.

MR. OGGERI:

That was done by the original consultant, STB. They actually delineated the wetland area and we actually brought the DEC out to confirm the delineation.

LEG. HAHN:

So the DEC confirmed that?

MR. OGGERI:

Yes. It's about a six-and-a-half foot wide strip that runs about 1,000 feet.

LEG. HAHN:

Right. Okay. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Fifteen. *(Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).*

P.O. GREGORY:

Okay. Motion passes. All right. Let's see if we can get through this pretty quickly.

MR. LAUBE:

Sixteen (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Page 7, ***Budget and Finance. IR 1122 - Amending the 2015 Operating Budget and transferring funds to provide funding for LIGALY(Long Island Gay and Lesbian Youth).*** I make a motion to approve.

LEG. HAHN:

Second.

P.O. GREGORY:

Who was that? Second by Legislator Schneiderman. Anybody on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. Bill passes. ***IR 1145 - Revenue Anticipation Note Resolution No. - 2015, Resolution Delegating to the County Comptroller the power to authorize the issuance of not to exceed \$75,000,000 Revenue Anticipation Notes of the County of Suffolk, New York, in anticipation of the receipt of certain revenues for the fiscal year ending December 31, 2015, to prescribe the terms, form and contents of such notes, and to provide for the sale and credit enhancement thereof.***

LEG. D'AMARO:

Motion.

P.O. GREGORY:

Motion by Legislator D'Amaro, second by Legislator Stern. Anyone on the motion? All in favor? Opposed? Abstentions?

LEG. TROTTA:

Opposed.

LEG. MC CAFFREY:

Opposed.

MR. LAUBE:

Thirteen. (Amended to 12 - Legislators Trotta, Muratore and McCaffrey - Opposed; Legislator Cilmi - Not Present; Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. *IR 1165 - Accepting and appropriating a grant award from the State University of New York, for a Workforce Development Training Program Entitled "LNK Pharmaceutical – Quality Program," 91% reimbursed by State funds at Suffolk County Community College.*

Motion by Legislator Anker, second by Legislator Hahn. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1166 - Accepting and appropriating a grant award increase from the State University of New York, for a Workforce Development Training Program for Sea Tow Services, International Inc. – Phase 2, 93% reimbursed by State Funds at Suffolk County Community College. Same motion, same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1169 - Accepting and appropriating a grant award increase from the United States Department of Education for a Student Support Services (TRIO) Program grant, 95% reimbursed by Federal funds at Suffolk County Community College. Motion by Legislator Martinez, second by Legislator -- who was that?

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

Hahn. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. *IR 1161 - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Traffic and Parking Violations Agency (Traffic Court Administrator).*

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. ANKER:

Second.

P.O. GREGORY:

Second by Legislator Anker. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1184 - Authorizing the retirement and use of Workforce Housing Development Rights banked in the Suffolk County Save Open Space Bond Act Workforce Housing transfer of Development Rights Program Registry for use in the Development of Affordable Housing in Miller Place.

LEG. ANKER:

Motion.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

LEG. ANKER:

Cosponsor.

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1034 - Designating April as Donate Life Organ Donation Month in Suffolk County. We did that, right?

MR. NOLAN:

We did the CN.

P.O. GREGORY:

Gotcha. *IR 1149 - Amending the 2015 Adopted Operating Budget to re-allocate County funding from Pederson Krag Center to Family Service League, Inc., and Federation of Organizations to provide Mental Health Clinic Services and Mobile Clinic Services.*

LEG. SPENCER:

Motion.

P.O. GREGORY:

Motion by Legislator Spencer.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by Legislator D'Amaro.

LEG. SPENCER:

We didn't vote on 1034 yet.

P.O. GREGORY:

We didn't? Oh, okay. All right. So all in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. Back to 1034. We did not vote earlier. ***IR 1034 - Designating April as "Donate Life-Organ Donation Month" in Suffolk County.*** Motion by Legislator Stern, second by Spencer. All in favor? Opposed? Abstentions?

LEG. SPENCER:

Cosponsor.

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1029 - Authorizing use of Smith Point Park property by Getco Company, between the Ports and Event Power, Long Island, for a triathlon. I'll make a motion.

LEG. CALARCO:

Second.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Calarco -- motion by Legislator Calarco, second by Legislator Muratore. How about that? All right. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1128 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with Fencing and Surveying Various County Parks (CP 7007). Motion by --

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

Legislator Krupski. Okay. Second by Legislator Schneiderman. On the motion anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1128A, Bond Resolution, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$50,000 Bonds to finance the cost of fencing and surveying of various County parks (CP 7007.414).*** Same motion, same second. Roll call.

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

MR. LAUBE:

Can I get the motion and second on that?

P.O. GREGORY:

Krupski, Schneiderman.

MR. LAUBE:

Thank you.

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

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

No.

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

No.

LEG. BARRAGA:

No.

LEG. TROTTA:

No.

LEG. MC CAFFREY:

No.

LEG. STERN:

Yes.

LEG. D'AMARO:

No.

LEG. SPENCER:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Ten. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

The bond fails. All right. ***IR 1129 - Appropriating funds in connection with the purchase of Heavy Duty and Other Equipment for County Parks including Vehicles (CP 7011).*** I'll make a motion.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen. Fifteen on that.

LEG. MC CAFFREY:

Tim, I'm sorry. I'm a no on that as well. I'm sorry, I lost track there.

MR. LAUBE:

Fourteen. (Legislators Cilmi and McCaffrey - Opposed; Legislator Browning - Excused Absence; District #12 - Vacant Seat).

LEG. MC CAFFREY:

DuWayne was really quick on the trigger there. I know it's getting late.

P.O. GREGORY:

Okay. *IR 1129A, Bond Resolution, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$220,000 in Bonds to finance the cost of acquisition of heavy duty and other equipment for County parks including vehicles (CP 7011.530).* Same motion, same second. Roll call.

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

P.O. GREGORY:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

No.

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

No.

LEG. BARRAGA:

No.

LEG. TROTTA:

No.

LEG. MC CAFFREY:

No.

LEG. STERN:

Yes.

LEG. D'AMARO:

No.

LEG. SPENCER:

Yes.

MR. LAUBE:

Ten (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

All right. ***IR 1160 - Authorizing use of Blydenburgh County Park by the Care Center for its Annual Walkathon Fundraiser.*** Motion?

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1162 - Appropriating funds in connection with Improvements and Lighting at County Parks (CP 7079).*** Motion by Legislator Schneiderman. I'll second.

LEG. MC CAFFREY:

On the motion.

P.O. GREGORY:

On the motion.

LEG. MC CAFFREY:

Yeah. I have a question. When we were looking at this the last time it had come up and it was in committee, and we were going to get some clarification on this. There was \$50,000 in planning money for this 250,000 bond?

D.P.O. SCHNEIDERMAN:

The Commissioner's here. I mean, I saw him. Bring the Commissioner up. He's here.

P.O. GREGORY:

Okay.

COMMISSIONER DAWSON:

I'm sorry, which one are we on?

P.O. GREGORY:

We are on 1162. Maybe, Kevin, you should repeat the question.

LEG. MC CAFFREY:

Commissioner, this was \$250,000 bond for lighting at County parks and there was 50,000 in planning. I know we talked about this at the committee and I thought you were -- you said that

that may have been incorrect.

COMMISSIONER DAWSON:

No, the one that was -- you were talking about the one with --

LEG. MC CAFFREY:

Over here.

COMMISSIONER DAWSON:

I'm sorry. You're talking about the one with the fencing. This appropriates \$250,000 into our -- and it's not a lighting, it's overall improvements to County parks, which includes lighting. It's general improvement, it's the general improvement line. We collapsed a number of other lines, newly acquired, water supply and energy efficiency, so this goes into all those type projects.

LEG. MC CAFFREY:

All right. So it wasn't lighting and it wasn't 50,000 in planning. Remember we --

COMMISSIONER DAWSON:

Well, there is 50 -- there is \$50,000 of the 200 that's going into planning. The question in committee was asked why would we need planning money, and the answer was that if -- this was used for overall improvements. Say we had a hurricane come through and the roof blew off the West Sayville Golf Course. In order to get that project done in the Department of Public Works we would need plans and blueprints and whatnot to put it out for bid, so that's where the \$50,000 would come in. The 200 in construction would actually do the work.

LEG. MC CAFFREY:

But that seems excessive for planning money, right, for 200,000 for construction? I mean, even by our standards?

COMMISSIONER DAWSON:

I mean --

LEG. MC CAFFREY:

It seems an imbalance. I mean, we're looking at 20% in planning, right, which is high?

COMMISSIONER DAWSON:

Yeah, I think we have -- we have other funds in that account. I think we have another \$200,000 in a previous account that we used for planning for that money as well.

LEG. MC CAFFREY:

So we're looking at -- so you think it's going to be, because we have money in the account, we're adding another 200, make it 400. And it said it would be 50,000 you're setting aside for planning for just for general repairs like we talked about, like if something were to happen with one of the parks, it's not for anything --

COMMISSIONER DAWSON:

Specific, right.

LEG. MC CAFFREY:

Specific. Okay.

COMMISSIONER DAWSON:

We have general accounts for say campgrounds, we have general accounts for marinas, we have general accounts for golf courses, but we have 50,000 acres and we've got a number of other facilities that don't fall neatly into any one of those individual packages. So if we need to do a repair, that's where it would come from.

We used to have a line for newly acquired when we picked up property. If we needed to do work in that property we would do it. A perfect example would be this year we picked up, you know, we added hunting to both the Beagle Club and North Fork Preserve. We used money out of that account to, you know, put in small parking lots around the facility. So that's what that money is used for. I mean, we wouldn't need planning for that because we do that kind of work inhouse. If we needed to do a major repair, we would need planning money. I can't get specific, so.

LEG. MC CAFFREY:

All right. Thank you.

P.O. GREGORY:

Okay. Anyone else? All right. So we're on 1162, right?

MR. LAUBE:

I need a second, though, on that.

P.O. GREGORY:

I thought we did that. Who's the first?

MR. LAUBE:

Schneiderman was the motion.

MR. NOLAN:

It needs the second.

P.O. GREGORY:

I'll second. Okay. Anyone else? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1162A, Bond Resolution(Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$250,000 Bonds to finance the cost of improvements and lighting at County parks(CP 7079.111 and .312).*** Same motion, same second. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

LEG. KRUPSKI:

No.

LEG. BROWNING:
(Excused Absence).

LEG. MURATORE:
No.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. CALARCO:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.

LEG. BARRAGA:
Pass.

LEG. TROTTA:
No.

LEG. MC CAFFREY:
No.

LEG. STERN:
Yes.

LEG. D'AMARO:
This is on the bond?

MR. LAUBE:
Yes.

LEG. D'AMARO:
Pass.

LEG. SPENCER:
Yes.

LEG. BARRAGA:
No to the bond.

LEG. D'AMARO:
I'm going to vote no.

MR. LAUBE:

Nine. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1163 - Appropriating funds in connection with the Removal of Toxic and Hazardous Materials in County Parks (CP 7185).*** Perhaps we can get support for this. Anybody have any objections to removing toxic materials?

D.P.O. SCHNEIDERMAN:

Motion.

LEG. HAHN:

Second.

P.O. GREGORY:

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

LEG. KRUPSKI:

On the motion.

LEG. MC CAFFREY:

On the motion.

P.O. GREGORY:

Okay. I'm sorry.

LEG. MC CAFFREY:

No one, I think, sitting around here is opposed to removal of toxins from our County parks.

P.O. GREGORY:

Well, let's see. The verdict hasn't been delivered yet.

LEG. MC CAFFREY:

It is not the objection to the removal of it, it is the inclusion of it as a bond as opposed to something that we should be, we do this every year, that this is something that should be put in our budget and pay as we go here.

P.O. GREGORY:

Okay. So when a child is sickened by toxic chemicals we'll say you know what? We decided that it's in your best interest that we not bond it, we get cash operating expenses for it. You think a family's going to say okay?

LEG. MC CAFFREY:

No, I'm not suggesting that. And I'm not saying that it's not a good idea that we do this. I'm clearly making a point here that this is something that should be included, figure out a way to pay for this. We do this every year. We bond \$75,000 for the stuff that we're going to be taking away every year. Just like with the fence repair. We have fence repair, \$50,000 fence repair. That should be in our budget. We know we are going to spend that money. We need to figure out a way to --

P.O. GREGORY:

We have \$130 million Capital Program, so you're saying we're just going to eliminate the Capital Program and subsidize it with --

LEG. MC CAFFREY:

No, I'm not talking about the Capital, I'm talking about removing hazardous materials from our parks and our other areas which we know we're going to do every year. We know we're going to spend \$50,000 on fence repair. We should have that as a line item in our budget, in our Operating Budget, not something that we're bonding. If we're building a fence or we're putting in a new fence somewhere that was never existed, I agree with you.

P.O. GREGORY:

Okay. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

You know, you can bring this up when we do the budget, you know, but we approved the budget and we approved the Capital Budget. This was in the Capital Budget. This is a Capital item. It was approved by this Board, and then we make the Operating Budget, you know, based on that Capital Budget to carry the debt service on it. Next time we do the Operating Budget, try to find the money to do these things on a pay-as-you-go basis. I think if you can identify the funding, I think we'll all support it. But this is in the budget. This is in the budget. It's just done as a Capital project. And, you know, there was a number of other items that we didn't get the 12 votes we needed on the bond that were also in that Capital Budget. And, you know, now we got the Commissioner's going to have to run his department without, you know, the equipment that he needs and that's unfortunate. Maybe we'll see those things again. But you can't say it wasn't budgeted.

LEG. MC CAFFREY:

I understand, but we put a lot of stuff in that Capital Budget or we said all right, we're going to come back and we're going to vote on it, you know, we have a second chance. Okay, we'll include it, but we'll still have a second chance, a second bite at the apple. That's how it was explained to me, you know, so I'm just making a point that -- and I'm not saying I'm not going to support the bond on this. I'm probably going to support the bond this, but I just was making the point that I think this is the kind of things that need to be included in our Operating Budget.

D.P.O. SCHNEIDERMAN:

I agree with you.

P.O. GREGORY:

I would almost prefer if you say you're not going to support a bond, that you find an offset to pay for some of these things instead of just voting against it when you're leaving Commissioners and department heads without the ability to function and do the things that they've done for years. I mean, just to vote no and say well, we're just not going to do this anymore, we're not going to bond it, when not even offering an offset I think is irresponsible.

LEG. MC CAFFREY:

I'd offer an offset by not -- I didn't vote to move over an existing salary to put into the Treasurer's Office. And the answer was that his position quickly could have been filled, Mr. Paul's, by somebody else. So obviously we didn't need him. There's 160,000. We could have paid for fences. I'm putting in a bill that's going to -- or his phone system for public safety. And when I do my expedition -- expediting the consolidation we can save \$350,000 this year if we didn't bring Mr. Paul's salary over there. So, yeah, I have some offsets. We're just choosing not to use them.

P.O. GREGORY:

I disagree. But, I mean, you guys -- I won't even go there. All right. Legislator Krupski.

LEG. KRUPSKI:

I have a question for the Commissioner. Don't worry, it's not about an offset.

COMMISSIONER DAWSON:

Yes, sir.

LEG. KRUPSKI:

Could you identify where the toxic parks are and what their contaminants are and what levels?

COMMISSIONER DAWSON:

It's a general account. We use that fund when we want to take down buildings. The Helen Keller House in your district is a perfect example. Before we can take that down we may have to do some asbestos remediation and some lead paint remediation. We use those funds to go in there and do the remediation before we take those buildings down. We're looking to do more of that. If you recall, last year in the Capital Budget we purchased an excavator to be able to do those things inhouse, so we need the funding to be able to -- we can't, like I said, we can't remediate any oil tanks around the facility or, again, asbestos or lead paint. So that's what those funds are going to be used for. We have a number of houses -- a number of facilities.

LEG. KRUPSKI:

Thank you.

COMMISSIONER DAWSON:

You're welcome.

P.O. GREGORY:

Okay. Legislator Trotta.

LEG. TROTТА:

So we don't have any money in the -- how big is your budget, the Parks Department budget?

COMMISSIONER DAWSON:

Now that you mention it, it's at about \$13 million.

LEG. TROTТА:

How much? I'm sorry.

COMMISSIONER DAWSON:

About 13 million.

LEG. TROTТА:

Thirteen million dollars.

COMMISSIONER DAWSON:

Down from 17, but yes.

LEG. TROTТА:

How many County parks do we have?

COMMISSIONER DAWSON:

We have over 50,000 acres. Regional parks there are 25 at least, but hundreds and hundreds of parcels.

LEG. TROTТА:

And every year we bond this?

COMMISSIONER DAWSON:

Which, you're talking about the toxic?

LEG. TROTТА:

Yeah.

COMMISSIONER DAWSON:

Yes, we do.

LEG. TROTТА:

Was it ever in the budget like a budget item?

COMMISSIONER DAWSON:

Not that I'm aware. I think it's always been a Capital eligible expenditure.

LEG. TROTТА:

So if you're removing hazardous waste from some park building or whatever you do to take asbestos down, we're going to be paying for that for the next 18 years.

COMMISSIONER DAWSON:

Well, I'd defer that to Dr. Lipp on how long the bonds are issued for.

MR. LIPP:

It will get interesting because we'll have a new bond issue coming out I believe in May, and we'll see what our new Comptroller wants to do with it. It's up to him.

LEG. TROTТА:

Typically are they 18 or 20 years?

MR. LIPP:

Right. So since 2004 we've started doing level debt service, which basically takes an average, a weighted average of all of the periods of probable usefulness, and they've averaged 18 years. That being said, the last two years, I guess, they did a carve out for settlements and vehicles that were either three or five-year pieces to the overall bond issue, and then they did the weighted average for the remainder.

LEG. TROTТА:

Thanks.

P.O. GREGORY:

Okay. Anyone else? Okay. We have a motion and a second, Mr. Clerk?

MR. LAUBE:

Yes, you do.

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. *IR 1163A, Bond Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$75,000 Bonds to finance the cost of removal of toxic and hazardous materials in County parks (CP 7185.317)).* Same motion, same second. Roll call.

LEG. D'AMARO:

On the motion, Mr. Presiding Officer.

P.O. GREGORY:

On the motion.

LEG. D'AMARO:

Yeah, I just wanted to note that I have voted against bonding in the past. Not necessarily because it's a bond or if we're paying cash, just because just making it a case by case evaluation, and Legislator McCaffrey is exactly right. When we pass the Capital Budget it's a planning document and you do get an opportunity to consider the particular appropriation when the time comes, and that's what I do, and that's what I did in the last couple of votes that we just took. But if we're going to suggest that we're voting against bonds because we'd rather pay cash, I would agree with that also, I'd rather pay cash, but I just -- it kind of begs the question, where are we going to get the cash?

Now, I know that there were some things that were thrown out about policy positions that weren't adopted or haven't been adopted yet, but it would seem to me that I would be more than willing to consider the cash option if you could just tell me where we have ten votes to get the cash. I would be willing to do that. I don't want to bond if I don't have to, but I don't want to shut down County government either. So I agree with you, I think it's a planning document, the Capital Budget. I have voted against particular bonding measures in the past based on the merits of the project. And I do want to pay cash going forward to save the interest costs, as Legislator Trotta always reminds us of, and rightfully so. But we need to come up with the cash. So where are we going to get the cash?

LEG. MC CAFFREY:

Are you asking me?

LEG. D'AMARO:

No, it could be a rhetorical question. You don't need to respond. I'm just making the point that, you know, it can't just be cash for policy items that aren't adopted, whether you like it or not. It has to be real. Because these are real needs and real funding items. So I would just suggest that, you know, if we wanted to operate more bipartisan maybe we should think about if we're going to do away with some bonding, which would be great. I think everyone would want to avoid the interest, and we just need to come up with an alternative source of funding that we can all agree on. Thanks.

P.O. GREGORY:

Okay. Anyone else? Okay. All right. We have a motion and a second on the bond. All in favor? I'm sorry. Roll call.

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

LEG. ANKER:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

No.

LEG. HAHN:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. TROTTA:

No.

LEG. MC CAFFREY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Fourteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. All right. ***IR 1171 - Authorizing use of Blydenburgh County Park by the New York Blood Center, Inc., for its Hike for Life Fundraiser.***

LEG. CILMI:

Motion.

P.O. GREGORY:

Motion by Legislator Cilmi. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1172 - Authorizing use of Blydenburgh County Park by the Curvy Girls Foundation, Inc., for its Straight Walk with the Curvy Girls Fundraiser.

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, I'll second for the Curvy Girls fundraiser. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1174 - Authorizing executive of agreement with the Long Island Railroad -- I'm sorry we did this by CN. I'm sorry.

IR 1183 - Authorizing use of Southaven County Park for the Kara's Hope 5K Run/Walk.

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

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1185 - Designating a "Discover Suffolk County Parks Day" on June 20, 2015.

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. CILMI:

Second.

P.O. GREGORY:

Second by Legislator Cilmi. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1054 - Adopting Local Law No. -2015, A Local Law to amend the membership of the Criminal Justice Coordinating Council. Motion by Legislator Muratore. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1126 - Appropriating funds in connection with the purchase of Sewer Facility Maintenance Equipment (CP 8164).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. I'll second. Anyone on the motion? Oh, I'm sorry. I didn't see you, Al.

LEG. KRUPSKI:

No, no. Good.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1131 - Appropriating funds in connection with Riverhead County Center Power Plant Upgrade (CP 1715). Motion by Legislator Krupski, second by Legislator Muratore. Anyone on the question? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1131A, Bond Resolution (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$2,000,000 Bonds to finance the Riverhead County Center Power Plant Upgrade (CP 1715.116 and .316). Same motion, same second. Roll call.

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

LEG. KRUPSKI:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. TROTTA:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Fifteen -- sixteen. *(Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).*

P.O. GREGORY:

Okay. *IR 1132 - Appropriating funds in connection with Energy Conservation at Various County Facilities (CP 1664).*

LEG. HAHN:

Motion.

P.O. GREGORY:

Motion by Legislator Hahn.

LEG. HAHN:

Tim, cosponsor.

P.O. GREGORY:

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

LEG. ANKER:

Cosponsor.

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

IR 1132A, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,025,000 Bonds to finance the cost of construction for energy conservation improvements at various County facilities (CP 1664.322). Same motion, same second. Roll call.

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

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

No.

LEG. BARRAGA:

Yes.

LEG. TROTТА:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Fourteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. *IR 1133 - Appropriating funds in connection with Construction and Rehabilitation of Highway Maintenance Facilities (CP 5048).*

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski.

LEG. TROTТА:

On the motion.

P.O. GREGORY:

I will second. And who was that? Was that you, Legislator D'Amaro?

LEG. D'AMARO:

Legislator Trotta.

P.O. GREGORY:

I'm sorry. Is the Commissioner here? There he is. Okay.

COMMISSIONER ANDERSON:

Good evening.

LEG. TROTТА:

What is this?

COMMISSIONER ANDERSON:

Oh, okay. This is 100,000 -- this is a request for \$100,000 in planning plus --

LEG. TROTТА:

You're asking for a million.

COMMISSIONER ANDERSON:

Are we on 1133?

LEG. TROTТА:

Yeah.

COMMISSIONER ANDERSON:

So it's -- and 900,000 in construction. I hadn't finished. It was -- but what this is for is for rehabilitation of existing highway facilities. We're looking at replacement, reconstruction of a garage out in Riverhead, right behind the Cornell Cooperative Extension building that we own, and the salt barn in the Nicolls Road Highway facility. They're both in dire need of repairs, so this would look to develop the plans that are needed and go out to construction for those repairs.

LEG. TROTТА:

How is it broken down? The salt barn, how much does that cost?

COMMISSIONER ANDERSON:

I don't have the separation between one or the other. Right now, the garage is a smaller -- smaller than the salt barn. In Centereach -- but the Centereach garage actually includes, you know, the area for the highway personnel and the foremen as well as the salt.

LEG. TROTТА:

All right.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Commissioner, are either one of these buildings unsafe or non-functional? What's the need?

COMMISSIONER ANDERSON:

In both cases they're both to the point where they're becoming unsafe. The one in Riverhead, it's a concrete block structure with a wood roof and shingles. Most of the block has become separated and shifted. Similarly, and I can't remember for the life of me what the construction is in Centereach. It's either concrete block or wood, but in both cases because of, and especially at Centereach, because of the impact by trying to load the salt on to trucks, we've started to damage and push out some --

LEG. D'AMARO:

It has a useful life I would assume.

COMMISSIONER ANDERSON:

Yeah. These are way beyond.

LEG. D'AMARO:

How old are these structures?

COMMISSIONER ANDERSON:

I want to say the one in Centereach is from the '70s.

LEG. D'AMARO:

Yeah.

COMMISSIONER ANDERSON:

And the other one, I'm guessing is as old, if not older.

LEG. D'AMARO:

Okay. All right. Thank you. Thank you.

P.O. GREGORY:

Okay. All right. Anyone else? Oh, Legislator Krupski.

LEG. KRUPSKI:

The one in Riverhead is a lot older than that and it's used. It's right in the back parking lot. It's used by DPW constantly. They store, you know, equipment and supplies in there, and a good quantity of squirrels also. It's gotten to the point where you really need to -- I don't know if you can replace it -- I mean repair it or not, but people are in and out of it constantly and it needs to -- I don't want to say it's unsafe because Dennis Brown might object to that, but it needs help because it is heavily used. It's not historic though, don't worry.

*(*Laughter*)*

P.O. GREGORY:

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

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1133A, Bond Resolution, (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,000,000 Bonds to finance the construction and rehabilitation of highway maintenance facilities (CP 5048.114 and .317).*** Same motion, same second. Roll call.

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

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

Yes.

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. TROTTA:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1138 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with improvements to CR 10, Elwood Road (CP 5558).***

LEG. STERN:

Motion.

P.O. GREGORY:

Motion by Legislator Stern. Do we have a second? I'll second.

LEG. SPENCER:

On the motion.

P.O. GREGORY:

On the motion, Legislator Spencer.

LEG. SPENCER:

Hi, Gil. Thank you. These next two resolutions, I understand that they're shifting funds from the Pulaski Road Project?

COMMISSIONER ANDERSON:

Correct.

LEG. SPENCER:

Is -- can you -- just because the Pulaski Road Project is through my district, what's the status of that? Are we just ahead of schedule or we're not going to complete that?

COMMISSIONER ANDERSON:

Right now this is for the -- the funding that we're going to be using as an offset is from the portion of Pulaski Road where the five roads intersect right near Depot Road I believe. And that project we haven't gotten that far along in design, so these funds are not needed at this point, but were part of the Capital Program and have been as we've moved forward. So we're looking to use those funds now. We will reintroduce the funds for the Pulaski Road Project back into the Capital Program this year.

LEG. SPENCER:

For this next --

COMMISSIONER ANDERSON:

Yes.

LEG. SPENCER:

Okay. Thank you.

COMMISSIONER ANDERSON:

Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen. (Legislator Browning - Excused Absence; District #12 - Vacant Seat).

P.O. GREGORY:

Okay. ***IR 1138A, Bond Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,570,000 Bonds to finance improvements to CR 10, Elwood Road (CP 5558.111 and .310).*** Same motion, same second. Roll call.

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

LEG. STERN:

Yes.

P.O. GREGORY:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

Yes.

LEG. HAHN:

Yes.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

Yes.

LEG. BARRAGA:

Yes.

LEG. TROTTA:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

D.P.O. SCHNEIDERMAN:

(Not Present)

MR. LAUBE:

Fifteen. (Legislator Browning - Excused Absence; District No. 12 - Vacant Seat).

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

P.O. GREGORY:

IR 1139-15 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with the Reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510). (Co. Exec.) I'll make a motion to approve.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second by Legislator D'Amaro; right?

LEG. D'AMARO:

Yeah. And also on the motion, if the Commissioner could just come up for a moment. I just wanted to get an update on where -- how are we doing here?

COMMISSIONER ANDERSON:

Good, good. This is a request for an additional \$230 -- \$230,000 for engineering fees. Over the course of the project, we've had additional mandates from New York State DOT requiring additional engineering services as well as preparation work and requirements by utilities for these projects. So these funds are for additional work above what was originally scoped out.

LEG. D'AMARO:

Okay, thank you.

COMMISSIONER ANDERSON:

You're welcome.

P.O. GREGORY:

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

MR. LAUBE:

Fifteen (Not Present: Legislator Schneiderman - Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1139A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of \$230,000 Bonds to finance the cost of planning associated with the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510.113), same motion, same second. Roll call.

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

P.O. GREGORY:

Yes.

LEG. D'AMARO:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:
(Excused Absence).

LEG. MURATORE:
No.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. CALARCO:
Yes

LEG. LINDSAY:
(Not Present).

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.

LEG. BARRAGA:
No.

LEG. TROTTA:
No.

LEG. McCAFFREY:
Pass.

LEG. STERN:
Yes.

LEG. SPENCER:
Yes.

D.P.O. SCHNEIDERMAN:
(Not Present).

LEG. McCAFFREY:
How many you have?

MR. LAUBE:
Nine.

LEG. CALARCO:
Hold on.

*(*Legislator Lindsay re-entered the auditorium*)*

LEG. CALARCO:

We got one more coming in.

LEG. McCAFFREY:

Yes; I vote yes.

LEG. LINDSAY:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Twelve (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

D.P.O. SCHNEIDERMAN:

Boy, you needed us back.

P.O. GREGORY:

Okay. ***1147-15 - Authorizing additional funds for the purchase and installation of an Automated Vehicle Locator (AVL) System for Suffolk County Transit Buses and accepting and appropriating Federal Aid and State Aid and County funds (CP 5648). (Co. Exec.)***

Motion by Legislator Schneiderman.

LEG. HAHN:

Second.

P.O. GREGORY:

Second by Legislator Hahn.

LEG. McCAFFREY:

On the motion.

P.O. GREGORY:

On the motion.

LEG. McCAFFREY:

Am I correct in saying that this is the -- this is 1147; correct?

P.O. GREGORY:

Yes.

LEG. McCAFFREY:

That we're going to be bonding \$13,000?

MR. NOLAN:

Yes. I'm going to say an 80/10/10 split.

COMMISSIONER ANDERSON:

Right, this is an 80/10/10 split, Federal funds and State funds.

LEG. McCAFFREY:

And we have to bond \$13,000 to pay our share?

COMMISSIONER ANDERSON:

It's actually --

LEG. McCAFFREY:

Thirteen thousand forty-seven dollars.

COMMISSIONER ANDERSON:

It's actually \$9,767, from my understanding.

LEG. McCAFFREY:

That we're going to bond?

COMMISSIONER ANDERSON:

Yes.

LEG. McCAFFREY:

Okay.

COMMISSIONER ANDERSON:

We have to, I believe -- and Robert can probably correct me if I'm wrong. We have to first instance fund this project first and we will be reimbursed by the Federal government and the State.

LEG. McCAFFREY:

Let me understand again; so we have to put it up --

COMMISSIONER ANDERSON:

We have to bond in the first instance the entire ninety-seven thousand six hundred and seventy-four thousand dollars (*sic*).

MR. LIPP:

We're not likely to have to issue the bond, though. Usually in cases like this we wait until the money is about to come in and we start the project when we borrow from the Capital Fund internally, then when we get the money in it reimburses the Capital Fund.

LEG. McCAFFREY:

So at the end of the day, though, we're going to bonding -- so we're not going to bond that 13,000?

MR. LIPP:

Yeah, the 13,000 you'll bond, though, that's the local share. You won't get anything back, so you'll have to either -- I understand your point; you know, why 13,000, why can't we find that in the Operating Budget is the question.

LEG. McCAFFREY:

Okay.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay, *IR 1147A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of \$13,037 Bonds to finance the purchase and installation of an Automated Vehicle Locator (AVL) system for Suffolk County Transit Buses (CP 5648.522))*, same motion, same second. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

LEG. HAHN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

No.

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. CILMI:

No.

LEG. BARRAGA:

Yes.

LEG. TROTTA:

No.

LEG. McCAFFREY:

No.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eleven.

P.O. GREGORY:

Okay. ***IR 1159 - Authorizing execution of an agreement by the Administrative Head of SCSD No. 12 – Birchwood/Holbrook with Deera Homes (BR-0854.1). (Co. Exec.)*** Motion by Legislator Lindsay. Second by Legislator Martinez. All in favor? Opposed? Abstentions?

MR. LAUBE:

I need to make a correction on the last vote, it was twelve.

****AMENDED VOTE ON 1147A:** *Twelve (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).*

P.O. GREGORY.

Oh, okay. Are we ready, guys?

MR. LAUBE:

What was the motion and second on 1159?

P.O. GREGORY.

Lindsay and Martinez.

MR. LAUBE:

Thank you. *Sixteen* on that (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. ***IR 1176-15 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2015 Operating Budget, and appropriating funds for safety and security improvements for sanitary facilities in Suffolk County Sewer Districts (CP 8103)(Co. Exec.)***

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. I'll second. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1177-15 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2015 Operating Budget, and appropriating funds for a SCADA (Surveillance Control and Data Acquisition) System for sanitary facilities in Suffolk County Sewer Districts (CP 8165). (Co. Exec.)

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. I'll second. Any questions?

LEG. D'AMARO:

Just an explanation, please.

COMMISSIONER ANDERSON:

I'm sorry. This is the SCDA, 1176; correct?

LEG. D'AMARO:

Yes.

P.O. GREGORY:

Seventy-seven.

COMMISSIONER ANDERSON:

Seventy-seven. Okay, I just wanted to make sure. All right. The SCDA system is -- we'll install monitoring equipment at all 22 treatment plants as well as the 103 pump stations that we oversee. That equipment will be able to relay operating parameters back to headquarters in Yaphank, and this allows us to better control operations as well as distribute manpower as needed. So it's almost like a closed-loop system we have for traffic signals but, you know, we'll be able to remotely monitor those facilities.

LEG. D'AMARO:

Monitoring goes to better running of the plants --

COMMISSIONER ANDERSON:

Absolutely.

LEG. D'AMARO:

-- efficiency, centralized.

COMMISSIONER ANDERSON:

Yes. We can move -- you know, we don't have staff to monitor each plant and each pump station and they have to, on a daily basis, monitor each site; if something happens to a site, the pump fails, we'll be able to know that remotely and then send appropriate staff to make, you know, the repairs as needed.

LEG. D'AMARO:

Right, but we haven't had this in the past.

COMMISSIONER ANDERSON:

We have an older system, this is a continuation and an upgrade of that system.

LEG. D'AMARO:

Okay. All right, thank you.

COMMISSIONER ANDERSON:

You're welcome.

P.O. GREGORY:
Legislator McCaffrey.

LEG. McCAFFREY:
Yes. Commissioner, so the -- this is going to come out of the Assessment Stabilization Reserve Fund; correct?

COMMISSIONER ANDERSON:
Correct.

LEG. McCAFFREY:
And that is funded by the people in which district?

COMMISSIONER ANDERSON:
That's actually funded by, I believe, the Quarter Percent Fund.

MR. LIPP:
Correct.

LEG. McCAFFREY:
Which fund?

COMMISSIONER ANDERSON:
The Quarter Percent Fund.

LEG. McCAFFREY:
Oh, the Quarter Percent Fund.

COMMISSIONER ANDERSON:
A small portion of it goes into Assessment Stabilization.

LEG. McCAFFREY:
Okay, thank you.

COMMISSIONER ANDERSON:
You're welcome.

P.O. GREGORY:
Okay. All right, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:
Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:
IR 1178-15 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2015 Operating Budget, amending the 2015 Capital Budget and Program, and appropriating funds for the purchase of Division of Sanitation Laboratory Equipment (CP 8166)(Co. Exec.)

LEG. CALARCO:
Motion.

P.O. GREGORY:

Motion by Legislator Calarco. Second by Legislator Krupski. Anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1179-15 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for chemical bulk storage facilities for sanitary facilities in Suffolk County Sewer Districts (CP 8178)(Co. Exec.)

LEG. LINDSAY:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay, 1041 we did earlier.

Ways & Means

IR 1030-15 - Adopting Local Law No. -2015, A Charter Law to strengthen lobbyist registration and reporting requirement. (Lindsay) Motion by Legislator Lindsay.

LEG. CALARCO:

Second.

P.O. GREGORY:

Second by Legislator Calarco. On the motion?

LEG. CILMI:

On the motion.

P.O. GREGORY:

Okay, Legislator Cilmi.

LEG. CILMI:

Through the Chair, to the sponsor, if I could. And maybe this -- maybe questions could be partially answered by either Counsel or by our Clerk. But I'm curious to know what sort of precipitated the need to do this, and then I understand that the State, specifically the Joint Commission on Public Ethics, regulates lobbying in Suffolk County as well as in Albany. At one point in time, back in history, New York State did not cover County lobbyists, but back in 2000, I understand, the State changed the law so that any municipality that had over 50,000 residents fell under the auspices of the State law. So if Legislator Lindsay or Counsel could answer?

LEG. LINDSAY:

I'll answer part of it and then I'll probably defer to Counsel for the rest. The genesis of the law that I came up with, we had a number of meetings with different individuals that had kind of murky-type

titles, government affairs, government relations-type titles for different organizations, and it was difficult to determine whether or not they were lobbyists or were they just representing an organization, and I know it gets a little cloudy between the two. When I looked at the current lobbying law that was on the books, it didn't seem like it was being enforced to a certain extent and there weren't -- and the obvious proof of that was there were only about four or five people listed as lobbyists. And I'm sure we all have been approached and spoken to at least five or six or maybe ten times that many people who've actually acted as lobbyists.

Currently in New York State, the State does have its own lobbying laws, but you also look at New York City where you could be a lobbyist within the State of New York, but you could also lobby to the City of New York at the same time and you have to register with both. So I think keeping it in-house and keeping the database here, even though they're still subject -- subject to the State requirements, it just gives us further oversight to know who's lobbying directly within the County as opposed to a Statewide system where there could be a large number of lobbyists who wouldn't apply to us because they're not active within the County. And with that, I'll defer to Counsel to maybe answer some of the legal questions as to the difference between the two laws and how the two would interact.

LEG. CILMI:

Yeah. And maybe in answering, George, I'm not -- I don't think I have any objection to having them register with the County, but if they're already reporting to New York State and the reporting to New York State is more stringent than what the reporting requirements at the County level are, not only for the lobbyists themselves but for their clients, then it seems to me that it's just confusing and duplicative and unnecessary. But I'll defer to you.

MR. NOLAN:

Well, I don't think it's unusual to have, you know, people registering both with the State and with the local government. You know, certainly New York City has a very extensive lobbying statute that's a lot more detailed than our particular statute. You know, I think, one of the ways this did start was there was an attempt, we talked to the Board of Ethics actually about whether they wanted to take over responsibility for this and we started having conversations with them. And at the same time, we kind of looked at our statute, and it's basically the statute we passed 25 years ago. So we decided that we would update our statute a little bit in terms of what would trigger the registration requirements, in terms of -- and particularly the big expansion is with procurement; if you hire a lobbyist to affect the procurement process, those people have never had to register here before and going forward they're going to have to.

And the other thing I would say about the State bill is it's not an exact match, you know, in terms of their definitions of what requires a person to register or not down here at the local level.

LEG. CILMI:

Yeah, they're more stringent than we are. For example, with not-for-profits, we're saying if you're a not-for-profit who's taking money less than \$50,000, you're exempted from our law. But New York State's reporting, which applies to lobbyists doing business in the County, requires that anything in excess of 15 -- \$15,000 needs to be reported to the State. And their reporting is, I believe, every two months, whereas our reporting is every quarter.

MR. NOLAN:

Right.

LEG. CILMI:

So I'm just wondering why -- it doesn't -- it doesn't make sense to me that our reporting requirements are different than the State's reporting requirements when lobbyists have to abide by

the State's reporting requirements anyway, and they're more stringent than ours. So why wouldn't they -- why wouldn't they mirror each other?

LEG. LINDSAY:

And maybe if I can jump in here. My intent of the law was not to, especially for non-profit groups, for them not to have to incur additional cost and have to hire legal Counsel, especially in situations where they're getting grants from us that might be -- might not be big enough to even warrant. I think if we did that, I was more afraid that some of these contract agencies or non-profits that do work for us would ultimately end up walking away from it because the cost of doing -- registering as a lobbyist and hiring counsel to make sure that they did all the paperwork correctly would outweigh any benefit that they would get within the organization to do the work, so their profit margins are so tight to begin with.

And in terms of having a local registry, just doing a quick search to see how many lobbyists there are in New York State -- and these numbers are as of 2011, and I would venture to bet that the numbers are actually higher -- there's over 6,000 lobbyists right now in the State, for us to have to comb through -- I'm sure all 6,000 of those aren't lobbying in Suffolk County, or even -- some of them I bet have never even been to Suffolk County. For us to have to comb through a list of 6,000 names to try to determine is this person registered or not --

LEG. CILMI:

Right.

LEG. LINDSAY:

-- I think would be too onerous on us, as well as the general public. So I didn't -- my intentions were twofold: One, not to make it punitive, especially to our non-profit agencies; and secondly, just to make it a little bit more transparent to know that whoever we're speaking with, if they're acting as a lobbyist, they're registered and the public knows that as well. If they come here in a public forum, they don't have to register, it's just if they're meeting with us behind closed doors.

LEG. CILMI:

Yeah, I don't mind the registration requirement. It's just, again, the inconsistency in the requirements, the State versus the County. You know, I agree with your sentiment when it comes to the not-for-profit agencies, but the fact of the matter is that they have to -- they would have to register anyway, with the State at least, if they're asking -- even if they're asking, forget about getting, even if they're asking for more than \$15,000 they have to register with the State, and I believe it's the same form.

LEG. LINDSAY:

Yeah, I'm not certain that they do. They would have to if they -- if they do have to, I don't think that they are. You know, some of the small contract agencies that are coming in and meeting with us, and certainly by definition they're lobbying, you know, especially around budget season, to keep those programs funded.

LEG. CILMI:

Yeah, I wouldn't be surprised if there's a lot of confusion out there as to who is supposed to register and who's not supposed to register. My understanding is the State -- JCOPE does a pretty good job of enforcement and follow-up with their registered lobbyists. What you're -- I mean, how are you going to be able to manage this? I guess there's not that many of them really, so.

MR. LAUBE:

No, there's not that many. We have, I think, 14 on our list now.

LEG. LINDSAY:

What was it originally, Tim, before we even started looking at the registration?

MR. LAUBE:

I didn't hear the question.

LEG. LINDSAY:

What was -- how many were on the list prior to the legislation even being introduced?

MR. LAUBE:

Oh, four.

LEG. CILMI:

How does our law, either presently or in the proposed changes, deal with -- deal with union leadership or union representatives?

MR. NOLAN:

Well, you know, one thing it does is -- one of the exemptions in the law is during the collective bargaining process, that is not considered lobbying. If they're just negotiating a contract, our bargaining units, that's not considered lobbying, so that wouldn't trigger registration. But --

LEG. CILMI:

During the collective bargaining process?

MR. NOLAN:

During the collective bargaining process. But if a union -- you know, it's the same under the current law as the law -- if we adopt this law, it's going to be the same; that if a union retains, designates, employs somebody for the purpose of lobbying the Legislature and they're paid to do that, then -- to effect legislation, then they should be registering.

LEG. CILMI:

Well, so let's -- let's just talk about an example.

MR. NOLAN:

But that's not -- that's not different than the existing law.

LEG. CILMI:

So let's just talk about an example, then. AME, for example, has a contract with us presently, so we're not engaged in a collective bargaining process with them. But I don't think -- and certainly they come to us and they may advocate for one thing or another. Do they -- would they need to register?

MR. NOLAN:

If they come -- if they're lobbying against a piece of legislation.

LEG. CILMI:

Either individually or publicly here at the Legislature; right?

MR. NOLAN:

Well, no. If they come --

LEG. CILMI:

Does it matter?

MR. NOLAN:

If they just come to a meeting and speak, that doesn't trigger it.

LEG. CILMI:

It doesn't?

MR. NOLAN:

Testimony in a public, open forum, that does not trigger the registration requirement. But if they're -- if they are doing other activities that are designed to influence the outcome of legislation and they've retained somebody and they're paying somebody to lobby, they're making money doing it, then, yeah, I believe technically that that person who's doing the lobbying should be registered here.

LEG. CILMI:

Well, I just --- I want you to clarify or -- you just said that because it's in a public forum it's not really covered. So, for example --

MR. NOLAN:

That's exempted under the existing legislation.

LEG. CILMI:

So this guy -- this guy who came to us from TNT, if he -- the Fireworks Company; if he never contacted any of us privately, individually and simply came to the podium and spoke --

MR. NOLAN:

That's the only thing he did.

LEG. CILMI:

-- that would not be considered. And if he employed Pat Halpin to do that, or any lobbyist, for that matter, and they just came to the Legislature to speak, would not be included in our law?

MR. NOLAN:

If the only thing Pat Halpin did was come here and speak at this meeting, then no, I don't think he'd have to register. But if, you know, he's doing other stuff, then it would be different.

LEG. CILMI:

So that would not technically fall under the definition of lobbying, I guess, then?

MR. NOLAN:

It's exempted.

LEG. CILMI:

In our law as well as State law, or --

MR. NOLAN:

I think our exemptions -- I believe, our exemptions match the State exemptions pretty close, but I'd have to go back and check that. But under the existing law, you know, a person comes and speaks here, that's the only thing they do, that's okay.

LEG. CILMI:

So going back to the question with respect to the unions, then. If a union representative is contacting us privately advocating for, you know, funding in a budget or for the passage or opposition to a certain proposal, then technically speaking, that representative should be registered as a lobbyist?

MR. NOLAN:

The language is, you know, if they are designated or retained or employed to lobby and they are paid a certain amount of money to do that --

LEG. CILMI:

Well, it's part of their job description, I guess.

MR. NOLAN:

Yeah, basically, right.

LEG. CILMI:

Part of the job description.

MR. NOLAN:

Yeah.

LEG. LINDSAY:

So if you just had a union member calling or reaching out to their current Legislator saying, *I want you to support this, I'm one of your constituents*, that's not considered lobbying.

LEG. CILMI:

Right. But if you had a union president or a vice-president --

LEG. LINDSAY:

Doing the same, then yes, you can make an argument with that.

LEG. CILMI:

-- that would be considered. Now, so here's the other question.

If they -- if they register, then, as a lobbyist, we have -- part of our lobbying law prevents -- or I shouldn't say prevents, I should say prohibits elected officials in Suffolk County from soliciting contributions from those registered lobbyists and further prevents those registered lobbyists from contributing to us. How does that jive or apply in this circumstance.

MR. NOLAN:

The law that -- and it actually was a separate law from our lobbyist law, it was a Charter Law passed by a referendum that barred registered lobbyists from making contributions to County electeds and from County electeds from accepting those type of donations. So if somebody is a registered lobbyist, under that law, they should not be writing checks to anybody.

P.O. GREGORY:

And if I can add.

LEG. CILMI:

As a -- go ahead.

P.O. GREGORY:

Like Noel DiGerolamo from the PBA, he's the President, he's registered as a lobbyist.

LEG. CILMI:

Okay.

P.O. GREGORY:

That doesn't prevent the PBA from making donations or being solicited.

LEG. CILMI:

Is that --

P.O. GREGORY:

Him as an individual, he can't give.

LEG. CILMI:

George, is that your opinion?

MR. NOLAN:

Yes, it is.

LEG. CILMI:

So the fact that he's representing the PBA doesn't preclude the PBA from making a contribution?

MR. NOLAN:

It prohibits the -- in this case the agent.

LEG. CILMI:

Individual?

MR. NOLAN:

Not the principal, you know. So the person who's registered, that particular lobbyist, it'd be like the lobbyist, let's say, for the Gasoline Retailers.

LEG. CILMI:

Right.

MR. NOLAN:

You know, that person who's registered as a lobbyist, can't write the check, you can't accept the check from him, but, you know, the person who employs him, they can -- or the entity that employs him can still make donations under that law.

LEG. CILMI:

Interesting. Okay, thank you.

P.O. GREGORY:

Okay. Anyone else?

LEG. D'AMARO:

(Raised hand).

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

I think we're going to need more time on this. So I'll agree with Counsel, for argument's sake, that in a public forum, George, it's not lobbying. It doesn't matter who's up there, who's paying them, what they're doing, who they represent, as long as you're in the public forum, we have an express exemption for that. So, I don't know that I even agree with that, but let's just leave that there for now.

But the lobbying law says, *Any attempt to influence any determination made by the County Legislature*, right, and then it goes into some exemptions, I guess for the procurement process or getting written questions or technical information to the County. So, I'm going ask a really stupid question; so if a constituent comes to my office and privately has a meeting with me to influence how I vote on a bill, is that lobbying?

MR. NOLAN:

Only if they're being paid to do that.

LEG. D'AMARO:

Okay. So --

MR. NOLAN:

But if they just come to your -- an ordinary citizen comes to your office --

LEG. D'AMARO:

Right.

MR. NOLAN:

No, that's not lobbying.

LEG. D'AMARO:

So the distinguishing feature there is that if someone is being paid to influence the outcome or a determination; right?

MR. NOLAN:

Right.

LEG. D'AMARO:

Okay. So any person that's paid, and I guess that's why you get into the whole -- you know, what about a contract agency? They're paid, but they're not paid to influence, they're paid to perform their functions. I mean, how do you split those lines?

MR. NOLAN:

I think the people who would be required to register now would be required to register after we passed this bill, if we passed it, are going to be, I think, the people you would expect to be registered as lobbyists. I think it'd be the people -- there are people who are paid and retained to just -- to lobby, whether it be the State government or Nassau County government or Suffolk County government. I don't think we're going to capture a bunch of people that you would expect not to be registered as lobbyists. I think it's people that are retained to do this.

LEG. D'AMARO:

They're retained, because the law says that you have to be paid.

MR. NOLAN:

Right. It says *retained, employed or designated* and be paid compensation, *to receive compensation to engage in that activity*.

LEG. D'AMARO:

Yeah, so -- so going back to Legislator Cilmi and the unions. So a union -- any contact with a union rep would have to -- that rep would have to register as a lobbyist?

MR. NOLAN:

I think --

LEG. D'AMARO:

Outside the public forum, you know.

MR. NOLAN:

Yeah. I think if they were retained for that purpose, even somebody -- because -- and this is the current language in the statute as well, nothing has changed in terms of *retained, designated or employed*; that's the current language, that will be the language if this law's enacted. But if you're designated, you're employed and that's part of your job description, you're going to lobby to Suffolk County Legislature, part of your compensation can be traced to lobbying the Suffolk County Legislature on legislation or the County Executive's or a department in terms of procurement, then I believe that person should register.

LEG. D'AMARO:

What's the ramifications of being a registered lobbyist in Suffolk County? What does it prohibit, or -- I know you have to file statements, but --

MR. NOLAN:

For a lobbyist, the only -- besides the requirements under this law to register and file periodic reports, is that law we were discussing in terms of you can't make a contribution.

LEG. D'AMARO:

So if I'm in a union and I want to influence legislation, you know, I can't send someone to a Legislator's office unless I designate them to go influence that legislation. Like, I'm not following how -- like the compensation issue, it's a very gray area, it seems to me, you know.

MR. NOLAN:

It's not changing, Legislator D'Amaro.

LEG. D'AMARO:

Yeah.

MR. NOLAN:

We've wrestled with the same type of issues under the existing law.

LEG. D'AMARO:

Right.

MR. NOLAN:

You know, it really doesn't change the definition of who a lobbyist is. We do expand the areas that are considered lobbying, and particularly it's that procurement which is really, probably the major change to the existing law.

LEG. D'AMARO:

All right. So through the Chair, to the sponsor, Legislator Lindsay.

LEG. KRUPSKI:

Bill?

LEG. D'AMARO:

That's all right.

LEG. LINDSAY:

Could you restate that?

LEG. D'AMARO:

I'm just trying to figure out, I see the exemptions you have here, so they're aimed at the RFP process, and -- and I get that. But -- so who -- this new language, *any determination made by County agency with respect to procurement of goods, services and public works*; who are you thinking of? You know, who are the new lobbyists, or required to lobby -- register, rather?

LEG. LINDSAY:

You know, in those circumstances, I would say, you know, some of the contract agencies that we have can have excessive -- can have contracts in excess of the \$50,000 threshold. You know, in some cases we have contract agencies that are, you know, in the millions of dollars that we're -- we're contracting with. So, you know, for them especially, they have a vested interest in securing and procuring those contracts, that they may have someone who specifically acts as their advocate. Whether it's an internal employee or someone -- an outside person that they hire in order to state their case or make their case as to why they would be the best choice for the -- or even create the need as to why we should continue to fund such projects. And, of course, they'd still be going through the RFP process, but just in creating the need alone, in my opinion it's creates, you know, an atmosphere where they're lobbying.

LEG. D'AMARO:

Would your revisions prohibit -- well, the first question is would your revisions require someone to register who is responding to an RFP seeking a \$10 million County construction contract; would they need to register?

LEG. LINDSAY:

Not if they're -- not unless they're meeting behind closed doors with elected officials or County employees to advocate the reason why they should be selected or even the need for that contract to even exist.

LEG. D'AMARO:

Okay. Okay. So not --

MR. NOLAN:

Could I just -- if you don't mind. There are enumerated exceptions.

LEG. D'AMARO:

Right, I saw that.

MR. NOLAN:

You know, and -- like if a person was responding to a bid, an RFP, had questions and submitted questions to the County that were available to everybody who was seeking that contract, that's -- that doesn't trigger the law's requirements of going to an RFP conference or to a bid conference; again, that's just normal procurement stuff.

I think it's -- it would be activities kind of outside what you would normally expect to be a normal procurement process, additional contacts that other bidders or other respondents don't know about, and that that person's being paid to make those contacts, then I think that's what would trigger it in that -- in the RFP process.

LEG. D'AMARO:

Okay. Okay. I don't understand it.

LEG. LINDSAY:

Back to your question, Lou. If there's something in there that you're not comfortable with --

LEG. D'AMARO:

I don't think it's your law that I'm not comfortable with. I'm just not comfortable with this whole, you know, how are we defining lobbyist, what conduct is prohibited, what triggers the registration requirement, who can make a donation. You know, it's really -- it's really not clear.

LEG. LINDSAY:

And none of that's really changed from what's already on the books.

LEG. D'AMARO:

No, I understand. And all you're trying to do is say that -- you're trying to just expand the activity, so if the -- whoever a lobbyist is, if that person tries to influence with respect to these areas -- goods, services, public works -- outside a public forum, then they should be registered as lobbyists.

LEG. LINDSAY:

Exactly. Not only that, but just to --

LEG. D'AMARO:

But the funny part about that is then they can't individually make a contribution, but their organization still can.

LEG. LINDSAY:

Right.

LEG. D'AMARO:

Like I don't know -- that really throws me. Because it seems to me that if an individual is here trying to influence legislation on behalf of their organization, it's like, you know, so you can't -- they weren't going to write a check personally anyway.

LEG. LINDSAY:

Right, and that's not any different than it's been in the past.

LEG. D'AMARO:

No, I know. It's not your bill.

LEG. LINDSAY:

And honestly, you know, the overall objective was just to get more people registered to adhere to the current law that's on the books and to expand upon it slightly. But, you know, the proof is in that we only had four people registered prior as lobbyists, when we know very well that there's a lot more that have been lobbying actively within the County.

LEG. D'AMARO:

All right, I don't want to belabor it. I don't really have an issue with the amendment, I have an issue with the whole -- the whole lobbying law; it doesn't seem to make real sense to me. But, you know, who am I?

P.O. GREGORY:

Okay. Legislator Stern.

LEG. STERN:

Yeah, thank you. So I'm looking through in the list of exceptions, and so the question who are -- who are the new lobbyists? So here one of the exceptions is officers and employees of any contract agency which receive less than \$50,000 in annual funding from -- from Suffolk County. So the reverse has to be true, then, I'm assuming, that any agency that is receiving more than \$50,000, they're, by definition here, someone within that organization has to be designated as the new lobbyist; right? Because the very essence of whether it's an Executive Director or someone higher up in the organization who's employed by that not-for-profit that receives significant funding from Suffolk County, one of their very reasons for being involved with that organization is to -- is to have that conversation, right, with one or more of us that would have the ability to weigh in on their contract.

And so, I'm looking here at the lobbyists and I'm listening to Counsel and we're saying that on the one hand, no, it only relates to someone who is retained or employed for that specific purpose, and yet the list of exceptions says here that essentially officers and employees of any contract agency that receives greater than \$50,000, someone has to be the registered lobbyist from that organization. And if it's a not-for-profit organization, then the reverse is true. And I can certainly see where if there's someone who's a registered lobbyist for a private company, it doesn't make much sense that the individual cannot make those kinds of contributions but that the company can.

LEG. D'AMARO:

It should be the other way around.

LEG. STERN:

The flip side here in the not-for-profit is a not-for-profit organization can't make a contribution, but many times employees, for whatever reason, can. Under this law, those employees will be restricted and not able to do that, if their organization receives more than \$50,000. That cannot make a personal contribution.

Now, I'm just pointing out that that is, as I read this here, unless Counsel says differently, that that's the impact of this law. I don't know if that was the original intent or not, but I just want to be clear that I have it correct and that that would be the impact.

LEG. LINDSAY:

Just in an interest in the late hour and the fact that we've been existed under the current law for a number of years, there's no reason to rush this through at this late hour. I'd be more than happy to table it at this point.

LEG. KRUPSKI:

Second.

*(*Laughter*)*

LEG. LINDSAY:

And move on with the night.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. *IR 1134-15 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Bourdois Properties, LLC (SCTM No. 0200-959.00-05.00-018.000). (Co. Exec.)* Motion by -- I'll make a motion. Second by Legislator Stern. Anybody -- any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay, go to the manilla folder. I'll recognize Legislator Trotta.

LEG. TROTТА:

I make a motion to reconsider the veto of IR 1324 for the purpose --

P.O. GREGORY:

No, it has to be a motion to override.

LEG. TROTТА:

Motion to override.

LEG. CILMI:

Second.

P.O. GREGORY:

Motion to override a veto by Legislator Trotta, second by Legislator Cilmi. Anybody on the motion? All in favor? Opposed? Opposed.

LEG. CILMI:

Override of the veto?

LEG. D'AMARO:

To take it out of order.

LEG. CILMI:

No, this is not taking it out of order.

P.O. GREGORY:

No, we're voting on it. All right, I'm sorry. Mr. Clerk, let's do a roll call.

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

LEG. TROTТА:

Yes.

LEG. CILMI:

Yes.

LEG. KRUPSKI:

Just to be perfectly clear here, they voted yes to spend \$165,000; is that correct?

LEG. CILMI:

We all did.

LEG. TROTTA:

No.

LEG. KRUPSKI:

I'm not clear. You just voted yes.

MR. NOLAN:

To override.

P.O. GREGORY:

To override the veto.

LEG. KRUPSKI:

My vote's no.

LEG. BROWNING:

(Excused Absence).

LEG. MURATORE:

Yes.

LEG. HAHN:

Yes.

LEG. ANKER:

No.

LEG. CALARCO:

No.

LEG. LINDSAY:

No.

LEG. MARTINEZ:

No.

LEG. BARRAGA:

Yes.

LEG. McCAFFREY:

Yes.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. SPENCER:

No.

D.P.O. SCHNEIDERMAN:

No.

P.O. GREGORY:

No.

MR. LAUBE:

Six (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. ***Procedural Motion No. 6-2015 - Setting public hearings for proposed transition of Brentwood Family Health Center to FQHC Status and Operation by Hudson River Healthcare, Inc. (Presiding Officer Gregory).***

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman. I'll second. All in favor? Opposed?

LEG. D'AMARO:

Wait, hold on, hold on, hold on. Just note for the record my recusal.

P.O. GREGORY:

I'm sorry.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

PM 6?

P.O. GREGORY:

That was six, yep.

MR. LAUBE:

Thank you.

P.O. GREGORY:

I'm sorry.

MR. LAUBE:

Call the vote? *Fifteen (Recused: Legislator D'Amaro - Excused Absence: Legislator Browning - Vacant Seat: District No. 12).*

P.O. GREGORY:

Procedural Motion No. 5-2015 - Designating Veterans Organizations to receive funding for Memorial Day Observances for 2015.

LEG. STERN:

Motion.

P.O. GREGORY:

Motion by Legislator Stern. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay, in the red folder, we have CN's:

IR 1275-15 - Requiring all County departments and agencies to include direct dial 911 in multi-line telephone systems. (Co. Exec.)

LEG. TROTTA:

Motion to table.

P.O. GREGORY:

Motion to table by Legislator Trotta.

LEG. CILMI:

Second.

P.O. GREGORY:

Second by Legislator Cilmi.

LEG. CALARCO:

Motion.

P.O. GREGORY:

I won't even ask why.

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion to approve by Legislator Calarco. I will second. On the motion, anyone? On the motion, Legislator Calarco.

LEG. CALARCO:

Quickly on the motion. Just for an explanation of what this is doing, I guess it's important to put on the record.

The County Executive had vetoed the resolution that we approved earlier to accomplish this task because of the cost that it would incur of about \$167,000, if my number is correct there, because we had a contract renewal coming up soon. And we know that the Administration is looking at potentially moving to a different type of system, but we need to renew the contract for a single year with Verizon in order to accomplish that potential move to either renewing or upgrading what we have with Verizon or moving towards a VOIP system or those kind of things.

What this resolution does is effectively gives us that time to kind of figure that out without having to spend \$167,000. It allows the Administration to do -- similar to what we allowed the hotels to do in using a sticker as a band-aid approach; I don't know, you know, the best way of putting it. But at the same time, this is going to require that when we do upgrade or do transfer to a different system, that we do accomplish that task of making direct-dial 911 something that will be done in our system.

P.O. GREGORY:

Okay. Anyone else?

LEG. TROTTA:

Just that, you know, there's no urgency to pass this today. I mean, there's other issues. I don't believe it's going to cost \$165,000, and I'd like the opportunity to table this. It doesn't really matter because we can do this next time. There's no -- this isn't going to go into effect for a year, or two years or three years, at least a year minimum. And the other bill, you know, it could be ran into next year if they upgrade some part of it. So I think there's no reason that -- we should table this now and we'll go over it and work it out.

P.O. GREGORY:

Okay.

LEG. TROTTA:

In essence, this gives the County Executive's Office the ability to postpone it one-year at a time for the next 50 years.

P.O. GREGORY:

Well, let's ask. Who wants to speak on this?

D.P.O. SCHNEIDERMAN:

Is there a motion to table?

MR. SCHNEIDER:

I just had to say something, I've been here all night.

P.O. GREGORY:

Okay. So the concern by Legislator Trotta is that the Administration will use this as a mechanism to keep punting down the field, to use a metaphor, the obligation to change over to a direct-dial 911 system.

MR. SCHNEIDER:

Sure. You know, what we're looking to do is, and I think honoring the spirit of the -- of the bipartisan majority of this Legislature that would like to see us move over to a direct-dial 911 system, and simply says that when we're entering into a long-term contract, if and when we're -- or if we're switching the system over, we are now setting this as the policy of this County that -- that when we do that we will enter into -- that we will move forward with direct-dial 911.

I think this is something that, you know, we're certainly not looking to punt it, but I think it would certainly be a consistent policy statement by this body to pass, if you will, to -- at the same time you upheld the County Executive's veto in light of a lack of an offset on the -- on the first measure to pass this, which enshrines in policy, what a majority of this Legislature, including I know many people who voted to sustain the veto believe.

P.O. GREGORY:

Okay. All right, Legislator Trotta?

LEG. TROTTA:

I appreciate the spirit of it, but the offset is sort of odd to me because you just had the same organization, you know, with the -- what do they call him, the Commissioner was arrested, you weren't paying his salary. Tim Bishop lost the election and five of his employees found work in your

organization in the County Executive's Office.

So I think the people of this County should sort of be insulted by the fact that public safety is not the number one thing you're thinking about, it's thinking about employees that have been let go from a job from a politician who lost an election. That's my concern. The offset is sort of insulting to me.

I personally don't think there should be any cost. I think that Verizon should do it. I think the County Executive has an opportunity to step forward and go to Verizon and say, *Hey listen, this is something the system you sold to us and it's broken.* Because in my mind, you're a little kid and on a police car it says 911 on the side. When I get my phone bill, the tax on it doesn't say the 9911 bill, it says the 911 tax.

So the County Executive and his Administration should be very aggressive with Verizon and they should be doing this. Up until this point it's only me; I've been the guy doing it, I've been the guy meeting with them. I mean, he carries a lot more weight than me, and clearly this is something that's nice, but we should do this, we should table this and get this done. Because this isn't something that shouldn't be -- be done right away, it is something that should be done right away.

MR. SCHNEIDER:

I'm glad, even though it took you till 1:30, you got that out of your system.

P.O. GREGORY:

Anybody else? Legislator Hahn.

LEG. HAHN:

So I just want to also be clear on this, because it was just a little bit confusing in the reading where it says, *Or in the alternative.* It means that you're able to dial 911 and 9911 in order to get an operator.

MR. NOLAN:

You can do either one.

LEG. HAHN:

You can do either or. Not that we're saying the County is allowing us to do one or the other, but that the person can dial either one.

MR. NOLAN:

Right.

LEG. HAHN:

Right. I also was hoping that we could just get a commitment, because I, too, am somewhat disappointed that we can't do this immediately. But I'm hoping we can get a commitment from the Administration to do all employee -- a couple of All-Employee memos and some trainings and just reminders to folks about what's necessary. You know, in order to -- to dial out to 911, you need to dial nine first. If we can get a commitment and -- on something like that, that can be done, you know, just via e-mail, that can be -- you know, we can have some reminders when there's opportunities.

MR. SCHNEIDER:

I think this -- well, in general, I think this issue's certainly gotten a lot more attention with our County workforce than it had previously. And, you know, certainly if there are opportunities, things like e-mail that we can, you know, continue to get the word out, I'm sure we'd -- we wouldn't have a problem doing that.

LEG. HAHN:

Thank you.

MR. SCHNEIDER:

You got it.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Hey, look, if I'm going to be up this late, I'm going to ask a question, especially with Jon Schneider at the podium.

MR. SCHNEIDER:

Former Tim Bishop Aide Jon Schneider.

LEG. D'AMARO:

Oh, there you go. Well, I think we're lucky to have you.

MR. SCHNEIDER:

Thank you.

LEG. D'AMARO:

So let me ask you this question. I voted for the original, Legislator Trotta's bill; that was -- that was his bill, yeah. So did we comply with -- did we try to comply with that legislation? It's my understanding that there was some discussion with Verizon about implementing the 911 without the nine.

MR. SCHNEIDER:

Yes. And we actually have -- again, we're going deep into the bullpen, but we've got some folks here from --

LEG. D'AMARO:

Okay. I don't need a lot of testimony, I just really wanted to know, because we all supported this bill.

MR. SCHNEIDER:

Right.

LEG. D'AMARO:

And the bill, I think when it was passed, it was under the assumption that there was no cost to do this because we didn't provide for any funding in the bill. But it turns out that there was a cost. I'm sorry, you're from Verizon?

DIRECTOR CONNOLLY:

No, I'm -- I worked for them many years ago, but no, I work for the County.

LEG. D'AMARO:

Oh, okay. Well, I apologize. So you're going to tell us about what?

DIRECTOR CONNOLLY:

Well, to answer your question, there's actually, according to Verizon, 1608 hours worth of work. Typically when a customer has Centrex, if they have one location or two locations, they work out of

either one or two central offices. In this case with Suffolk County, we go from Huntington to Montauk, as everyone knows in the room, and there's 26 central offices that actually serve us. It's older technology. They cannot go into and just do a translation for one switch. It does not go out to the others, they need to do these translations into every switch independently. They also need to do testing. My staff would work with them. It also has to be done on an out-of-hours situation because Verizon has a quiet time from eleven o'clock at night till seven o'clock in the morning. And because on all of these 26 switches we're not the only customer, they're also worried about their other customers affecting them.

So when -- we actually have a list of like ten phone numbers that we would call, 911 obviously being one of them, 9911, the weather and various other numbers, we would do those calls before we actually make the changes, Verizon makes the changes. And then after they make the changes, we would, again, make those calls, make sure that if they're -- they're all getting out and getting to where they're supposed to be. Making sure that the delay isn't --

LEG. D'AMARO:

Okay, I'm going to cut you off there.

*(*Laughter*)*

You lost me. I just want to know that there's a cost to implementing the 911 without the one -- without the nine, rather.

DIRECTOR CONNOLLY:

Correct. It's -- it's actually -- it comes out to about \$102 an hour and it's 1600 hours and eight hours of work.

LEG. D'AMARO:

All right.

DIRECTOR CONNOLLY:

One thousand six hundred and eight hours of work.

LEG. D'AMARO:

So when -- if we pass this CN tonight that says in the event we extend for more than a year or we upgrade our system or replace our system, won't there be the same cost?

DIRECTOR CONNOLLY:

Well, the -- I think, you know, Verizon was aware of the situation that we have, and basically it got up to the CEO's level of Verizon. They initially told us it was going to be \$220,000; in negotiating, we got it down about 25%, we got it down to 165. I still think it's a lot of money, but certainly if the body here, you know, wants to do it, you know, we can do it. We just need to find the money.

LEG. D'AMARO:

I mean, we already -- we already sustained the veto, so the old legislation, the prior legislation is no longer with us. But we did try to make a good faith effort to comply with it anyway.

MR. SCHNEIDER:

Absolutely.

LEG. D'AMARO:

So now it really comes down to this new legislation that says do we -- do we spend the money? You know, we're willing to do this, but only when we upgrade; right?

DIRECTOR CONNOLLY:

Correct.

LEG. D'AMARO:

So when are we going to upgrade?

DIRECTOR CONNOLLY:

Well, the way it is right now, we're under a contract until May 31st, 2015. We have in that contract, without opening it, we have an option to basically renew at the current rate.

LEG. D'AMARO:

That's within the present contract.

DIRECTOR CONNOLLY:

Correct.

LEG. D'AMARO:

And that's with the renewal we're talking about.

DIRECTOR CONNOLLY:

We intend to do that to make the date end on 2016, May 31st.

LEG. D'AMARO:

So that would just keep it status quo.

DIRECTOR CONNOLLY:

Status quo.

LEG. D'AMARO:

Extensions -- a one year -- are there any more extensions in that contract?

DIRECTOR CONNOLLY:

There are not.

LEG. D'AMARO:

So at that point, after the extension of a year, you're going to have to renegotiate.

DIRECTOR CONNOLLY:

Well, actually Verizon will not, you know, negotiate with you until you're within six months of it --

LEG. D'AMARO:

No, no, I understand that, but there's no further renewals.

DIRECTOR CONNOLLY:

That's correct.

LEG. D'AMARO:

So -- so then we -- we have to upgrade after this last extension is over.

DIRECTOR CONNOLLY:

I won't call it an upgrade. Basically it would be if we could renew or we could negotiate a new amendment to go beyond that if we choose to with the Centrex. But, again, we would have what we have, the upgrade would be to add 911 to it, but we'd still have Centrex at the end of day.

LEG. D'AMARO:

Do you think it's worth making another attempt now to try and get this done and get the cost down? Do you think we have any shot at doing that?

DIRECTOR CONNOLLY:

At this point, I don't think it will go anyplace. I've been assured that the best and final offer was given to us and the 165,000 is what they're standing firm on, all the way from their CEO down to our account manager.

What I'm hoping for is if we do the option, if we do -- if we take the option on the table, we'll push it out a year. This November will be six months prior to that option expiring, because it'll be May 31st next year. And then I think the 911 issue -- I think the biggest issue with Verizon, why they won't come down, is because we're not the only person or the only company or the only municipality that has Centrex. There's many, many companies and municipalities -- New York State has it. So if they give it to us for free, they have to give it to everybody for free.

LEG. D'AMARO:

Yeah.

P.O. GREGORY:

Legislator D'Amaro?

LEG. D'AMARO:

Yeah.

P.O. GREGORY:

If I can interrupt? I've gotten a request to maybe make a motion to recommit this bill to committee --

LEG. D'AMARO:

Well --

P.O. GREGORY:

-- so we can consider it further.

LEG. D'AMARO:

Yeah. You know, here's my problem. We passed the original bill, Legislator Trotta's bill. It was a good bill, we all voted for it, I think. And, you know, we didn't attach any funding to it. All right, there was a good faith effort made, it was vetoed, it was sustained, so now we know we're in a position where it's going to cost something to get this done. All right? But I think we all agree with we'd rather see it done sooner rather than later.

So I just want to know, you know, if there's going to be a cost associated with it, whether we pay it today or a year from now.

I mean, it just seems to me that -- I could understand not doing it just on a simple contract renewal, so I don't have an issue with that, but I wish there was a way to just get it done sooner, you know, than waiting -- waiting this out. And this bill seems to say that -- that there's a possibility, even after a year, that this won't happen, the way I read this.

DIRECTOR CONNOLLY:

Well, you know, there's, I guess, two options. One is, you know, we talked about VOIP earlier this evening. There is a Capital Project that, you know, we're going to be standing here to try to get money to fund, and if we went forward with that, it would be incorporated in the new system. If we

don't do that and we stay with the Centrex, then we're committing to basically negotiate that into the current -- to the rate.

Right now we have -- we get \$12.44 a line, it's the lowest rate in the State that Verizon offers, and taking this option we could hold that for another year. When we -- we also -- when we met with Verizon, we asked them for a one, two and a three-year option and they, you know, a few weeks later got back to us, gave us those quotes. But each one of those is taking the 165,000, throwing it into the line rate plus --

LEG. D'AMARO:

All right, I'm going stop you again. I'm just looking at -- I apologize. I'm just looking at a larger policy consideration and you have much more, you know, nuts and bolts knowledge about this. All I'm saying is that I think the policy is the right policy.

DIRECTOR CONNOLLY:

And I totally agree.

LEG. D'AMARO:

When you're in a private office, when you're in some -- you know, no matter where you are, I think it's better if you can just dial 911, not 9911, okay? So, you know, we've been through one form of legislation, now we have a second, but what I don't see happening is what's the timeline to get the 911 system up and running; that's what I'm looking for. So, anyway, I'll leave it at that.

P.O. GREGORY:

Okay. I'm going to make a motion to recommit to committee. Second by Legislator Muratore. Anyone have objections to that? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. ***IR 1263-15 - Approving a temporary increase to the fleet for the Suffolk County Police Department. (Co. Exec.)*** I'll make a motion to approve. Second by Legislator Muratore. Anybody on the -- on the question? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1195 -- 1194, excuse me. Authorizing the illumination of the H. Lee Dennison -- We did this one, I'm sorry.

IR 1276-15 - Amending the 2015 Capital Budget and Program to accept and appropriate grant funds in connection with engineering and design of wastewater infrastructure-Shirley/Mastic (CP 8134). (Co. Exec.)

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. Second by Legislator Hahn. Anybody on the question? All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1277-15 - Amending the 2015 Capital Budget and Program to accept and appropriate grant funds in connection with engineering and design of wastewater infrastructure-Great River (CP 8157). Same motion, same second. Any questions? All in favor?

D.P.O. SCHNEIDERMAN:

George, since these are Bond, do we need roll calls?

MR. NOLAN:

Actually, there should be Bond Resolutions with them and there are none.

D.P.O. SCHNEIDERMAN:

Don't we have to do roll calls on Bonds?

MR. NOLAN:

Well, there's no Bonds.

P.O. GREGORY:

Gil?

COMMISSIONER ANDERSON:

Yes, Sir.

P.O. GREGORY:

Are these Bonds or --

COMMISSIONER ANDERSON:

No, this is just to accept grants -- grant funding from ESDC. There's three resolutions; the one we previously passed, this one and the third. That's all that's intended. There's no Bond Resolution needed for this.

MR. NOLAN:

Something about Bond Anticipation Notes.

D.P.O. SCHNEIDERMAN:

(Inaudible).

P.O. GREGORY:

Robert, any input?

MR. LIPP:

So it looks like it's just grant funds and they're just backing it up, since it's a Capital Project, with a Bond Anticipation Note which is just pro forma. They're not likely to issue the Bond Anticipation Note, they'll just wait for the aid to come in and spend it that way.

P.O. GREGORY:

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

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

IR 1278-15 - Amending the 2015 Capital Budget and Program to accept and appropriate grant funds in connection with engineering and design of wastewater infrastructure-Carlls River (CP 8139). (Co. Exec.) I'll make a motion. Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. I'd like to make a motion to waive the rules and lay the following resolutions on the table:

IR 20 -- 1261, Ways & Means; IR 1262, Economic Development; IR 1264, Parks & Rec; IR 1265, Budget & Finance; IR 1266, Ways & Means; IR 1267, EPA; IR 1268, EPA; IR 1269, EPA; IR 1270, EPA; IR 1271, Public Works; IR 1272, Parks & Rec; IR 1273, Health; IR 1274, EPA; IR 1279, Public Works.

I'll take a second by Legislator Lindsay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Excused Absence: Legislator Browning - Vacant Seat: District No. 12).

P.O. GREGORY:

Okay. That is our agenda, we stand adjourned. Thank you.

(*The meeting was adjourned at 1:47 A.M. *)