

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

NINTH DAY

June 16, 2015

MEETING HELD AT THE EVANS K. GRIFFING BUILDING

IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM

300 CENTER DRIVE

RIVERHEAD, NEW YORK

Taken By

Lucia Braaten & Alison Mahoney

General Meeting - 6/16/15

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

*(*The meeting was called to order at 4:06 P.M. *)*

D.P.O. SCHNEIDERMAN:

Good afternoon. I'd like to call this Legislative session to order this 16th day of June, 2015.
Mr. Clerk, will you please call the roll.

MR. LAUBE:

Good afternoon, Deputy Presiding Officer.

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

LEG. KRUPSKI:

Here.

LEG. BROWNING:

Here.

LEG. MURATORE:

Here.

LEG. HAHN:

(Not Present)

LEG. ANKER:

Here.

LEG. CALARCO:

Present.

LEG. LINDSAY:

Here.

LEG. MARTINEZ:

(Not Present)

LEG. CILMI:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Here.

LEG. TROTTA:

Here.

LEG. MC CAFFREY:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. SPENCER:

(Not Present)

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

(Not Present)

D.P.O. SCHNEIDERMAN:

Okay. Legislator --

MR. LAUBE:

Fourteen. (Not Present: Legislators Hahn, Martinez, Spencer and Gregory).

D.P.O. SCHNEIDERMAN:

I'm sorry, 14?

MR. LAUBE:

Yes.

D.P.O. SCHNEIDERMAN:

Legislator Anker, if you will lead us in the Pledge of Allegiance. All rise, please.

(*Salutation*)

D.P.O. SCHNEIDERMAN:

Please remain standing. Legislator Anker, I think we're being joined for the Star Spangled Banner. Would you like to introduce the choral group?

LEG. ANKER:

Okay. I have the Harbormen. Would you like to come up? It's a barbershop quartet. And I had been working with them with my Summer Concert Series. I want to thank you for coming here all the way to Riverhead.

**(*The Harbormen Chorus of the Harmony Society
performed the Star Spangled Banner*)**

(*Applause*)

D.P.O. SCHNEIDERMAN:

Thank you. Please remain standing. At this point, I would like to again call upon Legislator Anker at this time to introduce our Clergy, who will be leading the invocation.

LEG. ANKER:

Thank you. And they do parties and events. So if you need them, let me know.

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*(*Laughter*)*

They're absolutely wonderful. And they also do a lot of not-for-profit volunteering, so I just want to thank you. And we do have certificates for you today.

I'd like to introduce Pastor Jeffrey Kolbo, and he is the Senior Pastor at Trinity Evangelical Christian Church in Rocky Point since April of 1988. Previously, he served the congregations in Redondo Beach, California, and also in New Jersey, and Philadelphia, Pennsylvania. While a PhD student at Drew University, he taught Interdisciplinary Studies at Wagner College in New York City. In addition to his pastoral duties, he served as a Coordinator of Candidacy for the Rostered Ministry of the Metropolitan New York Synod of the Evangelical Lutheran Church in America. He is the past President of the North Shore Clericus and, until recently, was a member of the Board of Governors for Long Island Council of Churches. In 2007, he was honored as Person of the Year in Religion by the Times Beacon Record.

Because of its unique -- because of the Church's unique architectural design, the Trinity Evangelical Lutheran Church in Rocky Point is also known as the Fish Church. So, as you drive by down Main Street in Rocky Point, you'll notice this absolutely beautiful church on the south side of Main Street. They have many programs, the Hot Meal Program for the needy, the Trinity Food Pantry, and the Trinity Lutheran Nursery School. For more than ten years, Trinity's Mission Team has built, rebuilt and refurbished more than a dozen homes in New York, Louisiana, Alabama, North Carolina and Puerto Rico. The congregation's annual Strawberry and October -- Strawberry Fair and October Festivals are popular community events.

Pastor and his wife Sandy are residents of Rocky Point. They have been married for 41 years.

I would like to again recognize our Pastor Jeffrey Kolbo. Thank you so much for coming.

*(*Applause*)*

PASTOR KOLBO:

Thank you. Good afternoon, everyone. It's a pleasure to be here. Let us pray.

Eternal God, we ask that you bless the public servants and the Government of this County, and especially those elected to positions of civic responsibility. Among them are County Executive Steve, and our County Legislators, Al, Jay and Kate, the three Toms, the two Roberts, and the two Williams, Kara and Sarah, Monica and Leslie, Kevin, DuWayne, Steve and Lou. Enable them to do their work in the spirit of wisdom, charity and justice. Help them use their authority to serve faithfully and promote our common life. We pray as well for our State of New York and the nation. Bless our land with honesty in the workplace, truth in education, and honor in daily life. Make us who came from many nations, with many languages, a united people that delights in our many different gifts. Save us from violence, discord and confusion, from pride and arrogance, and from every evil course of action. When times are prosperous, let our hearts be thankful, and in troubled times, do not let our trust in you fail. Help us, oh, God, to be agents of peace. All this we pray, trusting in your goodness and in your mercy. Amen.

D.P.O. SCHNEIDERMAN:

Thank you, Pastor. Please remain standing for a moment of silence. I ask that everybody turn your cell phone ringers off so that silence isn't interrupted. Traditionally, we like to pause in silence to remember all those men and women in our military who are putting their lives on the line every day to protect our great nation. So please join me in a moment of silence.

*(*Moment of Silence*)*

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Thank you. You may be seated. Okay. We're going to start today with some proclamations. Our Presiding Officer is a little delayed, he should be here shortly.

Okay. Resolution Number 187 of '13 - Establish the truth about stimulant drinks. It was a public education campaign to increase awareness of the side effects associated with stimulant drink consumption and the negative health effect associated with consuming them. Legislator D'Amaro, who will present a proclamation to Students Against Destructive Decisions, which is S-A-D-D, or SADD, is a club. And it's Grades 10 and 11 from Deer Park High School who are the County-wide winners of the 2015 "*The Truth About Energy Stimulant Drinks*" Public Service Announcement Contest. So, Legislator D'Amaro, I turn it over to you.

LEG. D'AMARO:

Thank You, Mr. Deputy Presiding Officer. And good evening, Ladies and Gentlemen and Colleagues. It's nice to be here, of course, this evening. I'd like to start off by calling up all the members of the Deer Park High School SADD Club. Come on up if you're here.

So, as the Deputy Presiding Officer spoke about, this is the video contest that we run annually, "*Truth About Stimulant Drinks*". We've had some very interesting debates here in the Legislature concerning stimulant drinks, energy drinks. We all know that if you consume one, they can be extremely dangerous. I think they can contain up to 800 milligrams of caffeine, which is about equivalent of eight cups of coffee. And in addition to that, they have some very harmful side effects with all those other ingredients that are in them. We really don't what they do or how they interact when you ingest them. They can lead to a lot of adverse health effects such as insomnia, headaches, restlessness, nausea, vomiting, irritability and rapid heartbeat, everything I feel when I come here to the Legislature, as a matter of fact.

(*Laughter*)

But putting that side, I'm very proud of these young students that you see here today. In conjunction with our Public Awareness Campaign, the Suffolk County Legislature annually invites the high school students to create a 30-second public video, a public interest video. It's going to be played as a public service announcement. All of our districts were invited to participate, and, of course, we then had to narrow it down to one winning entry. Whoever won the video contest, that particular video is going to be utilized as a public service announcement on Cablevision.

This year's winning video was submitted by the Deer Park High School Students Against Destructive Decisions, or SADD, and you see all the members of that club standing here with me today. And in particular, the students that were responsible for the video itself were Debbie Baculima, Lulu Amah, Stephanie Vaia, James Depre, and Karishma Shah. They're also here with us today. And also attending with the club members is the SADD Club Advisor, Janet Werner. So let's please give me -- join me in giving them all a round of applause for the work that they do.

(*Applause*)

And I'd also like to take a moment, if I can, we will show the video.

(*Video Presentation*)

LEG. D'AMARO:

So there you have it. That's a public service announcement that will air on Cablevision. Thanks to these fine Ladies and Gentlemen. Thank you.

(*Applause*)

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We Present you with a proclamation to show our appreciation for the hard work and the effort that you put into this. Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Next, I'd like to call up Legislators Muratore, Kennedy and Lindsay. They'll be presenting a proclamation to the Sachem Aftershock Robotics Team, who were Quarter Finalists in the 2015 World Championship.

*(*Applause*)*

LEG. MURATORE:

If we could ask the team to come up here, please. Where are the robots? Oh, they're in the corner there, you're hiding them.

*(*Laughter*)*

You know, while they're setting up, you know, we're so blessed here in Suffolk County with what our young people are doing. They're going throughout the world and representing Suffolk County, and bringing a lot of accolades to this County, a lot of accomplishments, working so hard with their new inventions, their new ideas. You know, they are part of tomorrow, and we got a great team bringing us through tomorrow. So what I'd like to do is get started while they're setting up.

Today I'm joined by my colleagues, Legislator Bill Lindsay, III, who represents the Eight Legislative District, and Legislator Leslie Kennedy, who represents the Twelfth Legislative District, to congratulate Sachem High School Aftershock FIRST Robotics Team 263 as a Quarter Finalist in the 2015 World Championship.

Sachem Aftershock FIRST Robotics Competition Team 263 proudly represented Sachem High Schools East and North at the 2015 World Championship held in St. Louis on April 22nd to the 23rd. Bill.

LEG. LINDSAY:

I just want to say as a Sachem graduate, congratulations to the team. When I was in school there, I guess we didn't have robots, because we didn't have robotics, because it was that long ago. It's a great honor that you guys -- a great victory that you won. There were 76 teams that competed in the Hopper Division, making it to the Quarter Finals, and ranked 14th in the qualifying matches. The Aftershock was also a Regional Finalist at the SBTLI Long Island Regional, which was held at Hofstra University on March 26th and June 28th. Aftershock dominated throughout the competition. They achieved the highest round scores at the event, and you were selected to compete with the first place team for the final rounds.

LEG. KENNEDY:

Do we get to see it work? Yes? No? Okay. Sachem Aftershock's success this season is a result of a tremendous amount of hard work and dedication by its dramatically increased membership and their phenomenal parents, teachers and mentors. So on behalf of the residents of the Fourth, Eighth, and Twelfth Legislative Districts of the Suffolk County Legislature, and the 1.5 million residents who reside in Suffolk County, we would like to express our congratulations to the Sachem High School Aftershock FIRST Robotics Competition Team 263 as a Quarter Finalist in the 2015 World Championship. Great job Team 263. You make us all very proud.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

All right. I think we're going to see a video or a demonstration. What's next? The video?

LEG. KENNEDY:

Okay. Video first.

(*Video Presentation*)

(*Applause*)

MR. MAHONY:

My name is Bryan Mahony, I'm the Team Captain. I was the Team Captain last year as well. First, it's an amazing program that just touched us all. It helps us really find our place in life, definitely throughout high school.

We had some great successes this year, such as we went down to the South Florida Regional and we won it, so we brought that First Place trophy home. We went Upstate to New York Tech Valley. We lost in the Quarter Finals, but we won the Excellence in Engineering Award. So not only did we get the Finalist at the Long Island Regional and Quarter Finalist at the World Championship, we got some other awards as well.

This robot performed very well, one of our best years so far. And we have a demo for you. We are going to show you how it works. So you saw in the video how they were, totes. These arms will actually lift the totes and stack them. We don't have the controller for that right now. But on the back, it also lifts the garbage cans. And the way they scored it, so the garbage can was the multiplier. So if you put them on top of the totes and put them on this platform, it would multiply your score. So however high you stack, that's what you would get. So we would put the full 42 point stack every single time, usually twice a game. And we were one of the highest scorers at the actual World Championship, so we're very proud of ourselves.

(*Applause*)

LEG. LINDSAY:

I'll also congratulate the two coaches, Eric Jorgensen and Andrew Cifuni. We have certificates here for all the kids, and congratulations.

(*Applause*)

D.P.O. SCHNEIDERMAN:

All right. Great job, Team. You're making us all feel very proud about Suffolk County. All right.

(*Applause*)

Give us a moment so we can take a photograph.

(*Photograph Was Taken*)

All right. One more round of applause for these finalists.

(*Applause*)

Okay. So next I'd like to invite up Legislator Anker. She'll be presenting a proclamation to Sergeant Cerato from the Seventh Precinct for his courageous efforts in assisting an injured boy at a North Shore Little League game.

LEG. ANKER:

So we have Sergeant Cerato and his daughter, Ava. And we're here today to give a proclamation towards the Sergeant for his heroic efforts.

What had happened, and I think many of you had heard about this, a 15-year-old North Shore Little Leaguer had been struck in the chest while practicing pitching in the pitching cages, and Sergeant John Cerato was off duty, and, in fact, he was there at the facility, and he was at the concession stand. He happened -- I think he happened to be getting his daughter ice cream; is that how the story goes?

SERGEANT CERATO:

Yup.

LEG. ANKER:

And, unfortunately, the boy that was struck in the chest had stopped breathing. So he quickly grabbed the AED defibrillator and helped revive the boy, and that is why we're here today to honor John and also his daughter.

And I was wondering, would you like to say a few words about how important it is to -- when you see something as an officer, you know, you need to step up, and I think because of your heroic efforts, we have a young man who's now living today. So let's give Doctor -- excuse me, not Doctor, or you may become a Doctor (Laughter). Sergeant Cerato a round of applause.

*(*Applause*)*

SERGEANT CERATO:

Thank you. There actually was a doctor on scene there. And there really was no shortages -- shortage of people that were there and qualified to help out, it wasn't just my efforts. But Rocky Point Fire Department were the ones who donated the machine.

LEG. ANKER:

Rocky Point, would you guys come on up here? You guys are part of it.

SERGEANT CERATO:

And their paramedics got to the scene very quickly, as did the Police Officers who were on duty, hooking up oxygen and getting their machines hooked up to the young man. So, again, this was really a group effort, it wasn't just me. I happened to be near the concession stand.

I think, really, the lesson for this is the community feels -- I don't think it is mandated that they have these machines, but perhaps it should be, because they are life-savers, so, yeah. Thank you.

*(*Applause*)*

LEG. ANKER:

And I also, again, have the Rocky Point Fire Department, Company Number One. I have Firefighter David Singer, I have First Lieutenant Rich Bernier and Second Lieutenant Mike Bernier. And again, because of their generosity in donating the defibrillator to the North Shore Little League, you have helped save a life, and I just want congratulate you.

Would someone like to come up here and just speak about how important it is to give back to your community? And maybe what -- how did you -- why did you donate the defibrillator, what started that idea?

LIEUTENANT BERNIER:

This was an idea by an Ex-Captain to use the funds that the community had donated as a fundraiser and do something good to give back to the community. This is one of those pieces of equipment that you probably will never need, hope that you never need, but when you do need it, you hope that it's there. So in this situation, luckily it was there. Sergeant Cerato stepped up to the plate and used this. So this is giving back to the community, but thanks to the community for supporting it throughout the Fire Department fundraisers and allowing us to give back to the community. Thank you.

*(*Applause*)*

LEG. ANKER:

Thank you so much. And so we'll go ahead and take some pictures up front. But I do want to mention that the Mount Sinai Girls Lacrosse Team Class C won the New York State Championship. I was there last night at their ceremony. They were not able to make it tonight because they're at the Mount Sinai School Board meeting. So if we could give the Mount Sinai Girls Lacrosse Team a round of applause, the New York State Champions. And, also, they are third in the nation, third in the nation of Girls Lacrosse Teams. So I just want to give a big shout-out to them. Thank you.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Legislator Anker, are you going to take a quick picture?

LEG. ANKER:

Yes, we are.

D.P.O. SCHNEIDERMAN:

Okay. If you'll just bear with us briefly.

*(*Photograph Was Taken*)*

*(*Applause*)*

Okay. Next up, I'd like to invite Legislator Browning to the podium. She'll be presenting proclamations to retired Detective Dennis Delaney, and she'll be saluting posthumously Sergeant Anthony Pierri as the 2015 Medal of Honor recipients of the Suffolk County Police Department. Sergeant Pierri's family will accept the proclamation in his honor.

LEG. BROWNING:

And I'd also like the President of the SOA, Tim Morris, if you'd like to join me.

I have to say, this is something that's more than 40 years late in being recognized. I am joined today with Medal of Honor recipient Detective Dennis Delaney, who is now retired, and his wife Beverly, and on behalf of Medal of Honor recipient Sergeant Anthony Pierri, and his wife Kathy and his daughter Lynne, who will be accepting the posthumous proclamation.

Recently, Suffolk County Police Department awarded the two brave Officers with the Medal of Honor to recognize their heroic actions on the evening of April 6th, 1971. The Suffolk County Police Department provides recognition of the Police Officers or Officers who have demonstrated extreme bravery in the performance of their duties.

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On the evening of April 6th, 1971, Sergeant Anthony Pierri and Detective Dennis Delaney responded to a house in Wyandanch regarding a report that a woman was shot by a subject who was still in possession of a rifle. Police Officers George Frees and Robert Staab were the first officers on the scene.

Upon arrival, Sergeant Pierri and Detective Delaney observed that the two officers were shot and remained visible to the sniper. When Detective Delaney observed the situation, he revealed himself to the sniper in an effort to save the officers who had been shot. In an effort to distract the sniper, Sergeant Anthony Pierri revealed himself a second time as he took the shot -- the shotgun of one of the fallen officers to provide cover for Detective Delaney, who dragged Officer Staab to the rear of the police car. Sergeant Pierri provided cover a third time while Detective Delaney located a trunk release. Both officers placed injured Officer Staab in the trunk of the car for protection. Officer Delaney revealed himself a third time as he maneuvered Officer Frees away from behind the steering wheel in an effort to free him from harm's way. Sergeant Anthony Pierri and Detective Delaney proceeded to the hospital while the officers were still being shot at the sniper -- by the sniper.

Upon arrival to the Good Samaritan Hospital, Officer George Frees was officially pronounced dead, and Officer Robert Staab underwent emergency surgery to save his life. Sergeant Pierri and Detective Delaney not only put themselves in a dangerous situation, but went above and beyond the call of duty. Suffolk County respects and admires Sergeant Anthony Pierri and Detective Dennis Delaney's dedication and bravery, which exemplifies the very best of Suffolk County's Law Enforcement by putting themselves in harm's way in order to protect their neighbors, fellow officers, and to serve the community.

And again, 40 years later, this is something that's well deserved and should have happened a long time ago. But we are happy here to honor you. And we are sorry that Anthony Pierri could not be here to receive it himself. But we want you to know here at the Suffolk County Legislature and the residents of Suffolk County appreciate their dedication to our County.

And, Tim, would you like to speak? And Dennis.

MR. MORRIS:

Okay. Thank you for the opportunity. This incident is legendary in the Suffolk County Police Department. You learn about it immediately upon entering the academy. And I echo Legislator Browning in saying this is long, long overdue. And as you heard, this is only the third and fourth time. It is, obviously, almost never given out, but in this case long overdue. And I'm just honored to be able to be here with Dennis and with Tony Pierri's family. Thank you. Thank you, Kate.

DETECTIVE DELANEY:

Thank you very much for the invitation to be here this afternoon. And in behalf of the Pierri Family and the Delaney Family, we are very much honored to receive this proclamation. Thank you very much.

LEG. BROWNING:

And the proclamations have been signed by every Legislator here at the Legislature. Thank you again.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. We're just going to take a brief moment here for a photograph. All right. Any Legislators who want to join in the picture, please come around the other side of the horseshoe.

(*Photograph Was Taken*)

(*Applause*)

D.P.O. SCHNEIDERMAN:

Okay. While we're setting up, I wanted to announce that there'll be a Public Hearing at 6:30 this evening on ***I.R. 1560 of 2015. It's adopting a Local Law amending Chapter 563 of the Suffolk County Code to modify the laws relating to septic industry businesses.*** It is posted in the lobby. Thank you.

Okay. I'd like to invite Legislator Hahn to the podium. She'll be presenting a proclamation to Jack Faraci, a senior from Ward Melville High School, who won the Long Island Boys Golf Championship.

LEG. HAHN:

I'd like to -- come on up Jack and Danielle. We are --

(*Applause*)

I'm always thrilled when we have Patriots in the house, Ward Melville High School, my alma mater, Ward Melville High School. And it gives me great pleasure to honor Danielle Greene, a senior at Ward Melville High School, on her First Place finish at the Suffolk County Girls Golf Championship. Danielle shot a five over 76 at Middle Island Country Club for a two-round score of 152 to win the Suffolk Girls Golf Championship. I once shot a 76, that was my first hole.

(*Laughter*)

Okay, I'm not good at that. No, really. Danielle has demonstrated great dedication to golf, and the Three Village community is incredibly proud of her achievement. Dedication, hard work and focus do pay off, so congratulations to you.

And then also Jack Faraci, also a student at Ward Melville High School, captured the Long Island Championship Cup after defeating more than 45 teams. Jack led the Boys Varsity Golf Team to a 6-3 victory. Congratulations to both Danielle and Jack on their triumphs, and keep it up.

(*Applause*)

P.O. GREGORY:

Okay. Next we'll have Legislator -- Deputy Presiding Officer Schneiderman, who will make a presentation to the Southampton Mariners Boys Basketball Team.

D.P.O. SCHNEIDERMAN:

I'm honored to have another Long Island Championship team here from the Second Legislative District. I know some of us have been watching the Cavs/Warriors finals. It's been pretty exciting basketball, but there's pretty exciting basketball also at the high school level. These guys behind me, they're all from the Southampton Mariners Boys Basketball Team. They won the Suffolk County Class B Championships, that's the second consecutive year. They also won the Long Island Class B Championships for the second consecutive year. They won the Suffolk County Small School Championships -- Championship.

They defeated the Babylon Panthers. Sorry to the Babylon Legislator. They defeated Babylon Panthers two years in a row, 2014 and '15. It was a very exciting game. They defeated the Panthers 80 to 74 in a thrilling double overtime victory for the Suffolk title. The Mariners won 17-1 during the regular season, undefeated in League VII play. Southampton -- Southampton was

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trailing by six points with only a minute and 49 seconds to go in the fourth quarter. The Mariners battled back, and senior, Israel Johnson, which is -- who's Israel? Right here. How are you doing, Israel? Good. Senior -- where am I? So let's see. Okay senior, Israel Johnson, scored the game-tying dunk with only eight seconds to go. The game was tied at 66 at the end of the first overtime. Southampton went eight -- 8-10 from the free -- 8 out of 10 from the free throw line in the game's final two minutes. Could you imagine, 8 out of 10?

So, anyway -- so they won in a thrilling double overtime. What a great team. Second time Long Island Class B Championships. Let's give a great round of applause for the Mariners.

*(*Applause*)*

I'm going to present them with a proclamation on behalf of myself and on behalf of Suffolk County in their honor for the school. My daughter happens to be a student at Southampton High School. Some of you may know Magda. So congratulations, guys. And I'd like to ask Coach Lamison, I'd like to ask the Coach to say a few words. Coach Lamison.

COACH LAMISON:

Good evening. Thank you for having us today, for the invitation, Legislator Schneiderman. I'd just like to say I'm very proud of these young men for coming back the second year in a row to win the Long Island Championship, and wish them well in their future endeavors.

D.P.O. SCHNEIDERMAN:

All right.

*(*Applause*)*

Let's set up for a quick picture.

*(*Photograph Was Taken*)*

*(*Applause*)*

Okay. I want to take a moment to recognize an outstanding Coach, Coach Paul Bass. I've been trying to get him up here to honor him for a while, but we were able to get him today.

In April, Coach Bass was inducted into the National Wrestling Hall of Fame. In 1978, he earned the 155-pound Suffolk County Wrestling Champion title himself. He's had 250 career wins as a coach. He's considered in the top ten most winning coaches, wrestling coaches of all time in Suffolk. He was Coach of the Year six times; 200 All-League wrestlers that he has coached, 41 All-County wrestlers, four County Champion wrestlers, eight State-qualifiers, and five All-State wrestlers, and Outstanding Coach. I'd like to invite Paul Bass to join me. Hey, Paul.

COACH BASS:

How are you?

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

I'll be presenting Coach Bass with a proclamation. And I'd like -- you want to say a couple of words? What an outstanding career.

COACH BASS:

I'm just a product of a lot of really good people and really good kids who make me look good.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

All right. Let's give a great round of applause for a Hall of Famer. Thank you.

P.O. GREGORY:

It's my pleasure to stand before my colleagues today and recognize someone who has been with us a long time, but will be retiring very soon. So Marge Acevedo?

*(*Applause*)*

She's a little red in the face. Marge, on behalf of myself and my colleagues, we want to thank you for your many years of service in the Legislature. You will be missed. Your work and efforts have certainly been very appreciated. And we know that you'll be around and you'll be -- you'll continue to work for, you know, some of the committees and stuff, and your -- certainly, your presence will be in Suffolk County, and you'll enjoy the grandkids, whether here or --

MS. ACEVEDO:

Ten.

P.O. GREGORY:

Ten, 10 grandkids. We're going to miss you. We love you, and thank you for everything that you've done.

MS. ACEVEDO:

Thank you.

*(*Applause*)*

I'm really going to miss all of you. It's been a great journey. You have been family. I've seen -- I started counting last week, just for the hell of it, I started counting, and I've seen about 57 Legislators come through the road in my 20 years, and it's been a pleasure. So thank you all very much and thank you for your support.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

While they set up for a picture, I also just wanted to say a special thank you, too, to Marge. I've known her for a number of years, even when she was a Legislative Aide for the Legislator who held my seat years ago.

MS. ACEVEDO:

We won't say that name.

D.P.O. SCHNEIDERMAN:

We don't talk about that, though, right, so --

*(*Laughter*)*

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But I've had the pleasure to work with Marge for many years, and I want to thank you personally for your many, many years of service. It's been wonderful having you and working with you.

*(*Photograph Was Taken*)*

*(*Applause*)*

P.O. GREGORY:

Next, we'll recognize Legislator Krupski, who has a couple of presentations as well.

LEG. KRUPSKI:

All right. This is Julia Morrow, she's a resident of Baiting Hollow, and she played softball. To say it, it sounds simple. She played softball in Riverhead High School, and she played under Coach Robert Fox, and Coaches Dave McKillop and Jon Maloney. She was 13 and 8 in 127 innings, with 226 strikeouts. But that's not the reason she's here today, and it's also not the reason she's here is because we're related also through the -- no, that's not it.

She pitched at the University of Tampa, and some -- these are some of the awards she won there. Sunshine State Conference Pitcher of the Year 2015; Daktronics All South Region Pitcher of the Year 2015; two-time Daktronics Third Team All American; two-time First Team All Sunshine State Conference; two-time Daktronics First Team All South Region; two-time National Fast Pitch Coaches Association; First Team All South Region; Louisville Slugger NFCA Division II National Pitcher of the Week; Louisville Slugger Selected Top Performance of the Week; seven-time SSC Player of the Week; led the NCAA in Earned Run Average with .72 in 2014; led the NCAA in least hits allowed per seven innings, 2.89 in 2014; ranked 24th in the country in saves in 2014; finished fourth in the NCAA in strikeouts per seven innings, with 10.8 in 2014. So, I mean, those are really -- those are really great numbers.

And I know pitching, it's not only physical, but it's extremely mental, and it's really -- as a father, I know what it -- a little bit what it's about. And I give your parents a lot of credit, because for what you put them through also, I'm sure, when you're on the mound.

*(*Laughter*)*

So on behalf of everyone in Suffolk County, I'd like to give you this award for the great -- all those great pitching records. And if you could just say a couple of words about what you're doing now.

MS. MORROW:

Currently, I'm still at the University of Tampa. I'm finishing out my Master's Degree in Instructional Design and Technology. And then in the spring, I will be a high school pitching coach. So I continue in the game of softball in Florida.

*(*Applause*)*

LEG. KRUPSKI:

Congratulations.

MS. MORROW:

Thank you.

LEG. KRUPSKI:

Next, I'd like to call up Randee Daddona with her award. So the work of Photojournalist Randee Daddona was -- first landed on the cover of a New York City tabloid at the tender age of 13, so that

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was about, I think, ten years ago (laughter). A student at Mark Twain Junior High for the Gifted and Talented at Coney Island, Ms. Daddona and her classmates were on a field trip in Brooklyn when they stumbled upon some breaking news. And that's pretty impressive to start a career like that at age 13, and to really be focused and to know what you want to do. I think that's -- I think that's pretty -- that's pretty impressive.

On Saturday, Ms. Daddona took home a New York Emmy in the Best Lifestyle Feature category at the New York Chapter of the National Academy of Television Arts and Sciences' Annual Award Ceremony at the Marriott Marquis in Times Square. She was honored for a Newsday video she made about North Fork Sea Salt owners Scott and Kassata Bollman. The piece was shot in Cutchogue. And she shares the award with Newsday Assistant Managing Editor Arnold Miller, and Video Editor Jeff Basinger.

And could you please tell us about the award and about your career?

MS. DADDONA:

Okay. Everyone wants to go home, so I'm just saying I'm just here to tell stories about people on the East End, and I'm just going to keep making videos. So it's really -- they're the ones that are doing things for us, and I just want to tell their stories. So I'm just documenting them, that's all. Thank you.

*(*Applause*)*

LEG. KRUPSKI:

Congratulations.

MS. DADDONA:

Thank you so much.

*(*Applause*)*

LEG. KRUPSKI:

And I'd like to call up Michael Reichel.

*(*Applause*)*

So many of you know Michael. And everybody talks about water quality, but Michael's actually someone who does something, he did something about it. And just recently, he won the United States Environmental Protection Agency recipient, he was a recipient of the Environmental Champion Award for 2015. And he's the operator of the Riverhead Sewage Treatment Plant, and it's the -- really the first sewage treatment plant on Long Island to take the wastewater, and instead of dumping it into salt water, they use it on the golf course. And maybe, Michael, you could explain that use, since you've been the driving force behind it.

MR. REICHEL:

I know things take a long time in government. We started this project back in 2004 with the pilot study, Phase I and Phase II. We're at a point now where we're under construction to institute the reuse system, upgrade the wastewater treatment plant, and reuse the effluent on the golf course, if the plant's upgraded. The other facet for environmental protection and reuse is the application of the bio-solids on the sod farms that we'd like to do also. That's the next step.

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I know that the Suffolk County Legislators have been very supportive of the upgrade of the Riverhead Sewer District Plant with the grant award of 8.1 million, which was really great. That kind of pushed it over the edge and really made it happen. So you guys need to applaud yourselves for the decisions you've made to -- for water quality improvements. Thank you very much.

*(*Applause*)*

LEG. KRUPSKI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Next on our agenda is statements and presentations from Village, Town, State or Federal elected officials. I have one, Councilman Jim Wooten, or James Wooten. Jim, if you'll come to the podium, an dI'll give you a few minutes to make your comments now.

COUNCILMAN WOOTEN:

Thank you very much. Actually, I'm talking about a Procedural Motion Number 23. My name is James Wooten, I'm a Councilman for the Town of Riverhead, I'm Liaison to the Open Space Committee.

The County's goal of purchase and preservation of Broad Cove demonstrates a commitment to protecting our environment, particularly the Peconic Estuary. The Broad Cove Duck Farm operated on Terry's Creek and Broad Cove. The Creek and the Cove open up to the Peconic River.

As far back as 1993, the Federal Government, the EPA, declared the Peconic Estuary, which sits at the apex of the North and the South Forks on Eastern Long Island and feeds into the Atlantic Ocean, as an estuary of national significance. The Town and the County made significant strides in improving and restoring the ecosystem of the estuary by preserving the lands.

As for the Town, the Town has purchased at least a half dozen significant parcels, invested thousands of dollars in restoration efforts, the fish passage, bulkhead repairs, etcetera, and adopted zoning to protect and promote this environmentally sensitive area. The County has been ever diligent in its preservation efforts, including purchase and preservation of the Warner Farm, which sits at the head of the Peconic River, and countless other projects and purchases, which is the goal to protect this environment.

Years ago, several decades ago, the duck farm industry was an important industry in our economy. It was reported that circa 1960, eight million ducks were grown in Suffolk County. The height of the industry was evidenced by significant effluent waste loadings in the Flanders Bay, Moriches Bay and the Great South Bay. Prior to the 1960s, duck farm operations were not legally required to install facilities to eliminate discharge of solids into surface waters. The result of the discharge was pollution and destruction of the environment, the plants, fish, and wildlife.

This property is a priority for acquisition. As I stated above, Broad Cove and any development of this property will, without question, add to existing impacts which affect the property and the waters from the duck farm operation, and risk setbacks to the strides made to restore habitat and water quality.

I, on behalf of the Town of Riverhead, do not simply support the County's efforts, but I express great appreciation and thanks for your consideration to preserve this property. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Mr. Wooten, Councilman. Okay. And we're going to begin Public Portion. Each speaker will have three minutes to present their comments. Our first speaker -- these are in the order that the cards were filled out -- a familiar face, Marjorie Acevedo.

MS. ACEVEDO:

Good afternoon. I'm a member of the Town of Riverhead Open Space Committee, and have been asked to appear on their behalf to express support for the County of Suffolk's acquisition and preservation of Broad Cove.

The property known as Broad Cove is approximately 94 acres and the site of the former Broad Cove Duck Farm. The historical overview of the duck farm industry in Suffolk County inventories approximately 2000 acres of land, with almost 20 miles of shoreline along the freshwater creeks, rivers, and estuary tributaries, primarily located in the Towns of Brookhaven, Riverhead, and Southampton, and were utilized for duck production during the last century. The duck farms needed access to a source of water, hence, locating along the freshwater and tidal waters. The duck farm operations destroyed, devastated and altered freshwater wetland habitats and tidal marsh habitats, comprising -- comprised of vegetation, fish and wildlife.

Broad Cove Duck Farm operated along Terry Creek near the mouth of the Peconic River. Broad Cove is within the legislatively designated boundary of the Peconic Pinelands, Maritime Reserve, an area interconnected and encompassing the Central Long Island Pine Barrens and the Peconic Estuary.

In 1993, the Peconic Estuary was the 28th estuary admitted to the National Estuary Program by the Environmental Protection Agency. The Nature Conservancy identified the Peconic Estuary and its watershed as one of the last great places in the western hemisphere. The Peconic Estuary provides feeding habitat, as well as spawning and nursery grounds for a wide variety of aquatic and terrestrial species. Shellfish, such as bay scallops and hard clams, and fish, such as bay anchovies, summer flounder and weakfish, are among the many aquatic species that utilize the Peconic Estuary.

This property has been the subject of countless studies, including the 2000 Peconic Estuary Program Habitat Restoration Plan, and updated Peconic Estuary Program, Habitat Restoration Plan in 2009, Long Island Duck Farm History, an ecosystem restoration opportunities conducted by the U.S. Army Corps of Engineers and Suffolk County in February of 2009, and restoration dredging projects, which first began in 1948. These studies, together with the Town of Riverhead Community Preservation Plan, adopted by the Town of Riverhead Community Preservation Plan in 1998, identified the Broad Cove Duck Farm as not simply appropriate for preservation, but a priority.

The Town of Riverhead Open Space Committee urges the Suffolk County Legislature to approve this acquisition. Thank you for your time.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Thank you, Marge. Okay. Our next speaker is John Rather, and Bob DeLuca is on deck. John.

MR. RATHER:

Thank you very much for the opportunity to speak to you about Broad Cove. I strongly support what Councilman Wooten said and what Marge Acevedo said. It's been really more than 50 years that the County has been trying to acquire that Broad Cove property, and there's been many a twist and turn along the way. And now, finally, we come to a moment when it seems possible that it can be brought into County ownership. It would be a wonderful addition to the Indian Island County

Park if you chose to use it that way. It has terrific potential for development for the use of all the people of Suffolk County. And I very much urge you to do whatever you can to move forward with this acquisition. Thank you very much.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Next up is Bob DeLuca, for Group for the East End, followed by Dick Amper.

MR. DELUCA:

Good evening, Members of the Legislature. My name is Bob DeLuca and I'm speaking on behalf of Group for the East End in support of Procedural Motion 23-2015, which is the motion discussed about Broad Cove and the -- allowing the County to make an offer.

As has been said by prior speakers, and I'll just repeat it here, I remember John Rather and I speaking about this property years ago when I worked here for the County, which is going on about 25, 26 years ago now. And as far as I can tell, this project -- this area has been a priority for acquisition for at least 25 years, if not 30. Over those years, the public has stood up time and time again trying to protect as many pieces of property as we have left in the Peconic Watershed, particularly the western watershed. Anybody's who's seen the news in the past two months, you know, can tell you the trouble that we're having in that area with respect to low oxygen levels, harmful algal blooms, turtle die-offs, fish die-offs. All of these things are made worse by the lack of clean water coming in from undeveloped watersheds, and all of these pieces of property that we can get along the Peconics are critical to that.

I understand that this piece is not maybe well known to everyone, but I can tell you, on behalf of those of us on the East End, this parcel is critical, has been critical, and is a cornerstone of the acquisition efforts in the western portions of the Peconic. Many people have called me, seeing what's been happening lately in the paper and says, you know, "What can anybody do quickly to do something about this problem?" Before you is an opportunity to do something. And on behalf of my organization, and I know many others, I hope that you'll proceed to allow the County to make the offer on the Broad Cove property, so, hopefully, we can bring it into the preservation arms of Suffolk County, if you will, and assure that that area is going to help protect the future of the Peconic Estuary. Thank you for that.

And just a quick footnote. I would just -- I know that the Climate Action Plan is also coming up and I would just urge the Legislature to accept that plan. The County has saved millions by proceeding with some of the policy recommendations of the Climate Action work that's come before you, and this plan, obviously, will allow that to go forward, provide you with policy recommendations, and also I think serve as a platform for opening up that process to commercial businesses throughout the County as well. Thank you.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Next up is Dick Amper, followed by Edward Springer.

MR. AMPER:

Good afternoon. My name is Richard Amper. I'm with the Long Island Pine Barrens Society. It was in 1989 when I was new to the Pine Barrens Society that the Broad Cove property was put on the Pine Barrens Society's list of the top ten targets for acquisition. Since then, 111 other projects have come onto this list and gone and it remains.

One of the greatest achievements in the history of this body was the creation of a Drinking Water Protection Program and the purchase of key elements that contribute to the watershed, whether it's drinking water or surface water. That was the key element, the key intent. And the public paying two-and-a-half times the national average in taxes would go to the polls time after time with margins as high as 84%, saying, "If you will buy" -- "If you will use this money to purchase land that protects water, we will give you what you need to do it." And the people of Suffolk County have put up more money than 45 of the 50 states in the union to do that. That's not more acres, it's more money. That's the commitment they want to make.

This has been going on since 1988, when the program was first put in place. But those of you sitting around the table should take pride in your role, and now we're down to the last dollars available to purchase land. We need to remedy that. But we couldn't do better than to complete the commitment to acquire this piece of property. It just really does exactly what it is that we're trying to do in the face of the calamity that we're having in terms of water quality. So I commend the support.

I want to thank Legislator Krupski and all of you for recognizing the importance of this, and if you accomplish this, you will have done what so many of your predecessors have not been able to do. So I wish you well. Thank you very much.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Thank you, Mr. Amper. Edward Springer is next, followed by Kevin McAllister.

MR. SPRINGER:

I am here representing the Fire Service, the local Fire Marshals Offices in regards to Local Law 1260, regulating the board-up companies within Suffolk County. Again, we're not looking to license them, we're just looking to have them registered with Consumer Affairs to have some oversight with those board-up companies. Really, that's all I have, and we're just looking for your support in regards to that bill. Are there any questions or --

D.P.O. SCHNEIDERMAN:

We can't ask questions at this point, so thank you, sir.

MR. SPRINGER:

Thank you.

D.P.O. SCHNEIDERMAN:

All right. Kevin McAllister is next, followed by Bill Toedter.

MR. MC ALLISTER:

Good afternoon. Kevin McAllister of Defend H2O. This is not the purpose of my commentary to the Legislature, but I would like to echo the preceding speakers. Certainly, I encourage the Legislature to acquire Broad Cove. It would be a sensational acquisition.

And also, I would like to acknowledge Michael Reichel and the good work with Riverhead Sewage Treatment Plant. And if you recall back in the Fall, I applauded the Legislature for being innovative in as far as reuse of water on the -- as irrigation on the adjacent golf course.

I've appeared before this Legislature since 2000 on Vector Control, and I'm here once again. I will reiterate some of my comments from last December pertaining specifically to the use of Methoprene. This is one of the larvicides that is applied, usually by helicopter, directly over the salt marshes.

I'm hearing the responses from the public. There's a pretty broad scale rejection of the use of this product. Certainly, with respect to East Hampton Town, I'm encouraging them, and I've asked the Legislature, with respect to the authority of Suffolk County, we're talking about a larvicide that is ultimately targeting, again, the larval form, which is not a carrier of the West Nile Virus. There is no vulnerability with respect to public health. Does the County actually have the authority to apply this pesticide over privately owned wetlands? And I would submit, I don't believe they do, and I hope that you are challenged on it.

Putting that aside with the legal authority, certainly, with respect going back some years ago, and you know my efforts ultimately move Suffolk County into doing an Environmental Impact Study around the entire Vector Control Program, from the wetland ditches to the pesticide applications. And I have very good institutional memory, because I've been front and center on this issue since 2000. And I will remind this Legislature, and I know there has been some turnover, but perhaps, you know, in your minds you're not the record-keeper, per se, but ultimately the Council on Environmental Quality rejected the use of Methoprene. They did not find the findings of the consultant, Cashin Engineers, as being credible with respect to Methoprene applications and the potential for collateral damage.

I hear all the reports, dead crabs in crab traps following spraying events. And Fred Chiofolo had testified before this Legislature, he testified in court to that fact. You know, ultimately, I think you really have to start taking a hard look at Methoprene. And, unfortunately, I'm about to run out. I really wish you would scrutinize Mr. Ninivaggi's statements to you and not take it at face value, because, again, I think you're being misinformed. Thank you.

D.P.O. SCHNEIDERMAN:

All right. Thank you, Kevin. So next speaker would be Bill Toedter, followed by Councilwoman Jodi Giglio.

MR. TOEDTER:

Thank you. My name is Bill Toedter. I'm speaking on behalf of the North Fork Environmental Council.

They say that good things come to those who wait, and the people of Riverhead and Suffolk County have waited a long time for the Broad Cove property to be preserved as open space. The North Fork Environmental Council, its members, its friends ask you, our elected officials, to make a commitment to continue down the path of purchasing this critical property, considered by environmental groups, including the Nature Conservancy, as one of the most important properties for preservation in Riverhead Town. This is not only a critical property, it's a critical time.

We've all seen the reports of the terrapin die-off in Flanders, of the bunker die-off from the Peconic to points east, the latest just happening on Sunday. We need to take action of reducing nitrogen load in our waters, and we need to take action now. By preserving this keystone property as open space, by removing the shadow of high intensity -- high density development along these fragile shores, the Legislature would be taking an important step towards a better future.

People often say that environmentalists are anti-development or anti-business, and that's an unfair label. We, like everyone else, want the best for our friends and family, for our children and grandchildren; the best jobs, the best place to live, the best way to a happy and healthy life. Environmentalists are realists. We are -- business of all forms and the environment must coexist in a mutually beneficial and sustainable manner. And as realists, we know that without clean water to drink, without clean water to swim and fish in, without clean water that can sustain critical plant and fish ecosystems, Suffolk County has no economy. There will be no agriculture, no baymen, or other commercial shellfish or finfish operations. No clean water means there will be no tourism, and that's

devastating to this economy here on the East End.

This is a crucial piece of property for open space preservation. This is a crucial time to take steps needed to safeguard our waters. And this will be a crucial step to make a loud public statement that this Legislature is taking all necessary steps to protect and preserve our waters, our environment and our economy. I hope you'll agree and continue down the path of purchasing Broad Cove, because it's right for our waters, it's right for our people, and its right for both our environment and our economy. Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Thank you, sir. Next up is Councilwoman Jodi Giglio, followed by Kevin McDonald.

COUNCILWOMAN GIGLIO:

Good afternoon, and thank you for the opportunity to speak before you this afternoon. I am speaking about Broad Cove. And I want to thank Legislator Krupski for bringing this to the forefront as our Legislator for the District. And I want to thank the Legislators for considering the acquisition of this very environmentally sensitive piece of property within the Town of Riverhead. And while taking properties off the tax rolls can be painful for the taxpayers, I feel that the environmental benefits far outweigh the detriment to the taxpayers when it comes to this piece of property.

The Town has not seen any proposed development on this property because of all the environmental hurdles. I just hope that the County will be supportive and will keep partnering with the Town in reducing nitrogen loads into the Peconic Estuary.

As you all know, we are having this problem with the fish kill. I was on the shore with Legislator Krupski a couple of weeks ago, along with Greg Dawson, your County Parks Commissioner, and our Highway Superintendant, trying to find a solution to the problem. And this is definitely a step in the right direction in reducing the nitrogen loads into the Peconic Estuary.

So I want to thank you all for your consideration, and look forward to working with you in the future to making the environmental conditions, and our tourism, and the quality of life of our residents, which we all have that in our hearts, I know, better in the future. So thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Councilwoman.

*(*Applause*)*

All right. Our next speaker is Kevin McDonald from the Nature Conservancy, followed by Anthony Coates.

MR. MC DONALD:

I guess it's good evening, Members of the Legislature. Thank you for the opportunity to -- for me to address you. I'm Kevin McDonald with the Nature Conservancy, and I'd like two quick plugs. One, please adopt the Climate Action Plan. I had the privilege of being engaged with that, and it was very thoughtful. And the best way to get greenhouse gases reduced, and to get better energy efficiency is to adopt a strategy and then follow it, and there's grant money that follows that plan if you adopt it. So I would encourage you to do that.

And the second thing that I'd like to speak about, second issue is the Nature Conservancy's strong enthusiastic support for the preservation of Broad Cove. I have been involved in a number of open space plans in Suffolk County and in New York for Suffolk County and Broad Cove was always on the list, and it never came off the list, because it wasn't developed, but it was never protected. It was a

difficult transaction to get the landowner to finally potentially come to terms with Suffolk County. This is an opportunity you should not miss. I strongly encourage the acquisition. It's a terrific location, great waterfront, 100-acre frontage on the Peconic in an area that's having problems. And the best way to reduce the load of nitrogen is to protect it so it has no further development impacts.

Many others have spoken on this for a lot of reasons. We strongly endorse the acquisition. And I want to thank Legislator Krupski and some of his colleagues for the support that I am anticipating this Legislature will provide. Thank you again.

*(*Applause*)*

D.P.O. SCHNEIDERMAN:

Okay. Thank you Mr. McDonald. Anthony Coates is next, followed by Laura Jen Smith.

MR. COATES:

Good afternoon, Mr. Presiding Officer, Members of the Legislature. My name is Anthony Coates. I live on Roanoke Avenue in Riverhead.

I want to add my voice to the bellowing chorus of folks that stand for a County purchase of Broad Cove. I'd rather not talk in technical terms. You have many studies sitting, probably holding back doors in your offices with the benefits to making this purchase.

Let me just talk to you very briefly in people terms what this means. You know, when I taught my two daughters how to play Monopoly as kids, I said to them, "Always buy the best pieces of property, because it will pay off in the long-term as you play this game." It obviously worked. Both of them stomp on me when we play Monopoly at home. But this, this purchase of Broad Cove is the equivalent of buying Boardwalk and Park Place at the same time. This is obviously one of the key strategic purchases you could make. This is one of the best parcels you could make. And we all know here on the East End that our environment and economy are intertwined. Not only does the environment enrich us spiritually, but here in the East End, it is our economy. And so this has gone on for a long, long time. This is a legacy that you can leave to your children and to the folks in Suffolk County.

I want to thank Legislator Krupski for playing such a critical role in taking this long dormant piece of legislation off the table, and he will be doing his part for the people of Riverhead and beyond. Thank you very much. I urge you to pass the Broad Cove purchase.

*(*Applause*)*

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

D.P.O. SCHNEIDERMAN:

All right, Laura Jens-Smith, followed by Jane Fasullo.

MS. JENS-SMITH:

Good evening. I'm Laura Jens-Smith, I'm a resident of Laurel in Riverhead Town, and I'm standing before you to urge you to move forward with the acquisition of the property known as Broad Cove in Riverhead.

Riverhead has longed served as a resource for moderate to low income housing for the East End. We have and continue to support the affordable housing for the workforce of our communities. In doing so, we have lagged behind our neighbors in the monetary resources for land preservation. We

do not collect the Community Preservation Fund dollars that our neighbors do. Last year our neighbor, Southampton, collected over \$64 million in a Community Preservation Fund, while in Riverhead we only collected 3.4 million, making it difficult for us to purchase land and preserve our groundwater without the help of the County. Riverhead has also contributed significantly to the Suffolk County tax base. We are home to the largest shopping corridor on the East End, providing sales tax to the County.

Today I ask that the County supports Riverhead in our effort to preserve this land, land that is vital to protecting the quality of life and environment in Riverhead. Voting yes to preserve this land helps to ensure that the unique quality of Riverhead and the open spaces in Suffolk County will be there for future generations to enjoy. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

All right, Jane Fasullo, followed by Linda McGregor.

MS. FASULLO:

I know you've heard a lot from many people about exactly what I'm going to speak to and that's Broad Cove. I'm Jane Fasullo, I'm the Outings Chair for the Sierra Club Long Island Group, and in that capacity I'm responsible for the exploration part of our tag line which is *Explore, Enjoy and Protect the Planet*.

I'm a certified leader responsible for taking people outdoors for enjoyable and safe experiences and responsible for training others to do the same. One of my favorite places to take people is here in Riverhead. We begin a paddle at the Peconic Paddler just around the corner, launch into the Peconic River and proceed to Indian Island. Most of that trip is very uneventful, very unpleasant, as we have to battle with murky water, narrow waterways and mini-boats. But as we approach the park, the feeling changes. Houses shift back from the river and plants, birds, shells, sandy shores and bugs dominate, not to mention that we also get to see the osprey nesting on the bridge by Route 105 on many occasions.

In spite of all of this, nothing compares to coming around the corner of Indian Point and seeing the beauty of Broad Cove. Paddling up into the Narrows, the marsh sites are something that cannot be found elsewhere. Those who join me regularly say this is one of the most beautiful places they have ever been, and they express how thrilled they are by this unique treasure. It's important to me and it's important to them that this cove be preserved. I want to also mention it's the only place I have ever seen a nesting pair of wood ducks.

In another respect in terms of this property, I know as a homeowner living on a marshland, that we have to jump through hoops to do anything, including trying to protect the marsh by putting a walkway over it. But permits were issued to build 500 housing units, later reduced to 396, on one of the most valuable parcels of marsh near the mouth of the heavily polluted and impaired Peconic Bay. The permits were issued at a time when the bay was not polluted and the importance of marshlands were not quite known. And while the law of our state makes it extremely difficult to undo previously issued permits, that should not stand in the way of writing a wrong that had been done. The purchase of Broad Cove achieves this.

The entire Sierra Club Long Island Group wants to thank Legislator Krupski for bringing this to our attention and bringing it to moving it forward. We hope that you find a way to make this purchase for the benefit of the people of the County and for the bay. Thank you.

Applause

D.P.O. SCHNEIDERMAN:

Okay. Next up is Linda McGregor, followed by Neal Lewis.

MS. MCGREGOR:

Thank you. Linda McGregor, Selden, employee of Suffolk County Department of Health Services and member of the Suffolk County Association of Municipal Employees.

I am asking you to call for the resignation of Cheryl Felice, Administrator of the Suffolk County Municipal Employee Benefit Fund.

I am presenting to you evidence of a crime committed by Cheryl Felice, crime of liable against New York State Supreme Court Justice Peter H. Mayer. In my -- Cheryl Felice published false judicial decisions in my lawsuit against the union. These false judicial decisions were supported by the union leaders. This is evidence of a crime of liable against New York State Supreme Court Justice Peter H. Mayer. These false judicial decisions have been endorsed. Former union leaders and I have endured six years of liable, slander, harassment and bullying by an administrator of a County agency getting paid six figures with Suffolk County taxpayers dollars.

I'm not asking for your sympathy, I'm asking you to remove an administrator of a County department collecting six figures, paid with our tax dollars, who committed a crime. I just gave you evidence of a crime committed by Cheryl Felice. This is proof of liable. There should be no one in an administrative position that has committed a crime. These false judicial decisions were on the Internet for four years. The attorney I hired for my lawsuit, Arthur Schwartz, torpedoed my lawsuit by failing to file it correctly and filing it on the last day of the deadline for the statute of limitations. There was no opportunity for me to withdraw my motion and file it correctly in time.

If Cheryl Felice is capable of publishing false judicial decisions without blinking an eye, what else has she lied about? This crime is conduct unbecoming an administrator or employee of Suffolk County government. Again, I don't want your sympathy, I just want you to hold somebody accountable who committed a crime and who's getting paid with taxpayers dollars. I ask that you demand her resignation. If you want more documentation and more crimes, I can give you the false to New York State Attorney General decision she distributed to my union as well.

On another note, I ask for your support calling for a 28th Constitutional Amendment to overturn the United States Supreme Court Citizens United Decisions and McCutcheon Decisions. National grassroots movements are growing, there's a lot of work going on at the Town of Brookhaven level trying to get a resolution passed by the Town of Brookhaven in support of a 28th Constitutional Amendment. There's a lot of work going on at the State level. A letter was signed by the majority of the New York State Assembly calling for a 28th Constitutional Amendment to overturn Citizens United. It's three votes -- three signatures shy of the Senate --

(Beeper Sounded)

-- and I have information about the 28th Constitutional Amendment and I ask for your support. There's one for everybody.

D.P.O. SCHNEIDERMAN:

Thank you, Ms. McGregor. Next up is Neal Lewis, followed by Brian Macri.

MR. LEWIS:

Good evening, Legislators. My name is Neal Lewis, I'm the Executive Director of the Sustainability Institute at Molloy College. I'm pleased to speak with you tonight about the work product produced by a committee appointed by the Suffolk Legislature some two, maybe almost three years ago, and basically the work product is called the Suffolk County Climate Action Plan. I'm not going to

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obviously read the plan or anything like that, but I want to hit a few highlights, and primarily I want to just explain the process and where we're at in my few minutes.

So in terms of the process, this is a plan that's a product of the Climate Smart Community's Program that's run through New York State by the Department of Environmental Conservation, DEC and NYSERDA, so DEC/NYSERDA is promoting throughout the State the idea that communities pull together and adopt plans like this. It's purely voluntary, however. There is one aspect where it could help the County in future grant applications, but for the most part it's a voluntary -- or it's a completely voluntary program.

I want to point out that you guys appointed a committee; there was nine seats but eight people who participated. Wayne Horsley, who at the time, obviously, was the Legislator and the Chair of the committee, asked me to play a role as the Chair of this committee. We had tremendous input from County officials, including Legislators that sat on the committee, but also staff including Javed Ashraf and Lisa Broughton; also from Suffolk Community College, Nick Palumbo and Anita {Lowenheart}. So I wanted to just mention that quickly.

Essentially this is a plan that seeks to lead by example. It sort of points out what the County's accomplished such as saving approximately \$5 million a year with reduced energy bills, which is good from the perspective of reducing our impact in terms of the environment, in terms of contributing to the greenhouse gases that cause accelerated global warming, but we're also saving money in the process. So that's the sort of leading by example message.

There was some confusion in some of the media coverage about how the Pace Program fits in that. We invited Pace to the committee meeting because that was one of the recommendations, so this document essentially makes recommendations. The Pace item would have to be handled separately, as a separate piece of legislation that would come before you.

Similarly, there's an item in here on page 23 that talks about the issue of carbon monoxide hazards and makes recommendations. Again, the plan is essentially setting out past successes and recommendations, and that's how I see it as sort of leading by example. And in the carbon monoxide area on page 23 it talks about best practices and establishing principals of annual cleanings and such of the energy systems in the County. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you. Mr. Lewis. Next up is Brian Macri, followed by Kathleen Malloy.

MS. MALLOY:

I'm sorry, Brian Macri can't be here right now. He'll be here later this evening, so I'm next.

D.P.O. SCHNEIDERMAN:

Okay, Kathleen Malloy.

MS. MALLOY:

Thank you. My name is Kathleen Malloy, I'm a 30-year Suffolk County retiree and I'm currently on the AME transition team representing Brian Macri.

The many questions behind privatization of public services. Before proceeding with any more privatization here in Suffolk County, we ask shouldn't our elected officials take the time to study the results of what services have been privatized thus far to see if it's working here in the County. Take the John J. Foley Skilled Nursing Facility, for instance. Our County elected officials said that privatizing the Foley facility would solve Suffolk's fiscal ills. However, years later all we have is an empty, state-of-the-art building disintegrating amongst growing weeds, and we still appear to have

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the same 200 million structural deficit that closing Foley was supposed to help.

Legislator Schneiderman suggested at the last Legislative Public Hearing that the privatization of the County-owned and operated Riverhead Health Center could perhaps take more time. Merge Hudson River slowly, allow the County workers to remain working at the clinic until Hudson River is fully able to take over the required administrative responsibilities required to best serve our County residents. Many of our County workers could explore potential retirement or take time to work with the County Administration to seek out other positions in the County without the rush of having to make such a career life decision in a moment's time.

AME leadership elect, the team, are concerned for the AME members. For instance, where the 47 full-time County workers will go after the takeover by Hudson River; that each and every County worker will remain working within the parameters, the requirements of his or her Civil Service job title, which is a New York State requirement; and that not a single County worker is negatively impacted by this privatization move by the County. The newly elected AME Executive Board swearing in is on June 30th. Although tomorrow is already scheduled the second of the two required public hearings under the County's Mary Hibberd Law, we do ask tonight what's the rush? The new President, Brian Macri, wants to sit down with all of you, be part of the discussion and be part of this very, very important decision, and be able to report back to our members with confidence and truth, how this privatization will affect them. We want to work with you. Thank you very much.

P.O. GREGORY:

Okay, thank you. That's all the cards that we have. Is there anyone else that would like to speak? Please come forward, that hasn't already spoken.

D.P.O. SCHNEIDERMAN:

Motion to close.

P.O. GREGORY:

Okay, motion to close by Legislator Schneiderman.

LEG. BARRAGA:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen. *Eighteen.*

P.O. GREGORY:

Okay. Next on the agenda is the **(Suffolk County) Community College Budget**. The resolution was just distributed and it's IR 1563. Does everyone have it? Okay. Anybody want to make a motion?

LEG. BARRAGA:

Motion.

P.O. GREGORY:

Motion to approve by Legislator Barraga.

LEG. KENNEDY:

Second.

P.O. GREGORY:

Seconded by Legislator Kennedy. Okay, on the motion? Anybody on the motion? No questions? Okay. All right.

LEG. D'AMARO:

I'll go on the motion.

P.O. GREGORY:

Okay, Legislator D'Amaro.

LEG. D'AMARO:

Just very briefly, I just want to point out that the resolution that we're voting on was agreed to as a result of a working group process, and that it does show a firm commitment to education and it confirms an increase in funding the college by -- I think it's 2.5%. So I'm going to support it for those reasons.

P.O. GREGORY:

Legislator Anker.

LEG. ANKER:

And as Chair of Education, I want to thank those who participated in the Working Group to support the college. We know this college has so much to offer to our residents, and with the number of Capital Projects that we have approved, I think it shows how dedicated we are and making sure the college succeeds and excels in their efforts to, you know, acquire more students and, you know, it ranks so far ahead with most -- both public and private colleges. So I look forward to supporting and investing into our college. And again, thank you to the Working Group and to the committee.

P.O. GREGORY:

Legislator Browning?

LEG. BROWNING:

Yeah. I mean, I didn't sit on that committee. I'd kind of like to get a little bit of background information. Is this what the County Executive proposed or has there been some changes?

P.O. GREGORY:

The resolution is what -- well, go ahead, Ben. You want to explain it from the College's perspective?

MR. ZWIRN:

It is a compromise that we have worked out with the Working Group and with the County Exec's Office. We are appreciative of the difficult times that the County finds itself. You have always been very supportive of the college and we are happy with this compromised solution. It allows the college to cut some of the money from equipment with capitalized money coming from the County, and we will make additional cuts when the Board of Trustees meets this week. But this is good, the college is happy with this and we appreciate everybody's cooperation.

P.O. GREGORY:

Okay. And I --

LEG. BROWNING:

Can I ask, what about the tuition, the students. Is there going to be an increase to tuition for the students?

MR. ZWIRN:

Tuition was going to be increased by \$180 per year and we will not increase it any more than that. And the danger was that if we didn't get some more help, that that was a possibility, that the increase would come and revenue would come from tuition, and that will not be the case.

LEG. BROWNING:

You know, I know this is something that it's always been said, it should be a third, a third, a third. And I know that the State certainly hasn't held up their end of the bargain either, which makes it very difficult for us. But I have a -- you know, my son is a student at Riverhead, he's lucky enough that, you know, he's got the loans, he's paying off his loans as he's going along, and certainly we help him out but, you know, I have a lot of kids in my district who only for Suffolk, and they would not be able to go. And having been to the Honors Convocation, meeting a student who rides his bike every day 20 miles from Patchogue to the Community College, clearly -- he couldn't even afford a car. So that's my concern, is the kids in our communities that, without Suffolk, would not be able to have that education. So I just want to make sure that, you know, the Community College is comfortable with this and it's not going to negatively affect any of our upcoming and new students.

MR. ZWIRN:

And the college administration and the Board of Trustees shares your concerns. I don't know if you happened to see Newsday today, but Nassau Community College raised their tuition by \$300 a year, it was a large increase. It is more and more difficult because, you know, quite frankly, the State should be paying up to 40%, not just a third. But when the college became an open enrollment college, their commitment was back in the 1970s and they've exempted themselves from that. I know Legislator Cilmi is always interested about the charge backs, there's all sorts of -- they're supposed to be picking up 50% of that and they're not.

Look, we go up to the State, we need their help with FTE funding, they have come through. You know, we have to go up and ask, so we're not going to be extremely critical. We're grateful for this compromise solution. It is good for the college, it will help keep tuition down. And again, you have been very supportive with the Capital Program, as has the County Executive. You've been there for the college and we appreciate the support that you have and I think it's demonstrated when you see 4,000 students plus graduating, going on to four-year schools or going into the trades. I mean, the college is fulfilling its mission and it's doing so with your extremely important and great help.

P.O. GREGORY:

I want to thank all the parties involved that we were able to come to a compromise. Because Legislator Anker and myself, we held Pell Grant hearings with President Keen from Farmingdale, and I won't speak for Legislator Anker, but I'm sure she will agree with me that, you know, when you hear the stories, and we heard hours of testimony, when you hear the stories of the students, some of them veterans -- many of them, actually -- veterans that are on the brink of homelessness and, you know, the slightest increase can put them just over the edge where they, you know, college is just not an opportunity for them. So when you talk about increasing tuition, you know, \$50 or \$100, it means -- it may not mean a lot to us here, but it means a lot to a lot of people. And when you have low income people that this is their means of upper economic mobility, we have to continuously keep that in the forefront of our minds as we negotiate these budgets, because we want to encourage people who want to go to college to go to college and so that they can have higher income earning potential. And if we can do something to lower their cost or to reduce the opportunity for increased college costs, I think we should do it.

You know, the County Executive has agreed to talk about a five-year framework to give the college and the students some budget certainty as to what the County is looking to contribute, and I look forward to the Education Committee working with the Administration and the college to frame that out, more details. So that you can go to the State and say, *Hey, this is what the County*

contribution's going to be. What's the State going to put forward, so that a student can know what their costs are going to be for the next several years, and that's important that they know that. We understand that costs go up, but I think it's important that we make education a priority and that we try to keep those costs down as much as possible. So I have several other hands, or at least I saw one other; Legislator Hahn.

LEG. HAHN:

Yes, just to that point. I remember there was a number of years here that we really fought to keep the student contribution below the \$4,000 mark, and it's just frustrating to see how quickly it's gone above the \$4,500 mark. So, you know, I'm pleased to support this because there's just nothing in my mind, you know, more important on the education front that we have control over than, you know, helping with this budget. But I hope during this five-year plan we can really continue to keep the students and the student costs in our minds, because I feel like it really went quickly from trying to keep it below 4,000 now to jumping over 4,500; right, is that what we're at? So that's been a big jump in a short period of time and, you know, we have to keep that in mind as we move forward in upcoming years.

P.O. GREGORY:

And just to piggy-back off that. If I recall correctly, 60% of the students, is a lot of them are working two and three jobs, they're taking remedial classes, so they're already paying for classes that don't go towards their education, and to increase the tuition on top of that is just an extra burden and we have to keep that in mind. Legislator Martinez, you had a question?

LEG. MARTINEZ:

Well, not a question, just a statement. So I just want to thank everybody who participated in this, in the Working Group and making sure that our students are put first, and I think that's the most important thing. As an educator, I think investing in education is the most important thing, but we also need to be fiscally prudent. And I think with this budget, I think we did both; I think we reached a consensus that the college is going to be happy and that we as a County will also be happy. As a representative of a district which most of the children and young students of all ages attend Suffolk Community College, I'm glad that we were able to come to some sort of solution that we're all happy. So thank you, Ben.

MR. ZWIRN:

Thank you.

P.O. GREGORY:

Okay. All right. Anyone else? All right, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

MR. ZWIRN:

Thank you very much.

P.O. GREGORY:

Okay. All right, next I'm going to make a motion to approve the **Consent Calendar**.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. Before we get to Tabled Resolutions, we do have several requests to take several resolutions out of order.

Okay, the first request is to take -- if you go into your CN packets, it's IR 1560.

MR. NOLAN:

Wait a minute. I'm sorry, we can't do it, we have to do a Public Hearing first.

P.O. GREGORY:

Okay, scratch that. Sorry.

MR. NOLAN:

That's my bad.

P.O. GREGORY:

All right. If you go into your manilla folders, ***Procedural Motion No. 23-15 - Setting land acquisition priorities in accordance with the "AAA Program" Requirements (2015 – PHASE II) (Hahn).***

LEG. HAHN:

Motion.

P.O. GREGORY:

Motion by Legislator Hahn. Second by Legislator Krupski.

MR. NOLAN:

To take out of order.

P.O. GREGORY:

To take out of order. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay, Legislator Hahn. I see Legislator Anker's hand go up.

D.P.O. SCHNEIDERMAN:

Motion to approve?

P.O. GREGORY:

Motion to approve. Anybody on the motion?

D.P.O. SCHNEIDERMAN:

I'll second.

LEG. TROTTA:

What number is this?

P.O. GREGORY:

This is Procedural Motion No. 23 in the manilla folder.

D.P.O. SCHNEIDERMAN:

This is Al's bill?

MR. NOLAN:

It's not Al's bill, it's the EPA Committee.

D.P.O. SCHNEIDERMAN:

Oh, EPA.

P.O. GREGORY:

Legislator Krupski?

LEG. KRUPSKI:

On the motion. Thank you. This is -- you know, you've heard from a lot of speakers. This is an important piece of open space. It's adjacent to County preserved land, it kind of adds to that land preservation effort in that area, and I'd appreciate support for it. It's pretty straightforward. It was an old duck farm, it's naturalized in the past few decades since it's been used, and it certainly will add to the scenic beauty of the Peconic Bay region, but also to the preservation of it.

P.O. GREGORY:

Okay. Anyone else? Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Well, I'm sure you've all been reading about the dead fish washing up in the Peconic River area. This is adjacent to a County golf course, it's also adjacent to a County park. It becomes part of a much larger holding there if we're able to preserve it.

This is something that, as many speakers have said, has been a priority acquisition, a sought acquisition for many years; decades, in fact. Certainly as long as I've been here, we've been trying to figure out how to preserve this piece and it looks like maybe now is the opportunity we've been waiting for. So I'm certainly going to support it.

P.O. GREGORY:

Okay, Legislator Trotta.

LEG. TROTTA:

No, I would just -- I see it, it's just east of the golf course there?

D.P.O. SCHNEIDERMAN:

Yes.

LEG. TROTTA:

And how much is it?

LEG. KRUPSKI:

Ninety-nine acres.

LEG. TROTТА:

How much money is it?

MR. NOLAN:

(Inaudible).

LEG. TROTТА:

Oh, okay. Never mind.

P.O. GREGORY:

Okay. Legislator Spencer.

LEG. SPENCER:

This past week in the Health Committee we had a hearing where we were looking at some of the critical issues with regards to the fish-kill, the turtle-kill, looking at the brown tide, and also the cyanobacteria. And we had experts that came out and testified and we know that a huge part of this issue is nitrogen and algae that basically are doing -- using respiration at night and drawing the oxygen down and not leaving enough oxygen for the fish. And it's very rare that you have an opportunity to make a difference in something of this proportion that we see happening in the environment. And timing is everything, and we were looking for definitive solutions, but when we looked at this piece of land, which is part of the watershed area that feeds these areas that are infected by nitrogen and the fish-kill, this is a really smart, strategic thing for us to do. It's 99 acres, and I was just really trying to find out, you know, what are some of the things that we could do. And when we look at the drainage, just speaking with the Director of Planning, that we have an opportunity to potentially put a reactive permeable barrier there that can significantly decrease the nitrogen. And it's an opportunity for us on the government side of things to be able to weigh in to a crisis and have an immediate impact.

So to see this piece of property on the Master List, to see that it ranks very highly, to see it sticks with our philosophy of what we're trying to do to look out for the future of water quality, I think that this is a no-brainer for us.

I strongly support it and I think it's the right thing to do on so many levels. And I especially applaud Legislator Krupski when I hear that this is something that probably wouldn't have happened and that he's constantly out there fighting for his constituents. They're just so lucky to have you out here and I applaud you for doing this and I fully support it.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Okay. All right, no one else? We have a motion -- oh, I'm sorry. Legislator D'Amaro?

LEG. D'AMARO:

Yeah, I just had a question about the motion that we're voting on, this Procedural Motion where I know we set priorities for acquisition. Are there any other properties that have been listed or that were not included? I'm just curious why we're only putting one on the list, if anybody knows.

MR. NOLAN:

I think it -- if I may. This is kind of like an in-between. We had a meeting a couple of months ago and there were four or five acquisitions, you know, approved for making an offer. But the reason this came before the Legislature is because another proposed acquisition fell through, it freed up some money, so the EPA came back and looked at it. I believe it was two properties that were presented by Planning which were at the correct stage where we could do this type of resolution.

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They approved this particular acquisition, this particular parcel, to move ahead under the AAA process.

LEG. D'AMARO:

So there was the prior resolution we passed that approved the list of properties.

MR. NOLAN:

Correct.

LEG. D'AMARO:

And we've approved a couple of lists now where something fell through, so that freed up funds, and this was next on the list, George, do you know?

MR. NOLAN:

There were two parcels that the committee had considered and had basically adjourned, or at least put off, they did not choose to go forward with. So when money became, additional monies became available, they went back, had a meeting to look at those parcels again and the committee thought it was wise to go ahead.

LEG. D'AMARO:

So as far as you know, the other parcels that were set as a priority but didn't make the cutoff were also considered.

MR. NOLAN:

Yes.

LEG. D'AMARO:

Okay, very good. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

LEG. KRUPSKI:

Thank you.

D.P.O. SCHNEIDERMAN:

Mr. Clerk, if you'll list me as a cosponsor, please?

LEG. HAHN:

Me, too.

LEG. SPENCER:

Me, too.

P.O. GREGORY:

Okay. I know we're hopping around a little bit, we're trying to get some people out.

If you go to page eight on the agenda, ***IR 1457-15 - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Civil Service/Human Resources: Chief Personnel Analyst (Classification)(County***

Executive). I'll make a motion to take it out of order.

D.P.O. SCHNEIDERMAN:
Second.

P.O. GREGORY:
Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. GREGORY:
Okay, can I have -- I'll take a motion -- I'll make a motion to approve.

D.P.O. SCHNEIDERMAN:
Second.

P.O. GREGORY:
Second by Legislator Schneiderman. Anybody on the motion? This is 1457.

MR. NOLAN:
Fifty-eight.

P.O. GREGORY:
Fifty-eight. No, 57.

MR. NOLAN:
Oh, I'm sorry.

P.O. GREGORY:
Page eight. George, can you explain?

MR. NOLAN:
We've got Alan Schneider here; I think he's the man to explain it.

D.P.O. SCHNEIDERMAN:
Alan, do you want to step forward? Alan, let's try to do the brief version of this, because we did this in committee, it was quite a lengthy discussion, but not everybody will be familiar with the Civil Service procedures and why this is necessary.

MR. SCHNEIDER:
So I am passing out, having a chart passed out of the Classification Division of the Department of Civil Service, and attached to it are the different title structures in the County that all end with a Chief title. If you notice in the top left corner of the second page, the personnel series ends at the Principal Personnel Analyst title. We've never had a Chief title, as almost all the other title series have.

We've gotten by without it all these years and we've reached a point where we -- I needed -- I've reorganized my Classification Division. I've lost a couple of people to retirement who have been with me for very lengthy periods of time, I have relatively newer people who have moved into the Principal Personnel Analyst title, and the one person who has been with me for 26 years and who has been a Principal Analyst since the year 2000, for 15 years, has been doing work over and above the Principal level title. And what I am doing now is putting him in charge of all of the analysts in

my Classification Division, approximately 20 people. And what I would like to do is create the Chief Personnel Analyst title, give that title to him, let him take on the additional supervision, and this is going to smooth out a lot of areas for me in that operation.

As most of you know, not only do we have the responsibility for the administration of Civil Service Law for the eleven -- the County employees, the 22 departments in the County, approximately a little over 9,000 employees, but our biggest workload is the outside jurisdictions; we have 276 outside jurisdictions encompassing approximately 36, 37,000.

D.P.O. SCHNEIDERMAN:

Alan, I'm going to cut you short just for a second. Because I think the question was from Kara Hahn, I just want to make sure -- was it your question, Kara -- did you get your question answered?

LEG. HAHN:

Sure.

MR. SCHNEIDER:

I didn't hear a question.

D.P.O. SCHNEIDERMAN:

Yeah, we're satisfied.

MR. SCHNEIDER:

You're satisfied.

D.P.O. SCHNEIDERMAN:

Yes. Thank you, Alan.

MR. SCHNEIDER:

Thank you.

P.O. GREGORY:

Okay. Anyone --

MR. SCHNEIDER:

I was just finishing up anyway.

*(*Laughter*)*

P.O. GREGORY:

Okay. Anybody? Legislator D'Amaro.

LEG. D'AMARO:

Thank you. So you're not hiring anyone new.

MR. SCHNEIDER:

Not hiring anyone new. This is --

LEG. D'AMARO:

Someone who's been there, who's doing the job anyway and took on those responsibilities.

MR. SCHNEIDER:

Right.

LEG. D'AMARO:

You just want to create the title now.

MR. SCHNEIDER:

That's correct. What I want to is, in effect, reclassify him from Principal to Chief. It's going to amount to a little over a 3% raise for him, in accordance with the union contract.

LEG. D'AMARO:

Right.

MR. SCHNEIDER:

It's not going to increase the number of people in the department or in the Personnel series, the number of employees is going to stay the same.

LEG. D'AMARO:

So what happens to his old position?

MR. SCHNEIDER:

His old position will disappear --

LEG. D'AMARO:

Okay, so it's just reclassifying --

MR. SCHNEIDER:

-- and replaced by this.

LEG. D'AMARO:

-- that position and elevating it and it comes with a slightly higher pay as well.

MR. SCHNEIDER:

That's correct.

LEG. D'AMARO:

Makes sense, okay.

MR. SCHNEIDER:

And with a lot more responsibility.

LEG. D'AMARO:

Right. All right, thank you. Thank you, Alan.

MR. SCHNEIDER:

Thank you.

P.O. GREGORY:

Okay, Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. Alan, always a pleasure. We had the opportunity to speak about this at the Government Operations Committee, and I asked the same question before and I'll ask it again. As you mentioned before, part of the role of what the County Civil Service does is do these desk audits and finds out if all the positions that are Civil -- classified under Civil Service are actually being performed in accordance with that title. And the question I asked you, which may help some people

here, is that if you were to do one of those audits on the job that Phillip is doing now, would you classify him more as a Principal or the Chief?

MR. SCHNEIDER:

If he was working in one of the outside jurisdictions and had a large personnel department that would justify these kind of titles and we went out there and looked at what he is doing, we would reclassify the title to a Chief. The reason why we are -- why I am here tonight is because the title does not exist in the County, so the County Charter requires us, when we create a new title because we don't have an existing title, that we must come to the Legislature to have that title created and inserted into the Master List of titles for payroll purposes.

LEG. McCAFFREY:

Thank you.

MR. SCHNEIDER:

Thank you.

P.O. GREGORY:

Okay. Anyone else? All right. Thank you, Alan. All right, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay, IR 1457 passes. Thank you.

MR. SCHNEIDER:

Thank you all very much.

P.O. GREGORY:

All right. Next I see Lou's in the audience, let's go down the page to ***IR 1514-15 - Authorizing the County Executive to execute an agreement with the Suffolk County Correction Officers Association Inc. Covering the terms and conditions of employment for employees covered under the Bargaining Unit No. 10 for the period January 1, 2011 through December 31, 2018 (County Executive)***. I'll make a motion to take out of order.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. Motion by Legislator Calarco, second by Legislator Muratore. The motion is before us. On the motion, Legislator Trotta.

LEG. TROTТА:

Yeah, I mean, I spent hours looking at this. I sat down with the Smithtown Supervisor and went over it and there's not a doubt in my mind you guys should have got a raise in 2011. And the fact

that they're lowering this to \$30,000 is -- you know, if a guy's got a wife and two kids, it's -- you know, I think they're going to be almost eligible for food stamps. And, you know, the Administration just puts it off, puts it off, puts it off to the point where now we're going to have to pay down the road; you know, just kicking the can down the road. And while I know you deserve a raise, I know that, you know, you're sitting in jail, essentially, I'm not going to support the Administration kicking the can down the road continually.

P.O. GREGORY:

Okay. Anyone else? I thought I saw another hand.

LEG. BROWNING:

Yes.

P.O. GREGORY:

Legislator Browning.

LEG. BROWNING:

Yeah, I understand that the membership ratified and, you know, so that's why I'll support this. But I mentioned it at Public Safety, my concerns with this pay scale will dramatically decrease the number of applicants. It's not an easy job, it is the most dangerous job in Suffolk County. And I believe the County Executive had a press conference today about the brain drain and keeping young people on Long Island, yet we are not paying our County workers, especially Corrections Officers, what they should be getting for such a dangerous job.

Coming from the transportation business in the past and driving a school bus, I was looking at what does a school bus driver get paid to start today. Some of the companies, they're between \$18 and \$21 an hour. I think if you look at what this pay scale is in comparison to what a school bus driver gets, is much lower, you know. So I wonder what's the enticement and incentive to want to be a Corrections Officer.

I do think that this Administration really seriously needs to look at what can happen in the future. Take a look at New York City when they dropped the pay scale to a dangerously low number and the quality of applicants. We started to see Police Officers who were getting themselves into trouble and getting arrested because they weren't making enough money. And Suffolk County's not an easy place to live, it's not affordable to live, and we have our County workers -- and again, especially our law enforcement -- who are not going to be able to live on a \$30,000 paycheck. Granted, they have mandated overtime. And as a union rep, I always said, *Don't depend on your overtime. You cannot depend on overtime to make a living, just consider that extra money, extra change.*

So I do have serious concerns about this contract and the lower wage. Lou, I give you a lot of credit, I know it's been really tough. You've taken quite some time to get to this point. I'm hoping, and I did ask our Mike Sharkey to give us the information when those next classes are coming up. You have, I believe, a hundred applicants, Mike --

MR. VISCUSI:

That's correct.

LEG. BROWNING:

-- that -- and I believe for a class of 50, and we really need to keep an eye on the ball and see how many people are going to say, *I'm not taking that job, not for that kind of paycheck.* It's dangerous, it's very dangerous. You are dealing with the worst people in the world, it's not safe, and you're being asked to do this for this kind of salary.

So I certainly, I want to give you a lot of credit for what you're doing, and I hope that this Administration will keep an eye on this and see how this is going to wind up. Let's not let what happened in New York City happen here in Suffolk County.

MR. VISCUSI:

I appreciate the concern and we also, you know, have similar concerns about what the future will bring for our new hires. But the fact of the matter is I have 900 men and women today that have been without a raise for five years. And with the current fiscal constraints on the County, this is the agreement that we came up with and the membership approved it. So I'm asking for your support today.

LEG. BROWNING:

Thank you, Lou. And like, again, I do want to make sure that we're keeping an eye on this.

MR. VISCUSI:

Absolutely.

LEG. BROWNING:

And how it's going to work out in the end. Because I know you've been -- you've been given the cards that you've been dealt; you know, you're dealing with what you've got, and I know it's been tough. And again, having the most dangerous job in Suffolk County, I think you deserve more.

MR. VISCUSI:

Thank you.

P.O. GREGORY:

I, too, am glad that this has come to a resolution. I know you and I, and even I've spoken to your predecessor at certain times during this process to kind of intervene and move things along, so I'm glad that things moved along and the members ratified it. You know, I think you guys do a fantastic job and I think, you know, both sides, you know, came to a reasonable point where, you know, realizing the fiscal challenges that we face, but also the circumstance that you guys not having a raise for many years. And you know, I hope things improve in the future that you don't have to wait five years to get another agreement. I think that's not right and it's not fair to your members, particularly whatever salary that they make, you know, you have to wait five years to get an agreement. But I'm glad that there's some final resolution. We do have several other members; Legislator Kennedy and then Barraga.

LEG. KENNEDY:

Good evening.

MR. VISCUSI:

Good evening.

LEG. KENNEDY:

You've worked very hard without a raise for a lot of years. I've spoken to a lot of Corrections Officers and a lot of potential Corrections Officers, and what Legislator Trotta said is correct, a young man or a woman with a spouse and one child is eligible for SNAP at that salary.

The one gentleman that I spoke with that was torn was a present-day Corrections Officer whose son was on your list as a potential coming down the road. It's very difficult for a parent to know that their child will be living with them with their wife and their child for the next ten years because they will not be able to afford a house on \$30,000 a year.

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The other thing that does disturb me is the fact that we are passing the raise on to our children and our grandchildren by kicking it down the road. But the most important question I have is reiterating what Legislator Browning said. We're not going to get the criteria of people -- maybe not this round, this round most of them will probably stay, but possibly down the road we're not going to get the same criteria and quality of Corrections Officer that we have presently.

So my question is should you find that, from your list, people drop out with this new contract being only \$30,000 a year, or should you find that the quality is diminished, would the Administration be willing to make changes in this contract?

MR. VISCUSI:

That wouldn't be up to me.

MS. McNAMARA:

I'm sorry, I'm not prepared to answer that question. I'm sorry.

LEG. KENNEDY:

Okay, thank you.

P.O. GREGORY:

Okay. Legislator Barraga.

LEG. BARRAGA:

You know, I'm taking a look at the contract and the bottom line is that it seems to be a fairly negotiated contract. Certainly you deserve one because you haven't had one for so many years, but there are fiscal restraints on the County. We really don't have money, that's the problem. We have a structural deficit, depending upon what you want to talk about, 180 million, 80 million, are we amortizing this, are we amortizing that? And the bottom line is that, you know, our expenses exceed our revenues. So I take a look at the contract, I think this is about all the County can give at this time.

The \$30,000, unless Mr. Lipp says otherwise, you've -- it starts at 30,000, but every six months a CO I gets a raise. He gets 24 raises, every six months there's a raise, and one-third of his salary over and above his base salary consists of overtime, rotating shift pay and terminal pay. So they're not making 30,000, they are getting overtime, shift pay and terminal pay. You know, it's a combination of a number of different elements to bring up their salary, but every six months there's a raise for that newer officer. So I don't believe you're going to have a hard time getting people. I mean, that plus the health plan or the pension plan, along with other positive elements, I am sure you're going to get very fine recruits that will apply for this particular position.

As I understand it, for 2011 and '12 you're not getting anything.

MR. VISCUSI:

That's correct.

LEG. BARRAGA:

The cops didn't get anything either, right?

MR. VISCUSI:

That's correct.

LEG. BARRAGA:

Okay. In 2013, whatever percentage you're getting, you don't get it in 2013, it's shifted over to 2014; and in 2014, whatever raises come in for that year and 2015 are then paid out in 2020.

MR. VISCUSI:

It could be requested back in 2020 at the County's option; otherwise, it's paid at separation of service.

LEG. BARRAGA:

All right, it could be like 2017 or '18 or '19 if some chose to retire?

MR. VISCUSI:

It's only if they retire shortly --

LEG. BARRAGA:

Right, I understand that.

MR. VISCUSI:

-- otherwise it will be way down the road.

LEG. BARRAGA:

So it's '16, '17 and '18 where the raises kick in, roughly 3.25% for each of those years?

MR. VISCUSI:

Yes, they kick in in June of each of those years, three and a quarter percent, and those we'll get in our paychecks.

LEG. BARRAGA:

All right. And Mr. Lipp, there was a differential in terms of the County Executive's estimate versus your estimate, but I think you were taking into consideration an estimate for the 2020 payout?

MR. LIPP:

Yes.

LEG. BARRAGA:

So bottom line, I'm going to support it because I think it's a fair, equitable plan. You're in desperate need of a contract. I think those who start out as new Correction Officers, yes, it's 30,000, but every six months there's a pay raise, they'll be getting some overtime which will add to that. I don't think you'll have a problem recruiting people. Bottom line on this, too, is that if you take a look at -- unless I'm incorrect here, over a 12-year period, when compared to the existing contract, for each new recruit hired there is a savings of \$377,920 over a 12-year period based on this contract for new recruits. So if you had a class of 40, that's a savings over eight years of over \$15,117,000, compared to what the current contract calls for. The lady in the middle, I don't know your name; is that true, what I just said?

MS. McNAMARA:

I think that that's correct.

LEG. BARRAGA:

All right. Thank you very much.

P.O. GREGORY:

Okay. Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. Lou, I just want to confirm that this was ratified with 60% by the membership.

MR. VISCUSI:

Sixty-one thirty-nine; yes, that's correct.

LEG. McCAFFREY:

And I think one of the reasons is exactly what you said, that these Corrections Officers have gone almost five years without an increase, and in one of the toughest jobs that we have here in Suffolk County.

I think nobody knows what goes on behind those walls, what you have to deal with, except for the people that are actually behind there protecting us and making sure those people stay in there, right?

MR. VISCUSI:

That's correct. They have been without a raise for five years and, you know, we still come to work every day in the blizzards and whatnot. You know, we do have concerns about the new hires, but I'm hoping I can correct that next time around.

LEG. McCAFFREY:

Well, you know, and I do, too. None of us is happy about offering \$16 an hour to Corrections Officers, and we are truly concerned, the same way we were with the Police contract that people -- you know, we wouldn't be getting the best and the brightest. But I have a feeling we're going to work through that, we're going to find a way to work through that. I feel the biggest threat to the unions is finances, and we need to get our County finances in order. The unions, and I don't care if it's the AME, the Corrections Officers or the Deputy Sheriffs who are still without a contract, they are the ones that are feeling the brunt of the mismanagement of these finances, we need to get that in order. But I look forward to being able to come back one day and fix what we had to do here just to get through where we are right now. So, thank you.

MR. VISCUSI:

Just one thing. I don't know if the department's here, but I just wanted to add, there is a certain criteria of a background check and the standard that you have to pass, and the department, I don't believe, is lowering that for this.

LEG. McCAFFREY:

No, I wasn't suggesting that. But a lot of times we get -- and I'm sure you know that, you get City Corrections Officers will come over onto this job, you have some experienced people, and that's what I was referring to. The same way with the Police, you get experienced New York City Police Officers coming over, I'm not suggesting that. But there are some people, as we know, who are going to look at the salary and say, *I think I need to do something else*, only because they can't afford to take the job and they wish that they could. So, I'm not suggesting we're lowering our standards at all.

MR. VISCUSI:

Thank you.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. I'm a little bit concerned about the new recruit pay scale also. I'm looking at the table and after -- midway through the fifth year, a new recruit would be making 41,000, according to the

table. But is there additional compensation on top of that that's not reflected in this chart?

MR. VISCUSI:

That is for a day worker. Most of the recruits come out of the academy, they get assigned to a rotating shift, which is a seven and a half percent increase on top of that. And then most officers are forced to work holidays also and there's additional holiday pay on top of that.

LEG. D'AMARO:

So 41 may go to 43 or 44.

MR. VISCUSI:

Do you want to answer? It's probably about 48, 49.

LEG. D'AMARO:

Okay, 48 or 49. I appreciate the deferral and all of that is helping the County, as Legislator Barraga pointed out, and I agree with that. But my question, I guess maybe to the Budget Office, would be looking at that pay scale after four-and-a-half years, or halfway through the fifth year it's 41,000 under the new contract. What does the old pay scale provide in that same position?

MS. RUBINO:

The old pay scale is -- let me see, currently, after the four years would be 69,000. I'm sorry, that's 60,510.

LEG. D'AMARO:

So after -- five and a half years, after the increase at the beginning of the fifth year but before the step mid-year, it would be 60 -- what did you say, 69,000?

MR. LIPP:

We have some different numbers, if you'd like. So --

LEG. D'AMARO:

I'm going to ask my Budget Office, if you could just hold back for one moment. Go ahead.

MR. LIPP:

So the salary scale for new recruits --

LEG. D'AMARO:

That's on your page, I think it's in your report.

MR. LIPP:

I believe it's page six, but I have it up on the screen as opposed to a printout.

LEG. D'AMARO:

Okay.

MR. LIPP:

So what you see on page six for new recruits has all 24 steps; then the next one, what it does is it lists new recruits by year. And basically in the fifth year, that's a hybrid of the number you were talking about in the next number, would be 42,000 and change would be what the new recruits would be making, excluding night differential or overtime, the ability to make a fair amount of money on those items.

LEG. D'AMARO:

But in the fifth year on that same table, I see a number 93,283; what does that represent?

MR. LIPP:

That's the existing Correction Officers as opposed to the new lower scale. And if you look at that schedule, you'll see years five on, that it's the same number because there's only five steps.

LEG. D'AMARO:

That's the old contract.

MR. LIPP:

Right, as opposed to 24 steps over 12 years.

LEG. D'AMARO:

So if I had joined before this contract is ratified and agreed to completely, by the fifth year I would be making 93,283. If I joined the day after, I'd be making \$51,027 after five years.

MR. LIPP:

Correct.

LEG. D'AMARO:

Or in-between the fifth year.

MR. LIPP:

Correct.

LEG. D'AMARO:

So that's a \$42,000 difference in pay.

MR. LIPP:

Actually, 51. Yes, 51,000.

LEG. D'AMARO:

Oh, 51,027 is the number, right. It's a \$51,000 difference for the recruit who joined yesterday as opposed to the recruit who joins tomorrow.

MR. LIPP:

Correct.

LEG. D'AMARO:

Uh-huh. Well, if you're going to join, join now.

MR. LIPP:

I believe it's too late.

LEG. D'AMARO:

So here's my point. My point is that I don't disagree with what you negotiated. I think that it's certainly beneficial to the County. Whether or not it hurts your chance to recruit and all of that, I'll leave up to you to decide. But if you feel, if the numbers feel that that's beneficial to them, I respect that. But my question, as you had said something about maybe we can correct that next time, this is an eight-year agreement.

MR. VISCUSI:

An eight year agreement that started in 2011, so it ends in 2018.

LEG. D'AMARO:

So in 2018 it's up for renewal. So if you join as a new recruit --

MR. VISCUSI:

You'd be --

LEG. D'AMARO:

You're going at least three, maybe four or five years, given the length of negotiations, as we've experienced, you could be going four to five years with the existing or the to-be-enacted pay scale, the lower pay scale.

MR. VISCUSI:

That could be a scenario, yes.

LEG. D'AMARO:

So explain to me why the membership would ratify this so overwhelmingly.

MR. VISCUSI:

It wasn't overwhelmingly. I mean, we were obviously put in a situation. The County's in fiscal strain and there were other law enforcement unions that went to 12 years to top step and there are other law enforcement unions that have a \$30,000 starting pay. When we go to the alternative route is arbitration, we'd be compared to those unions, so we basically weighed out what a possibility might be for an outcome through arbitration.

LEG. D'AMARO:

Uh-huh.

MR. VISCUSI:

And arbitration would not be a long-term deal, it would have been for '11, '12 and '13, we probably would have got that in '16; then we'd be on a two-year deal, get that in '18 for '14 and '15 and we'd just constantly be behind the eight ball.

LEG. D'AMARO:

Yeah, and I think that's exactly right. And I also see that if you look at this chart, after year five there's a \$51,000 difference, but if a recruit is no longer a recruit and stays long enough, the difference after the contract terminates or after the 12 years, there's only a \$15,000 difference between the existing pay scale and the new pay scale. So you lower the base, it takes you a little longer to catch up and also the existing cap out. So eventually, long-term, it seems to come together.

MR. VISCUSI:

It's not fully together, but hopefully --

LEG. D'AMARO:

Not fully, right.

MR. VISCUSI:

-- by next time we renegotiate, the County's in a better financial situation and we can do that.

LEG. D'AMARO:

Right. Okay. Well, that's a good negotiation. All right, thank you. I appreciate it. Thank you, Mr. Presiding Officer.

P.O. GREGORY:

Okay. All right, I had Legislator Spencer on the list, but we have to -- it's 6:30 and we have to go into Public Hearings. So we'll suspend this for now. We only have several cards, so hopefully we won't be that long.

LEG. CILMI:

Let's just vote.

LEG. CALARCO:

Call the vote.

P.O. GREGORY:

You're ready? Oh, I thought you wanted to -- so is everyone good?

LEG. SPENCER:

My questions were asked and answered.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

All right.

MR. VISCUSI:

Thank you.

P.O. GREGORY:

Okay, it is now 6:30, we are in **Public Hearings**.

The first **Public Hearing** will be on **Procedural Motion No. 10-2015 - Setting public hearings for proposed transition of Riverhead Health Center to FQHC status and operation by Hudson River Healthcare, Inc. (Presiding Officer Gregory)**. I have one card, Linda McGregor; is she still here? Oh, there she is.

MS. MCGREGOR:

Linda McGregor. Legislator Muratore, I just have a question for you, Sir. I'm just a very direct person. Is there a medical necessity for you chewing gum like a cow? If I chewed --

P.O. GREGORY:

Ma'am, Ma'am, that's inappropriate. Just make your statement.

MS. MCGREGOR:

No, no. I find it offensive.

P.O. GREGORY:

This is a Public Hearing, make your statement.

MS. MCGREGOR:

If I chewed gum like that in front of my patients, I'd be fired.
So I find that offensive and disrespectful.

LEG. MURATORE:

It's Aspergum.

P.O. GREGORY:

Make your statement, you're out of order. Thank you.

MS. MCGREGOR:

All right. Legislator Muratore, two years ago when I attended a Selden Civic Association meeting, you -- that you were present at, the President of the association asked everyone present to thank you for *your \$10,000 grant*. Applause followed and you took the credit for the \$10,000 in taxpayer funding. I immediately recognized the \$10,000 member item. Your former Legislative Aide, Kevin LaValle, now Town of Brookhaven Councilman, confirmed in writing that the \$10,000 was a Community Support Initiative Grant.

P.O. GREGORY:

Ma'am, you're out of order. This is a Public Hearing for Procedural Motion No. 10 --

MS. MCGREGOR:

Yes. This is --

P.O. GREGORY:

Not to come here and attack one of my colleagues on some personal issue that happened whenever.

MS. MCGREGOR:

Excuse me, Sir.

P.O. GREGORY:

This is about the health center.

MS. MCGREGOR:

This is my three minutes, I'm --

P.O. GREGORY:

No, this is our Public Hearing about the transfer of a health center.

MS. MCGREGOR:

This is about the health center. This is about the health center.

P.O. GREGORY:

Okay.

MS. MCGREGOR:

This is about your credibility on the privatization of the health center.

P.O. GREGORY:

All right, let's get to it.

MS. MCGREGOR:

Kevin LaValle, now a Town of Brookhaven Councilman, confirmed in writing that the \$10,000 was a Community Support Initiative grant and the funding came from the Department of Economic Development. I inquired why the \$10,000 wasn't disclosed per New York State Law on the Legislators' open access website for you and I never got her an answer. To this day, you haven't disclosed that \$10,000 member item in violation of New York State Law.

The end result of the taxpayer funding from the Hotel/Motel Tax Fund to not-for-profits from the Department of Economic Development in the County Operation Budget as member items. Individually you are receiving the praise, applause and publicity for that funding from the not-for-profits in your district, and those member items are not being disclosed in violation of New York State law.

You and your predecessors have been violating New York State Law, failing to disclose these member items for years, along with the County Executive's. You are using the budget deficit as an excuse to circumvent the State RFP law in the closure of the John J. Foley Skilled Nursing Facility and the privatization and donation of County services and taxpayer assets, while you deceive the taxpayers on your member items from the Department of Economic Development.

You sit there and you demand concessions from the unions, you use the budget deficit as an excuse to privatize the health centers, and all the while you are violating New York State Law, breaking the law, failing to disclose the member items from the Department of Economic Development. It goes to your credibility. This has been going on for years. I've got collected member items on Mr. Schnei -- on Legislator Schneiderman, Legislator Barraga, on everybody. You're doing it in plain site. All you read about in the newspapers is you getting the credit for the taxpayer funding, not the cultural advisory board, not the Department of Economic Development, not the boards that the applications are going to. You are reaping the sole benefit of that publicity, the definition of a member item.

The Suffolk County Law earmarking taxpayer funds for not-for-profits needs to be repealed. It's for your member items for your votes at election time. And you sit here year after year demanding concession from the unions and using the budget deficit as an excuse why you have to privatize, where you have to cut and why you have to eliminate services to the public, and you're the ones deceiving the public.

P.O. GREGORY:

Okay, thank you. All right.

LEG. D'AMARO:

Excuse me, Mr. Presiding Officer, what Public Hearing are we on right now?

P.O. GREGORY:

We are on the Public Hearing for the transition of -- the proposed transition of the Riverhead --

LEG. D'AMARO:

Right.

P.O. GREGORY:

-- Health Center.

LEG. D'AMARO:

Okay, my apologies. Please note my recusal on the record.

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P.O. GREGORY:

Okay.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

Okay. We don't have any other cards for this Procedural Motion. We'll take a motion to close. I'll make a motion to close. Do I have a second?

LEG. LINDSAY:

Second.

P.O. GREGORY:

Who was that?

MR. NOLAN:

Lindsay.

P.O. GREGORY:

Legislator Lindsay. All in favor? Opposed? Abstentions?

LEG. HAHN:

Opposed.

LEG. BROWNING:

Opposed.

LEG. D'AMARO:

Recused.

MR. LAUBE:

Fifteen.

*(*Legislators Kennedy & Trotta
Raised their hands indicating opposition*)*

MS. MAHONEY:

They are opposed. You have to say it.

MR. LAUBE:

Thirteen.

*(*Legislator McCaffrey raised his hand indicating opposition*)*

Twelve. I've got to see a hand or I've got have to hear, "I'm Opposed". Thank you.

LEG. HAHN:

What was that for?

MR. LAUBE:

For the last vote, it's twelve (Opposed: Legislators Hahn, Browning, Kennedy, Trotta & McCaffrey - Recused: Legislator D'Amaro).

P.O. GREGORY:

Okay, *(Public Hearing on) Procedural Motion No. 11, To set a public hearing for the inclusion of new parcels into an existing Agricultural District – Albert J. & Mary F. Krupski, Jr. (SCTM Nos. 1000-074.00-04.00-004.001, 1000-074.00-04.00-004.002, 1000-074.00-04.00-004.003, 1000-074.00-04.00-004.004, 1000-074.00-04.00-004.005, 1000-074.00-04.00-004.006, and 1000-074.00-04.00-004.009).*
(Presiding Officer Gregory).

LEG. KRUPSKI:

Mr. Presiding Officer, I would like to note my recusal as per the paperwork I filed with your office and with the Board of Ethics.

P.O. GREGORY:

Okay, so noted.

LEG. KRUPSKI:

Thank you.

LEG. D'AMARO:

Motion.

P.O. GREGORY:

Motion by Legislator D'Amaro. Second by Legislator McCaffrey.

MR. NOLAN:

We have one speaker.

P.O. GREGORY:

Oh, I'm sorry, we do have one speaker. Lisa Gatti.

LEG. CILMI:

No, that's a different one.

MR. NOLAN:

It's a different one?

P.O. GREGORY:

Oh, I'm sorry. All right, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen. (AMENDED VOTE: Seventeen (Recused: Legislator Krupski)).

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 12-2015 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District – JR Landscaping, Inc. (SCTM No. 0900-083.00-01.00-009.002) (Presiding Officer Gregory). I don't have any cards on this public hearing. Is anyone that would like to speak? Please come forward. Not seeing anyone.

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 13-2015 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District – John Verderber (SCTM No. 0600-085.00-03.00-012.003), 359 Main Road LLC (SCTM No. 0600-085.00-03.00-067.000), 1486 Sound Avenue LLC (SCTM No. 0600-085.00-03.00-072.104), 406 Main Road LLC (SCTM No. 0600-085.00-03.00-073.002), 1546 Sound Avenue LLC (SCTM No. 0600-021.00-02.00-008.000) (Presiding Officer Gregory). I don't have any cards on this public hearing. Is there anyone that would like to speak? Please come forward. Not seeing anyone. Do I have a motion? I'll make a motion. Second by Legislator Schneiderman to close. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 14-2015 - To set a public hearing for the proposed inclusion of a parcel into an existing Agricultural District – JCNSL LLC (SCTM No. 0200-722.00-01.00-017.000) (Presiding Officer Gregory). I don't have any cards on this public hearing. Is there anyone that would like to speak on this public hearing? Please come forward. Not seeing anyone, I make a motion to close. Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 15-2015 - To set a public hearing for the inclusion of new parcels into an existing Agricultural District – Pal-O-Mine Equestrian, Inc. (SCTM No. 0504-004.00-01.00-016.000) (Presiding Officer Gregory). I do have a card; Lisa Gatti. Are you here, Ms. Gatti?

MS. GATTI:

No, that's okay.

P.O. GREGORY:

No? Okay. Anyone else like to speak? Please come forward. No, not seeing anyone. Legislator Cilmi, that's your district, right?

LEG. CILMI:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Cilmi. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 16-2015 - To set a public hearing for the proposed inclusion of a parcel into an existing Agricultural District – 29 Norwood Road LLC (SCTM No. 0400-011.00-01.00-025.000) and Norwood Property Search & Management LLC (SCTM No. 0400-011.00-01.00-026.000) (Presiding Officer Gregory).

I have one card, John Armentano.

MR. ARMENTANO:

No comment.

P.O. GREGORY:

No? Okay. Anyone else who would like to speak on this Public Hearing, please come forward. Okay, seeing none. Do I have a motion?

LEG. TROTТА:

Motion to close.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

(Public Hearing on) Procedural Motion No. 17-2015 - To set a public hearing for the proposed inclusion of a parcel into an existing Agricultural District – Sagaponack Realty, LLC (SCTM No. 0908-010.00-03.00-001.000) (Presiding Officer Gregory).

D.P.O. SCHNEIDERMAN:

George, isn't this exclusion of a parcel?

MR. NOLAN:

I don't remember. Let me see.

D.P.O. SCHNEIDERMAN:

(Inaudible).

MS. MAHONEY:

Can you repeat that, please?

D.P.O. SCHNEIDERMAN:

I thought this was an exclusion of a parcel, not an inclusion as the title says.

MR. NOLAN:

The Procedural Motion was for inclusion.

P.O. GREGORY:

Okay. I do --

MR. NOLAN:

I'm sorry, it's a disapproval. Correct, it's a disapproval of inclusion from an existing district, that's what the public hearing is for.

D.P.O. SCHNEIDERMAN:

What do we do with the fact that the title is incorrect?

MR. NOLAN:

I would have to check how it was advertised. I think we should probably go forward with this and if there was some problem with the advertising, then we'll have to readvertise it, but we'll just have to determine that after this meeting.

P.O. GREGORY:

Okay, I do have a card. I apologize, I can't read your handwriting. I see Lee, it looks like Swep.

MR. SNEAD:

Snead.

P.O. GREGORY:

Speed?

MR. SNEAD:

Snead.

P.O. GREGORY:

Snead? Oh, okay. Sorry.

MR. SNEAD:

It's my handwriting, I apologize. Members of the Legislature, my name is Lee Snead. I'm here on behalf of Sagaponack Ventures, LLC. They are the applicant in this proposal to include a 43-acre parcel of property in the Village of Sagaponack within Agricultural District No. 5.

Going right to it, the proposal here is to include this parcel in. We are preparing, or we were preparing a Christmas tree farm at the time of the April 29th hearing before the Agricultural Farmland Protection Board, and we appeared at that hearing, informed the Board of that fact, informed the board that we planned to be planted by mid-May and, in doing so, to fulfill all the requirements of both the Agricultural munic -- the Agricultural Markets Law and the guidelines that the AFPB uses in assessing these applications. We met all those requirements with the exception of one at that hearing, which was that we were not physically planted at the time of the hearing. We informed the board at that time that we would be planted by the time we had this hearing in front of you. We are, in fact, planted; we have over 15,000 trees in the ground, we have over eight acres planted of the 25 that we proposed. The balance is in cover crop, everything is set for irrigation, and we plan to plant the balance of the area in evergreens by October and November of this year.

I've presented to the Clerk an update to the application that we presented to the AFPB. When we had that hearing with the AFPB, the only issue they had a concern with was the fact that we weren't physically planted in the ground at that time. At this point, we've had the Department of Agriculture be apprised of everything that's going on. They've looked at what we're doing, they have issued us a letter indicating that we meet the definition of a farm operation and active agricultural production at this time. They've looked at the nature of the soils on the property and have found that this property, which had always been an active farm way back, has over 95% prime soils that should be protected. They've encouraged us to move forward.

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At this time, this Board's review of the matter is one looking at a non-recommendation. The issue here for you, and I suggest that in light of the submission I've made, we meet all the requirements of both State law and the County guidelines; we're actively farming. I would note to you that there is a prior application that was granted by the AFPB, it was the Norwood Farms application that just immediately preceded this one. That application was approved; it was recommended for approval to you. It had absolutely no clearing at that time, there were no plans to plant, either this year or in any stated time, and they approved it.

(Beeper Sounded)

We're a little concerned that the application of these guidelines toward us by the Board during that hearing is contrary to the decision they made before in the application immediately before us. But in any event, has been cured, the issue has been cured by us at this point. If the Board has any -- if the Legislators have any questions of me, I'd be happy to entertain them.

P.O. GREGORY:

Okay. Thank you, Mr. Snead. Anyone have any questions? No? Okay. All right, thank you, sir.

D.P.O. SCHNEIDERMAN:

Just one.

P.O. GREGORY:

Oh, you do. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Just to clarify. So when this went through Farmland Committee, they voted to not include it, to pull it out of their district. At that point you were not actively farming, or the people you represent were not actively farming, and today you are stating that it is actively farmed?

MR. SNEAD:

At the time of that April 29th meeting, we did not have trees in the ground. The property has always been farmed in cover crop preparatory to doing actual planting. We informed the Board at that time that we had purchased all the trees, we had arranged for the irrigation and paid for it, and we were planting -- we were prepared to be in the ground by mid-May. We had actually assumed that that particular hearing would be in mid-May and we would have been in the ground by that hearing; it was moved up without us, I guess, on the schedule.

D.P.O. SCHNEIDERMAN:

What benefit -- go ahead.

MR. SNEAD:

Right now we are actively planted with 15,000 trees and intend to plant 12,000 more by November.

LEG. KENNEDY:

And what benefit is it to your clients to be in the Ag District?

MR. SNEAD:

Well, there are two. For any person going into an Ag District, the only two real benefits you get are that if an action is brought against you by a neighbor for nuisance, there's an absolute prohibition. It's an automatic defense if you're in an Agricultural District, and that's important to anybody starting a farm, because obviously we have things like dust and smells and things like that that can occur, neighboring residents might have a problem with that. The State has said that we want to foster farming and as a result of that we're going to protect against that problem for the farmer.

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The second thing is when there are local zoning laws that restrict farming, if you are in an Agricultural District, you are then given the authority to go to the Department of Agriculture and have them work it out with the municipality, or in some situations, if the municipality's Local Laws are overarching on the agriculture you're doing, they can actually nullify them. That's actually happening. We've had a communication from the Zoning Board Chairman of the Village of Sagaponack that he intends to rip these trees out. The only way we keep them is if we are -- one of the ways we keep them and protect ourselves is by availing ourselves of the protections of Agricultural Markets Law Section 305 which would give us protection against that zoning action.

D.P.O. SCHNEIDERMAN:

Is there a plan to develop all or a portion of this property residentially?

MR. SNEAD:

The entire 43 acres is subject to a conservation easement system with the Peconic Land Trust. Twenty-seven and a half of those acres are guaranteed to be in farm production and/or open space in perpetuity. There were 15 acres, roughly, set aside at the south end along the ocean for the development of three residential homes. Right now the property is one 43-acre parcel, we have not acted to subdivide it, there's no active subdivision application existing. The only thing we have done is tried to put in a residence at the northeast -- northwestern corner of the property which would be the farm residence for the operating farm.

D.P.O. SCHNEIDERMAN:

So it would be a farm house?

MR. SNEAD:

It'll be a residence for the farm owner who will live there and oversee the farm.

D.P.O. SCHNEIDERMAN:

And that farm house, if this is in an Ag District, will not be subject to local zoning, or it would be?

MR. SNEAD:

The farm house, if it were a separate parcel and not part of the Ag District, it would be subject to local zoning. I will tell you that the application we've made is going through that process. The house that was proposed needed absolutely no variances or any other kind of approvals, with the exception of an approval from the Village Board regarding the Agricultural Overlay District. That's being discussed in the Supreme Court right now, but it's separate and apart from this application which is to put the entire parcel into Agricultural District status.

D.P.O. SCHNEIDERMAN:

Including where the house is proposed.

MR. SNEAD:

Yes.

D.P.O. SCHNEIDERMAN:

Okay. All right, I don't have further questions at this point.

P.O. GREGORY:

Legislator Calarco.

LEG. CALARCO:

I just have a quick question. And I don't know if this is necessarily for Mr. Snead, probably not, and it's just a procedural question. I don't want to take action on this, that is contrary to what's being

recommended by the Farm Board. Is there any way we can kick this back to them for reconsideration based on the new information?

MR. NOLAN:

I don't know the answer to that question off the top. I mean, Laretta Fischer's here and, you know, she knows more about these Ag District issues. Maybe you'd want to --

LEG. CALARCO:

Well, I know they only meet in the prescribed period of time. They don't review these on a regular basis. So I would like them to have -- you know, it sounds to me like they maybe came in like a day late in getting their full -- to meet all the qualifications really for this particular year. Maybe we can kick it back to the board, or maybe Legislator Krupski, who sits on the board, might have the answer to that; I see him raising his hand over there.

MR. NOLAN:

The only thing I would just say before Legislator Krupski is, you know, we're going to take up the resolution -- we're not voting on the resolution tonight, it's got to go through committee and then if it's approved at the next meeting. So this is an issue I guess we can talk to Planning about between now and then.

LEG. CALARCO:

But if we were to have a new resolution that says *inclusion* as opposed to *exclusion*, then we'd have to --

MR. NOLAN:

I don't even know if that would be possible time wise, to be honest with you.

LEG. KRUPSKI:

Okay. So the parcel is not in the Ag District, it's not being -- it was not voted on by the Farmland Protection Board to take it out of the Farm District because it was never in the Ag District, right? This is -- that was an approval to gain entry.

If you look at the next one, which is Sylvester Manor, there were a number of parcels that Sylvester Manor owns on Shelter Island. Some of the parcels had proven good agricultural soils and agricultural activities, existing. One of them, 125 acres, did not, and they were told, *You have to go back and you have to conduct some sort of legitimate, modified, agricultural activities on that parcel in order for it to gain entry into the Ag District.* And that was the same as what happened to this parcel on-site in Sagaponack that has no existing agricultural activity.

Last year at the review board, an existing -- the same thing happened to a parcel in Riverhead; they applied and they were told no, they couldn't be included in the Ag District because there was no existing agricultural activity. And Legislator Browning just reminded me of another one that came up two years ago, the same thing, they were disapproved because it was not an agricultural operation existing then, *Establish the operation, come back for inclusion into the Ag District.* The Ag District, it used to be a seven-year period for enrollment, now it's an annual period. So they're more than, you know, welcome to come back next year after they have established whatever commercial, agricultural activity they want to and apply for inclusion.

LEG. CALARCO:

Legislator Krupski, do they -- in establishing their farm productivity, do they have to actually produce a proof of sales of product, or is it simply having the crop in the ground?

LEG. KRUPSKI:

There is a long list of criteria. And I would like to ask, if I could, to have Laretta Fisher come up and detail that list.

P.O. GREGORY:

I don't know if it's really appropriate at this point since we're in the public hearing. I think when the bill comes before us I think is probably more appropriate.

LEG. KRUPSKI:

Well, I mean, otherwise we're going to vote to disapprove it and then there won't be a public hearing. So I think it would be --

MR. NOLAN:

No, this is the public hearing.

P.O. GREGORY:

This is the public hearing now.

LEG. KRUPSKI:

No, no, but I mean, if we don't --

LEG. BROWNING:

We can close it and then --

D.P.O. SCHNEIDERMAN:

When they vote on the bill in committee, that might be the better time.

LEG. CALARCO:

If we -- this is to George. If we recess this public hearing and in the interim we decide that we would like to include them into the district, would we be able to re -- continue the public hearing under a changed resolution?

MR. NOLAN:

I know we're operating under time constraints, so even though we said Laretta Fischer should not come up because we're in a public hearing, I mean, if you wanted answers to those type of questions, I think we'd have to bring her up.

MR. SNEAD:

If I might? If I might, before that. First off, the letter from the Department of Agriculture and Markets indicates that there is absolutely no requirement for sale. What my client is doing is putting in a Christmas Tree Farm, and under the AML, there is a specific exemption for those types of agricultural situations for five years; you don't have to show sales because of the time period it takes to grow trees.

Secondly, there is no -- these guidelines that Legislator Krupski is speaking of are guidelines that were created by the AFPB without public comment and are unauthorized, as per the discussion by the Department of Agriculture. What this board is tasked with determining here at this time is whether this particular parcel constitutes predominantly viable, agricultural land, that's it. There's no question of how large it is, there's no question of how much money it's invested or anything like that.

What I would tell you is the Norwood application that immediately preceded this one before the AFPB had a parcel of property that was completely wooded. There were no intentions of taking down the trees stated, there was no intention to plant it this year and the AFPB approved it. I don't see how that decision squares in a situation where we came to the same board, told the board that we had engaged people and had paid for services and that we would be planted within a period of 20 days. And for the Board to turn that down at that time while having approved the Norwood application strikes me as very odd.

Now, I will tell you that I do not think the Norwood application should have been turned down; it should have been granted and we were all for that. But the problem here is that this application sitting before you now is for the inclusion, it's a recommendation only by your AFPB.

P.O. GREGORY:

Okay.

MR. SNEAD:

Your body is looking about whether it should be included pursuant to the application which has been submitted. We submit to you that this is an active farm; the State has said that and we think it's worthy of inclusion in your Agricultural District.

P.O. GREGORY:

Okay. All right. We're going to have Ms. Fischer, if you can come forward. I guess there are people with several questions as to what the requirements are.

D.P.O. SCHNEIDERMAN:

Can I just make a clarification on that? Just one quick clarification; it's not what you said, Mr. Sneed. This is not a public hearing on the inclusion, it is a public hearing on disapproval. So you're looking for us to vote no, to not disapprove.

MR. SNEAD:

I'm looking to have my client's --

D.P.O. SCHNEIDERMAN:

It's confusing.

MR. SNEAD:

I'm looking to have my client's application approved.

D.P.O. SCHNEIDERMAN:

Okay. But the hearing is for disapproval, okay? I just want to clarify that with our attorney. So you're looking for a no vote.

MR. SNEAD:

I'm looking for you to go contrary to what the AFPB did, yes.

D.P.O. SCHNEIDERMAN:

Okay.

P.O. GREGORY:

Okay. All right.

MR. SNEAD:

Thank you.

P.O. GREGORY:

Okay, Ms. Fischer, come up.

D.P.O. SCHNEIDERMAN:

Sarah is here.

P.O. GREGORY:

Okay. I'm sorry, I see Sarah is there. If you prefer to defer to Sarah Lansdale, Director Lansdale.

So the question, if you didn't hear or recall, as I recall it, is what are the requirements, if any. I think there were statements to the fact that there may be a time period, or someone said there may be an annual renewal or requirement. There may be some type of sales, you have to approve a certain threshold of sales.

MS. FISCHER:

We have guidelines that we set up for the last few years for the Ag and Farmland Protection Board, and for 2015, their evaluation guidelines include the following; they're short and sweet.

The first one is does the proposal involve an active, commercial, agricultural production operation; a commercial horse-boarding operation and/or a commercial equine operation.

Second is are there greater than or equal to seven acres, and is it greater than or equal to \$10,000 in annual gross sales; or if less than seven acres is greater than -- or equal to \$50,000 in annual sales for a commercial, agricultural operation.

Third is are there greater than seven acres and equal to or greater than or equal to \$10,000 in annual gross sales and at least ten horses boarded or stabled for a commercial horse-boarding operation or equine operation.

And fourth, is greater than or equal to 50% of the farmland in agricultural production and/or used in support of a commercial horse-boarding operation and/or a commercial equine operation.

We do have annual -- every year we have a board meeting. We have a certain timeframe that we have to stay within, as per required under New York State Ag & Markets Law within a certain 120-day period from the decisions made by the board. These applications are brought before the board, they review the applications according to their guidelines and they make a recommendation to the Legislature. Those recommendations are before you now.

P.O. GREGORY:

Okay. So is there any prior -- there's an annual renewal to keep this designation, but is there a requirement to be in existence for a certain number of years just to apply?

MS. FISCHER:

Once you're approved in the Agricultural District, there's usually an eight-year review, but if we don't have a formal review, they are allowed in until that formal review is completed. So basically anyone who's in an Ag District stays in an Ag District unless it's recommended in an eight-year period to be removed from the Ag District.

P.O. GREGORY:

Okay. Yeah, I knew there was a seven, that's where I got that. Okay, all right. Anybody else? I think, Legislator Calarco, you had a question?

MS. FISCHER:

Can I just --

LEG. CALARCO:

My question originally was is there any way we can kick this back for a re-review.

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

MS. FISCHER:

This is a public hearing for you today. To push it back, we would have a problem in presenting this to the New York State Ag and Markets in the time frame that they require us to review them, bring them to you, and then have you make your decision and move that forward to the Commissioner of Ag and Markets. So we don't have the time frame by which to move this possibly in that direction, go back and start the process over for this one parcel.

LEG. CALARCO:

And the reason this was denied was because they didn't have the trees in the ground quick enough?

MS. FISCHER:

Correct. And if I may also make a note of --

LEG. CALARCO:

But if they had the trees in the ground on the day of the Board -- Farmland Board meeting, though they haven't made any sales, it would have qualified?

MS. FISCHER:

It would have been, you know, a very big, you know, part of the decision, that they didn't have the \$10,000 in sales. There's also a guideline that they didn't meet.

MR. SNEAD:

That's incorrect.

MS. FISCHER:

You haven't sold any, other than a --

P.O. GREGORY:

Please, please, no. We're not debating. Just --

LEG. CALARCO:

So they are expected to have sales, so just getting the trees in the ground would not have qualified them?

MS. FISCHER:

I'm sorry, say that again.

LEG. CALARCO:

So the contention being made is that by having -- they would have qualified had they had the trees in the ground, they had their crop in the ground. And that this particular type of enterprise through the State Law is given a greater period of time to prove sales because of the length of time that the crop requires to grow, right?

MS. FISCHER:

That would be taken into consideration.

LEG. CALARCO:

Because you can't harvest trees out there a year.

MS. FISCHER:

Exactly. That would be taken into consideration by the Board.

LEG. CALARCO:

So that's the applicant's contention here, is that --

MS. FISCHER:

Right.

LEG. CALARCO:

-- they got the trees in the ground within 20 days of the Board meeting. This was clearly something they planned to do. They were denied, and they feel they should have -- should not have been denied, because they did move forward with producing a crop.

MS. FISCHER:

Yes, but not within the time frame of our -- you know, of the Board reviewing it.

LEG. CALARCO:

When's -- what was the time frame set by the State?

MS. FISCHER:

The time frame is set by the State, but, you know, every year we set a time for our annual Board meeting. That's set actually by Legislative resolution, which is in March of every year. So that is set in Legislative resolution, that we have to have the Board meeting in March. So -- and you need -- enrollment period in March. And then within a certain amount of days, we have to have the Board meeting to review those applications that were presented to us in March.

LEG. CALARCO:

Okay. So if they come back to us next March and they demonstrate that the trees are still there growing, then they would theoretically be qualified?

MS. FISCHER:

It would -- yes, I would assume that that would be a very positive application.

LEG. CALARCO:

Okay.

MS. FISCHER:

I'd also like to make one clarification, if I may, on the Norwood application. They are -- they have a lease agreement with a large vineyard, Mudd Vineyard, who has -- you know, it's a viable operation on the East End. It's got hundreds of acres of active vineyard farmland in production. And we took into consideration them being part of a larger farm operation, being Mudd Vineyards, with a lease agreement that they provided with us, so --

LEG. CALARCO:

So I do have a follow-up for you now, because, I mean, you stalled long enough that I thought of another question.

MS. FISCHER:

Uh-oh.

LEG. CALARCO:

So you review these in March?

MS. FISCHER:

The applications are reviewed in March by staff.

LEG. CALARCO:

When does the Board meet?

MS. FISCHER:

The Board met usually within a certain period of days since the end of the enrollment period.

LEG. CALARCO:

When did the Board meet?

MS. FISCHER:

April 27th. Don't hold me to it, but I believe it's --

LEG. CALARCO:

April?

MS. FISCHER:

Yeah.

LEG. CALARCO:

End of April?

MS. FISCHER:

End of April, right.

LEG. CALARCO:

Okay. When were the trees planted? I guess that's a question for Mr. Snead. When were your trees planted, Mr. Snead.

MR. SNEAD:

March 15th -- May 15th, excuse me.

LEG. CALARCO:

May 15th. But it's got -- but the resolution is coming to us now and their trees are in the ground.

MS. FISCHER:

Actually, this is just the public hearing.

LEG. CALARCO:

I know, so the resolution isn't even before us yet. So you could have --

MS. FISCHER:

It was laid on the table.

LEG. CALARCO:

You could have given them like a tentative agreement, as long as they demonstrate the trees are in the ground before a resolution comes before us.

MS. FISCHER:

You could. All right.

MR. SNEAD:

Which was requested.

LEG. CALARCO:

My questions were answered. Thank you.

MS. FISCHER:

Thank you.

P.O. GREGORY:

All right. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Lauretta, is it a typical practice to solicit the opinion from the municipality on these types of requests? In this case, it would be the Village of Sagaponack. And did they comment on the suitability of this parcel for inclusion?

MS. FISCHER:

They did make comments at the Board Meeting. The Village Mayor was in attendance and made comments to the Board in April.

D.P.O. SCHNEIDERMAN:

Can you just state what the Village's position was?

MS. FISCHER:

In essence, there were a number of zoning issues that were expressed to the Board members. It was rather involved, and I'd rather not speak on behalf of the Village Mayor specifically. There were a lot of different issues that he brought up.

D.P.O. SCHNEIDERMAN:

Can I ask one last question? If we were to recess this, how does that affect the time process with the State? Will that be a problem, because this has to be closed and decided on before this moves to the State?

MS. FISCHER:

That's their timeline that they've given us. We'd have to contact the Department of Ag and Markets. They only allow us a certain amount of days within -- from the end of our enrollment period to move this forward and get a decision from the Legislative body to then give them 30 days to sign off on it.

D.P.O. SCHNEIDERMAN:

So are we running out of time?

MS. FISCHER:

Yeah. The end of July is the end of our time period, and the legislation will be up before you, I believe, the day before we're due to send this to the State.

D.P.O. SCHNEIDERMAN:

So we'd have to close it today, then, to make it eligible for a vote at the committee level, and then eligible for a vote at the Legislature?

MS. FISCHER:

I believe so.

D.P.O. SCHNEIDERMAN:

And if it didn't pass, would the property -- would this property be then included in the Ag District?

MS. FISCHER:

No.

D.P.O. SCHNEIDERMAN:

Could you explain that? Because this is a disapproval. That makes it sound like it's already been approved and now it's being disapproved.

MS. FISCHER:

Yeah. The recommendation to you is a disapproval from the Ag and Farmland Protection Board. You, I believe, have the ability to approve or disapprove that recommendation. I, you know, would have to defer to Legal Counsel to further clarify that. I can't -- I don't feel comfortable answering that completely.

D.P.O. SCHNEIDERMAN:

Sarah, do you know, if we didn't act on this, does it de facto become Ag District property?

DIRECTOR LANSDALE:

No, it doesn't. And there is a clear timeline that's dictated in the Ag and Markets law, a clear process that we need to follow. Again, this is a public hearing. This will be up for consideration, your consideration, through committee and the full Legislature, hopefully soon.

D.P.O. SCHNEIDERMAN:

Would it -- would no action or recessing affect other properties that were included --

DIRECTOR LANSDALE:

No.

D.P.O. SCHNEIDERMAN:

-- in that Ag District? No.

DIRECTOR LANSDALE:

No. In the past, we did bundle all of these properties together in one resolution, but the past two years we have individually submitted the resolutions.

D.P.O. SCHNEIDERMAN:

Okay. Thank you.

P.O. GREGORY:

Okay. Anyone else? Okay. Mr. Clerk, do we have a motion?

MR. LAUBE:

I do not have a motion.

P.O. GREGORY:

Okay. I'm going to make a motion to close.

LEG. MC CAFFREY:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. All right. ***Procedural Motion Number 18 - To set a public hearing for the inclusion of three new parcels – Sylvester Manor Educational Farm Inc. (SCTM Nos. 0700-008.00-01.00-005.005, 0700-008.00-01.00-005.007, 0700-008.00-01.00-005.008) and the disapproval of one parcel – Sylvester Manor Educational Farm Inc. (SCTM No. 0700-008.00-01.00-005.010) into an existing Agricultural District. (Sponsor: Pres. Off. Gregory).*** I don't have any cards in this matter. Is there anyone that would like to speak? Please come forward. Okay. Having seen none, do I have a motion?

LEG. KRUPSKI:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Krupski, second by Legislator Anker. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. ***I.R. 1118 - A Local Law amending Chapter 563 of the Suffolk County Code to modify the laws relating to home furnishings and dealings -- dealers -- excuse me -- in secondhand articles (Sponsor: County Executive).*** I don't have any cards in this matter.

MS. SANTERAMO:

We're requesting that you recess this. We're still making amendments.

P.O. GREGORY:

Okay. All right. I'll make a motion to recess, second by Legislator Hahn. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1447 - A Local Law amending Chapter 101 of the Suffolk County Code (Sponsor: Kara Hahn). I don't have any cards on this public hearing. Is there anyone that would like to speak on it? Please come forward. Okay. Legislator Hahn?

LEG. HAHN:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Hahn.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1451 - A Local Law to clarify the procedures for review of applications for licenses and leases at Gabreski Airport (Sponsor: Jay Schneiderman). I don't have any cards in this matter. Is there anyone that would like to speak? Please come forward. Not having seen none -- seen any -- excuse me -- Legislator Schneiderman? Gabreski.

D.P.O. SCHNEIDERMAN:

Oh, you're asking for a motion to close?

P.O. GREGORY:

Yeah.

D.P.O. SCHNEIDERMAN:

Motion to close.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1519 - A Local Law To clarify affordable housing requirements. (Sponsor: Al Krupski). I don't have any cards in this public hearing as well. Is there anyone that would like to speak? Please come forward. Having seen none, Mr. Krupski?

LEG. KRUPSKI:

Motion to close.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. I.R. 1516 -- **1560** -- excuse me -- ***A Local Law amending Chapter 563 -- it's in your CN packet. Amending Chapter 563 of the Suffolk County Code to modify the laws relating to septic industry businesses (Sponsor: County Executive).*** I don't have any cards on this public hearing. Is there anyone that would like to speak on it? Please come forward. Okay. Having seen none, I will close -- I'll make a motion to close.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Seventeen. (Not Present: Legislator Stern)

P.O. GREGORY:

Okay. I'd like to make a motion setting the date for the following public hearing on July 28th, 2015, at 2:30 p.m., at the Rose Caracappa Auditorium, Hauppauge, NY: **1151 (A Local Law to Ban the Sale of Personal Care Products Containing Microbeads in Suffolk County (Hahn))**, and **I.R. 1175 (A Local Law to Protect Privacy in Suffolk County (Muratore))**.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. Back to the agenda. There was one request, if you go -- another request. If you go to Page 7, **I.R. 1508 - Authorizing the reappropriation of sewer grant funds (Co. Exec.)**. Motion to take out of order by Legislator D'Amaro, I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. The resolution is before us. Motion by Legislator D'Amaro.

LEG. D'AMARO:

Motion to approve.

P.O. GREGORY:

I'll second. Anyone on the motion?

D.P.O. SCHNEIDERMAN:

Explanation.

P.O. GREGORY:

Explanation by Counsel.

LEG. HAHN:

Where are we?

P.O. GREGORY:

I.R. 1508, Page 7.

MR. NOLAN:

This is, you know, the -- you recall the sewer grants to Northport and Riverhead, and one was to Babylon, that was in connection with Wyandanch Rising. Apparently, I think that the Town paid for that project, so they're reallocating money to a different project within the Town. I believe it's a park. That was the discussion in committee, and that's what this resolution does.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

TABLED RESOLUTIONS

P.O. GREGORY:

Okay. All right. Let's go to tabled resolutions. ***I.R. 1175 - A Local Law to protect privacy in Suffolk County (DRONES)(Muratore).***

LEG. MURATORE:

Table.

P.O. GREGORY:

Motion to table by Legislator Muratore.

LEG. BROWNING:

Second.

P.O. GREGORY:

Second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. -- excuse me -- 1271 - Approving form of proposition, establishment of Suffolk County Sewer District No. 26 - Melville Huntington. (Pres. Off.).

LEG. STERN:

Motion.

P.O. GREGORY:

Motion by Legislator Stern, I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1394 - Accepting and appropriating a grant as pass-thru funding from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the S.T.O.P. Violence Against Women Act Program with 75% support (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

INTRODUCTORY RESOLUTIONS

P.O. GREGORY:

Okay. ***I.R. 1372 - Amending the 2015 Operating Budget to provide funding for the Suffolk County Coalition Against Domestic Violence (Hahn).***

LEG. CALARCO:

Can we pass this one over?

P.O. GREGORY:

Okay. All right. The sponsor's not here, we'll pass over it.

I.R. 1490 - Amending the 2015 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County (Co. Exec.).

LEG. D'AMARO:

Motion.

LEG. STERN:

Second.

P.O. GREGORY:

Motion -- who was that? Legislator D'Amaro, second by Legislator Stern. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. All right. We have Legislator -- okay. Let me do the bond. We have ***I.R. 1490A***, a bond resolution. Same motion, same second. Roll call.

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

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. All right. I.R. 1491 -- I'm sorry, excuse me. **1372 - Amending the 2015 Operating Budget to provide funding for the Suffolk County Coalition Against Domestic Violence (Hahn).**

LEG. HAHN:

Motion.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1491 - Amending the 2015 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County (Co. Exec.).

LEG. D'AMARO:

Motion.

P.O. GREGORY:

Motion by Legislator D'Amaro.

LEG. STERN:

Second.

P.O. GREGORY:

Second by Legislator Stern. On the motion anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1491A, bonding resolution, same motion, same second. Roll call.

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

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. 1508 we did.

ECONOMIC DEVELOPMENT

I.R. 1469 - Reappointing Anna Throne-Holst to the Suffolk County Landbank Corporation Board of Directors (Co. Exec.).

LEG. HAHN:

Motion.

P.O. GREGORY:

Motion by Legislator Lindsay, second by Legislator Hahn.

P.O. GREGORY:

All in favor? Opposed? We'll, he's the Chair, so I figure I'd give it to you. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

J.R. 1520 - Amending the 2015 Adopted Capital Budget and authorizing the execution of a grant agreement with the Federal Aviation Administration and the New York State Department of Transportation in connection with the Pavement Management Rehabilitation at Gabreski Airport (CP 5739) (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, I'll second. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

J.R. 1520A, bond resolution, 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. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

MR. LAUBE:

Eighteen.

EDUCATION AND INFORMATION TECHNOLOGY

P.O. GREGORY:

Okay. Education and IT: **1470 - Amending the 2015 Capital Budget and Program in connection with the acquisition of Globally Managed Network Protection and Security (CP 1807) (Co. Exec.)**. Motion by Legislator Anker, I'll second. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1470A, bond resolution, same motion same second, roll call.

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

LEG. ANKER:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1471 - Amending the 2015 Capital Budget and Program in connection with Fiber Cabling Network and WAN Technology Upgrades (CP 1726) (Co. Exec.)***. Motion by Legislator Anker.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1471A, bond resolution, same motion, same second. Roll call.

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

LEG. ANKER:

Yes.

LEG. CALARCO:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. ***I.R. 1472 - Amending the 2015 Capital Budget and Program in connection with Suffolk County Disaster Recovery (CP 1729) (Co. Exec.)***. Motion by Legislator Anker, I'll second. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1472A, bond resolution, same motion, same second. Roll call.

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

LEG. ANKER:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. SPENCER:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay. If you quickly -- we had a request, so we're going to jump to the CN packet. ***I.R. 1560 - Adopting a Local Law -- amending -- excuse me, amending. A Local Law amending Chapter 563 of the Suffolk County Code to modify the laws relating to septic industry businesses (Sponsor: County Executive).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

I'll motion to take it out of order. Who was that? Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. The motion -- the resolution is before us.

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco, I'll second. Anybody on the motion? No one on the motion? Okay. All right. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

All right. Let's get back to the agenda.

ENVIRONMENT, PLANNING & AGRICULTURE

I.R. 1442 - Accepting the Suffolk County Climate Action Plan (Krupski).

LEG. HAHN:

Motion.

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Anker, second by Legislator Krupski. Anybody on the motion? On the Legislator Krupski.

LEG. KRUPSKI:

This is a plan that a lot of people for years worked on, worked on very hard, and it not only provides a road map for what could be done in the future, but also documents all the good work that the County has been doing in energy saving and conservation in the past. And I think it's good to acknowledge all of that work that's been done, and kind of keep providing encouragement for what should be done in the future. And so the County is kind of setting a good example here, not only for homeowners, also for industry, as to energy use.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1488 - Appropriating funds for the Brownfields Program, former Canine Kennel site at Gabreski Airport (CP 8223) (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, I'll second. Anyone on the motion?

LEG. D'AMARO:

On the motion.

P.O. GREGORY:

On the motion, Legislator D'Amaro, then Legislator McCaffrey.

LEG. D'AMARO:

I'll defer to Legislator McCaffrey.

LEG. MC CAFFREY:

I just want to find out what the extent of this is. I mean, this is -- what are they going to be doing here for 25,000?

P.O. GREGORY:

Okay.

MR. MEYERS:

Jim Meyers, Health Services. For this site, it's called the Canine Kennel. It's on the Gabreski Airport property. They're actually already very far along in this process. The remediation is to start this year, but we need some additional funds to do some further sampling investigation.

LEG. MC CAFFREY:

Is this -- you mean -- so what is the remediation at the -- what are they cleaning up at the kennel, I mean, other than the obvious?

MR. MEYERS:

It's PCBs. It's called the Canine Kennel because it's adjacent to an old Police kennel, so it just -- it's called that. It's not really a kennel, it's just adjacent to it. It's PCB contamination from old military use.

LEG. MC CAFFREY:

And it's a process that we've already started?

MR. MEYERS:

Yes. It's been going for quite some time.

LEG. MC CAFFREY:

All right. Yeah, why are we cleaning up? Is it --

MR. MEYERS:

It's our property.

LEG. MC CAFFREY:

It's our property, we own it?

MR. MEYERS:

Yeah.

LEG. MC CAFFREY:

Okay. Thank you.

P.O. GREGORY:

Legislator D'Amaro?

LEG. D'AMARO:

Thank you. We own the property. There's contamination, and we're far along in the process. But what caused the actual contamination; has that been determined?

MR. MEYERS:

It was old military capacitors that were filled with PCBs.

LEG. D'AMARO:

From a prior user or tenant that's long gone and there's no recourse in that direction?

MR. MEYERS:

There was negotiations that were years ago, and I'm told that it didn't get very far with the Federal Government.

LEG. D'AMARO:

So the County is picking up the entire cost of remediation?

MR. MEYERS:

In this case, yes.

LEG. D'AMARO:

When do you expect that to be completed?

MR. MEYERS:

It's starting this year; probably next year it should be completed.

LEG. D'AMARO:

And so what's the total amount of the capital project?

MR. MEYERS:

Well, it encompasses several sites. For this site, I could give you that number for this site.

LEG. D'AMARO:

What's the estimated cost to clean up at this particular site.

MR. MEYERS:

For this site, about \$600,000.

LEG. D'AMARO:

Six hundred thousand. And we've already started that?

MR. MEYERS:

We're in the bid preparation process.

LEG. D'AMARO:

Bid preparation. So the additional 25,000, why isn't that included in the original 600? Is this something that --

MR. MEYERS:

By the nature of these sites, it's not like you're building a building. Things change as you go along. You don't know what you're going to find when you investigate. You don't know what the State's going to say you have to do as far as the remediation goes. So things change considerably as you go along in the process.

LEG. D'AMARO:

Okay. But I understand that, and that's very general. I'm saying specifically, okay, we've already gotten to a point where we're bidding out the remediation efforts, okay? But now you're coming back for another 25,000 for further testing. Who's mandating that testing? Why is it occurring now?

MR. MEYERS:

It's testing we have to do prior to the remediation to better describe exactly what has to be taken out of the ground, and it's money that we need to do that.

LEG. D'AMARO:

So -- but that wasn't anticipated in the original project? I would think that would be anticipated. The further testing that's required as the project advances, I would think all the testing would be included.

MR. MEYERS:

We didn't know what we were going to find, and we didn't know what the DEC would make us do.

LEG. D'AMARO:

Yeah, but does what you found make the difference? I mean, how is it that what you found increased the cost of testing? I'm not sure I understand this.

MR. MEYERS:

The scope of the project, you know, we don't know what we're going to find. We don't know what the DEC is going to require us to do. I mean, we just don't know going in, but --

LEG. D'AMARO:

What company does that testing, or do we do it inhouse?

MR. MEYERS:

PW Grosser is our consultant.

LEG. D'AMARO:

Who is that?

MR. MEYERS:

PW Grosser.

LEG. D'AMARO:

PW who?

MR. MEYERS:

Grosser, G-R-O-S-S-E-R.

LEG. D'AMARO:

Okay. Now, when this further testing was requested or required, was it required by PW Grosser, or was it required by the State DEC?

MR. MEYERS:

The State. The State.

LEG. D'AMARO:

Working in connection with the State's review of their work? How does that come about?

MR. MEYERS:

Yeah. We do the investigation. We farm it out to Grosser as our consultants, and the results go to the State, they review it and tell us what basically needs to be done for the remediation.

LEG. D'AMARO:

Now why can't PW Grosser do this additional testing within the confines of what has already been bid?

MR. MEYERS:

So we have about \$12,000 left in planning funds. It's a time and materials contract, it's not a -- it's not a unit bid price, so it's time and materials.

LEG. D'AMARO:

I don't know. It just seems to me that when PW Grosser was the successful bidder, they're the experts.

MR. MEYERS:

Right.

LEG. D'AMARO:

They should know that there's the possibility of further testing. They get a low bid, they get the work, and then, lo and behold, there's another 25,000 in testing that wasn't anticipated, to use probably their words. But I would think that any professional environmental engineering or consulting firm dealing with the State DEC would have anticipated this.

MR. MEYERS:

They could have told -- DEC could have told us, you know, to do nothing. You know, the range of things that they could tell us to do are vast, so there's really no -- you can't tell up front what you're required to do.

LEG. D'AMARO:

So you disagree with what I just said?

MR. MEYERS:

Yes.

LEG. D'AMARO:

You do?

MR. MEYERS:

Yes.

LEG. D'AMARO:

So you feel that the amount originally bid was appropriate, and that this was unforeseeable and unforeseen when that bid was submitted?

MR. MEYERS:

There was no bid, per se.

LEG. D'AMARO:

Okay.

MR. MEYERS:

It's a time and materials contract, so yeah.

LEG. D'AMARO:

Okay. But their scope of work must have been laid out.

MR. MEYERS:

They're doing the work --

LEG. D'AMARO:

So then you based the capital project, what we approved in the past, based upon the scope of work and what was anticipated, based upon relying on what they were telling you?

MR. MEYERS:

And what we were seeing, as far as results go, correct, yeah.

LEG. D'AMARO:

When PW Grosser came to you and said, "We need to do another 25,000 in testing" --

MR. MEYERS:

Well, in theory, that's a budget that I prepared years ago.

LEG. D'AMARO:

Okay. So you prepared that budget, but the budget doesn't allow for this additional testing?

MR. MEYERS:

Not the \$12,000 we have left, no.

LEG. D'AMARO:

Okay. Okay. All right. Thank you.

P.O. GREGORY:

Okay. Was there anyone else? No? Okay. We have a motion and a second?

MR. RICHBERG:

Yes, we do. Sorry.

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P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen. (Voted Amended to 18)

P.O. GREGORY:

Okay. All right. *I.R. 1488A*, bond resolution, same motion, same second. Roll call.

MR. RICHBERG:

Sorry, last vote is 18.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

No.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

No.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

MR. RICHBERG:

Fourteen.

P.O. GREGORY:

Okay. *I.R. 1489 - Appropriating funds for the Brownfields Program, former Blue Point Laundry site (CP 8223)(Co. Exec.).*

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman. On the motion?

LEG. CALARCO:

Mr. Meyers, since you're here. It was my understanding that this project, we already did all the remediation on-site. There was some fuel oil we had to remove and Stoddard solvent, I guess. This is for additional work off-site?

MR. MEYERS:

This is for the off-site contamination that's on the Long Island Railroad property.

LEG. CALARCO:

Generally, we have to do some cleanup underneath the tracks?

MR. MEYERS:

Quite frankly, we don't know yet, but that's part of the process. The DEC has not told us what the requirement is yet. It could be they -- that tell us the amount for the site, but it could be that it costs us roughly a million dollars to clean up. That's just --

LEG. CALARCO:

Do we have wells in the ground now?

MR. MEYERS:

We do. We'll get a decision very soon. We sampled the wells and we submitted it to the State. We should get the results back soon.

LEG. CALARCO:

But you're bringing this to us because you're expecting something from them?

MR. MEYERS:

Right.

LEG. CALARCO:

Okay. Thank you.

P.O. GREGORY:

Okay. All right. Oh, Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. I just need to understand a little more in-depth what exactly this additional funding is going towards.

MR. MEYERS:

We did the on-site remediation of a Number 6 fuel oil spill. There is also contamination behind the site on the Long Island Railroad property that we've been required by the State to investigate and remediate, if they require us to. Our estimate, that it costs about \$900,000 to remediate, and that's -- this is going towards the \$500,000 we already have.

LEG. D'AMARO:

Well, this bill, 1521, is amending Resolution 704 of 2014. Resolution 704 of 2014 appropriated 250,000 for this treatment program, right? Am I on the wrong one?

LEG. STERN:

Wrong one.

LEG. D'AMARO:

Well, that explains a lot. Okay. I have no problem with that.

P.O. GREGORY:

Okay. All right. Anyone else? Okay.

D.P.O. SCHNEIDERMAN:

Is there a reimbursal process, or are we just stuck with the bill for cleaning this up? This was -- I remember this in the past. It was like a tax default property we ended up with.

LEG. CALARCO:

This is the -- this is the perfect property to show why we needed to create the Land Bank.

D.P.O. SCHNEIDERMAN:

Exactly.

LEG. CALARCO:

And not take these parcels into our ownership.

D.P.O. SCHNEIDERMAN:

Once we took title, we were responsible, is that what happened?

MR. MEYERS:

Correct.

D.P.O. SCHNEIDERMAN:

And we can't go after the initial polluter here?

MR. MEYERS:

That's -- you know, once we own the parcel, we're responsible. Whether or not we can go after the --

D.P.O. SCHNEIDERMAN:

They don't exist anymore.

MR. MEYERS:

Yeah. I mean, that's a legal question that we could probably pursue in Civil Court.

D.P.O. SCHNEIDERMAN:

And how -- what's the funding on this one?

MR. MEYERS:

It's 400,000 for remediation and \$80,000 for planning and design.

D.P.O. SCHNEIDERMAN:

Well, you said it could actually end up higher.

MR. MEYERS:

I don't think so. It could end up much lower.

D.P.O. SCHNEIDERMAN:

Okay.

MR. MEYERS:

Yeah.

D.P.O. SCHNEIDERMAN:

At the end of the day, after we've cleaned it up, we can sell it or keep it?

MR. MEYERS:

We can -- we can develop the site right now, or do what we want to with it. This is off-site contamination that we're responsible for that we're cleaning up at the direction of the State.

D.P.O. SCHNEIDERMAN:

Okay, off-site. Okay. And so the County has no plans at the moment for the site?

MR. MEYERS:

No, I don't think so.

D.P.O. SCHNEIDERMAN:

Okay.

P.O. GREGORY:

Okay. All right. We have a motion.

LEG. D'AMARO:

DuWayne.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

I have a question on that. I just want to confirm, then, on this particular project that it's 400,000 for remediation, you said, for this off-site location?

MR. MEYERS:

In addition to the money that we already have, correct.

LEG. D'AMARO:

In addition to -- so this is additional money, but this is going towards off-site, not --

MR. MEYERS:

Correct.

LEG. D'AMARO:

-- the property that we actually own, but a site that we have responsibility for?

MR. MEYERS:

We do own the site.

LEG. D'AMARO:

Oh, we do?

MR. MEYERS:

Yeah.

LEG. D'AMARO:

Okay. So, all right. So this capital project has these funds available within it.

MR. MEYERS:

Well, \$500,000 right now, but we anticipate we might need \$400,000 more to do the off-site cleanup work.

LEG. D'AMARO:

Well, that's what this bill is.

MR. MEYERS:

Yes.

LEG. D'AMARO:

Okay. All right. So I just want to understand this. There's a Capital Project 8223.

MR. MEYERS:

Right.

LEG. D'AMARO:

Right. Within that Capital Project, that's what we call our Brownfields funding?

MR. MEYERS:

Correct.

LEG. D'AMARO:

Is that only for this Blue Point --

MR. MEYERS:

There's five sites.

LEG. D'AMARO:

Five sites.

MR. MEYERS:

Two sites are already remediated and being developed at Gabreski Airport.

LEG. D'AMARO:

Okay.

MR. MEYERS:

Bellport Gas Station.

LEG. D'AMARO:

Right.

MR. MEYERS:

Ronkonkoma Wallpaper, which is being cleaned up by the State under a grant.

LEG. D'AMARO:

All right. So you're doing work and remediation at Blue Point Laundry site.

MR. MEYERS:

Right.

LEG. D'AMARO:

And you had a certain amount from this Capital Project earmarked for that site.

MR. MEYERS:

Correct.

LEG. D'AMARO:

And what happened was it turns out you need another 400,000 in remediation?

MR. MEYERS:

Right.

LEG. D'AMARO:

Okay. So when -- I'm trying to understand again. Was that based upon relying on a consultant telling us originally what the scope of the problem was?

MR. MEYERS:

This is an estimate provided by the consultant, yes.

LEG. D'AMARO:

See, my point on this and the last one is that, you know, we hire a consultant who's an engineering environmental consulting firm, I would assume, that bids this or gives us the price or the cost estimate upon which we rely, and then you come here, and we approve it, we put it in the Capital Budget, the work is ongoing, and then, lo and behold, we need another \$480,000. So who's the consultant on this particular --

MR. MEYERS:

It's same consultant.

LEG. D'AMARO:

Same consultant?

MR. MEYERS:

Right.

LEG. D'AMARO:

So now we have the same consultant again underestimating the scope of work, but this time to the tune of about almost a half a million dollars.

MR. MEYERS:

I wouldn't say that's necessarily the case. We had to spend -- this is a -- this project is massive. In previous years, money that was earmarked for this site went to other sites. The on-site cleanup cost was more than it was expected to be. So it's not as simple as that. We always thought --

LEG. D'AMARO:

But it is as simple as that. When you say that it was more than expected to be, you don't know and I don't know.

MR. MEYERS:

Right.

LEG. D'AMARO:

The consultant is supposed to have that expectation.

MR. MEYERS:

They can't see what's in the ground --

LEG. D'AMARO:

Does the consultant pick -- is that through a -- it's not a competitive bidding process for this?

MR. MEYERS:

This was an RFP.

LEG. D'AMARO:

It was?

MR. MEYERS:

Yes.

LEG. D'AMARO:

And was this the lowest bidder?

MR. MEYERS:

No.

LEG. D'AMARO:

No.

MR. MEYERS:

It was really more like an RFQ, you know, so.

LEG. D'AMARO:

So is there anything written in the contract that if a consultant underbids or underestimates, that there's any ramification for that?

MR. MEYERS:

No.

LEG. D'AMARO:

No.

MR. MEYERS:

No, because it's -- ultimately, the costs are ours. They can't be expected to know these things --

LEG. D'AMARO:

But you don't have to -- but this is like not our money, this is the taxpayers' money.

MR. MEYERS:

Right, absolutely.

LEG. D'AMARO:

And we approved this project based on a consultant, a paid consultant to estimate the cost of cleanup, remediation and testing in the prior bill. We do that, and then we come back and we say, "No, we got to do more, and we need another half a million," from which the consultant is going to profit, so --

MR. MEYERS:

No. Well, they don't do the --

LEG. D'AMARO:

At what point -- how many times do you use the same consultant that underestimates? Like, you know --

MR. MEYERS:

Their estimates are used basically only for budgeting purposes.

LEG. D'AMARO:

Well, they're off.

MR. MEYERS:

Yeah, they're off. I mean, they estimate -- we estimate years in advance what we might have to investigate, what we might find, and what the State might have to do -- tell us to do. So it's very

difficult to have an estimate years in advance when you don't even know what's in the ground. You know what I'm saying? That's the problem.

LEG. D'AMARO:

Maybe for you and I, but an environmental engineering and consulting firm should be much -- in a much better position to do that.

MR. MEYERS:

I would say, in general, their estimates have been very good, but there's no way they can be 100% accurate.

LEG. D'AMARO:

Yeah. I mean, you know, it's pretty like run of the mill, a laundry site. They usually know what's involved. I mean, we're talking a half a million dollar underestimate of what the cost of remediating a laundry site is. How do you miss -- how do you miss the mark?

MR. MEYERS:

I wouldn't say there was an under-estimate. This is money that -- this estimate was provided to us years ago. It's just a matter of we didn't have the money in place to do the work until we're requesting the money now.

LEG. D'AMARO:

Oh, so this half a million was in your budget?

MR. MEYERS:

It was an estimate --

LEG. D'AMARO:

It wasn't requested back then?

MR. MEYERS:

It was requested in the previous budget, but some of that money had to be used for other Health Department projects and --

LEG. D'AMARO:

Okay.

MR. MEYERS:

And, also, some of the money went to the on-site work that wasn't expected.

LEG. D'AMARO:

So my question is --

MR. MEYERS:

It was that.

LEG. D'AMARO:

-- the 500,000 that you're seeking today, was that funding that you knew was going to be needed, but just wasn't appropriated, or is this new funding that's needed for something that was unanticipated?

MR. MEYERS:

It was money we knew we would need, but the money -- we don't have the money in the budget now because of those reasons I mentioned.

LEG. D'AMARO:

So, if you showed me your budget from years ago, it would have this 400,000 in there?

MR. MEYERS:

I don't know what year I got it, but it's been -- it's prior to this budget cycle.

LEG. D'AMARO:

It's prior. I don't get it.

MR. LIPP:

So the money is in the 2015 adopted Capital Program. It's just appropriating, it's not amending it, adding more money.

LEG. D'AMARO:

Right, it's appropriating. So there's a budget line in the Capital Budget, that's what these funds are for, but it wasn't all appropriated at the same time, because this gentleman is saying that maybe we put the resources in other directions at the time, or just didn't appropriate this yet.

MR. LIPP:

We just didn't appropriate it yet, we're doing it now.

LEG. D'AMARO:

What's the total cost of cleanup at Blue Point Laundry site?

MR. MEYERS:

We spent \$700,000 on-site, and could be another \$900,000 off-site.

LEG. D'AMARO:

Okay. Do you anticipate there would be any further appropriation needed?

MR. MEYERS:

No.

LEG. D'AMARO:

This is it?

MR. MEYERS:

This is it.

LEG. D'AMARO:

Okay. All right. Thank you.

P.O. GREGORY:

All right. Anyone -- Legislator Trotta.

LEG. TROTTA:

How much property is this?

MR. MEYERS:

I think it's about 3.3 acres, I believe.

LEG. TROTTA:

And it's in where?

MR. MEYERS:

It's it Blue Point.

LEG. TROTTA:

Three -- and you said it's off-site now, so it's like a plume?

MR. MEYERS:

This contamination is off-site, correct.

LEG. TROTTA:

It's like a plume going down?

MR. MEYERS:

Correct. It's actually old contamination. It's basically stuck in the soil from a previous plume.

LEG. TROTTA:

How deep down?

MR. MEYERS:

It's about -- it's not that deep. It's about eight feet down.

LEG. TROTTA:

Oh, that's it?

MR. MEYERS:

Yeah. There's a creek right there, so.

LEG. TROTTA:

Over how much of an area?

LEG. CALARCO:

This is in my district, and so it's about -- it's around three acres in size. Corey Creek, which is in Blue Point, it runs through the property. It's actually Purgatory Creek when you go north of Park Avenue. As soon as you get cross the street into this property, it becomes Corey Creek. Corey Creek runs through the property under the tracks and south, and the plume is drifting off the property southerly under the tracks and towards Corey Creek.

LEG. TROTTA:

Is this like that -- the dry cleaner stuff?

LEG. CALARCO:

Yeah. This was an old dry cleaner, then it became a car repair shop and a millworks for a little while. It's been a number of different things. The County took this property in the late '90s, if I've got my timeline right, so this one has been hanging around in our inventory for a long time. And as I said, this is the poster child of why we don't want to take these tax liens on these -- on these contaminated properties, because it's costing us a fortune. And even if we were to sell it, we would never be able to recoup our investment.

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LEG. TROTTA:

Okay.

P.O. GREGORY:

All right. Anyone else? Okay. We have a motion. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1489A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. CALARCO:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Aye.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. *I.R. 1521 - Amending Resolution No. 704-2014 in connection with the innovative alternative onsite Wastewater Treatment Program (CP 8710.140)(Co. Exec.).*

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Who was that? Motion by Legislator Krupski, I'll second. Anyone on the motion?

MR. RICHBERG:

I'm sorry, who was the second?

P.O. GREGORY:

I'll second. Actually Muratore, Legislator Muratore. Muratore. More of Muratore. All right. Anyone else? The gum-chewer.

*(*Laughter*)*

P.O. GREGORY:

All in favor? Opposed? Abstentions?

LEG. D'AMARO:

Hold on, hold on, hold on.

P.O. GREGORY:

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

LEG. D'AMARO:

Yeah, this is the one that I was going to question earlier. I just want to ask why -- why we're amending the prior resolution and what the need is, if there's anyone here that can answer that question.

DIRECTOR LANSDALE:

I can answer your questions.

LEG. D'AMARO:

Oh, okay. Thank you, Director.

DIRECTOR LANSDALE:

Sure. So the previous resolution that was approved last year by the Legislature appropriated funds from the 477 Water Quality Program to the -- for the septic, Innovative Alternative Septic Demonstration Program, and it generally appropriated 250,000 for funding. We thought, in an abundance of caution, that we'd come back to you with more specifics on how we are proposing to use those funds that are allocated. We went back to the Water Quality Committee, got their re-approval of the use of these funds, and now we're before you tonight.

LEG. D'AMARO:

So it's not a request for additional --

DIRECTOR LANSDALE:

No.

LEG. D'AMARO:

-- or revised funding?

DIRECTOR LANSDALE:

It is not.

LEG. D'AMARO:

You're just further detailing?

DIRECTOR LANSDALE:

Yup, we're providing further information.

LEG. D'AMARO:

Excellent. Thank you. Okay, good. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

P.O. GREGORY:

Okay. *I.R. 1260 - A Local Law to regulate "board up" businesses in Suffolk County (Browning).*

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning. Don't hurt yourself.

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

Second by Legislator Hahn.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1448 - Appoint member to the Suffolk County Animal and Pet Advisory Board (Pamela Green) (Spencer).

LEG. SPENCER:

Motion.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen. Can I get the motion and second again?

P.O. GREGORY:

Spencer/Schneiderman.

MR. LAUBE:

Thank you.

P.O. GREGORY:

1449 (Appoint member to the Suffolk County Animal and Pet Advisory Board (Donald Sterling) (Spencer). Motion by Legislator Muratore.

LEG. TROTTA:

(Raised hand).

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. -- we did 1457. ***I.R. 1458 - Amending the Suffolk County Temporary Classification and Salary Plan for temporary personnel in the Department of Public Works (Co. Exec.).*** I'll make a motion.

LEG. CALARCO:

Second.

P.O. GREGORY:

Second by Legislator Calarco. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. I.R. 1514 we did earlier. ***I.R. 1523 - Approving the appointment of a relative of an acting County Court Judge in the Suffolk County Parks Department (Noah Ford) (Co. Exec.)***.

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco, I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. I'd like to recognize Legislator Browning for the purposes of having a motion taken out of order.

LEG. BROWNING:

Okay, George. I would like to make a motion to take out of order 1562 and --

MR. NOLAN:

One at a time.

LEG. BROWNING:

One at a time? Okay. Motion, 1562. Trying to rush it along.

P.O. GREGORY:

It's in the --

MR. NOLAN:

Manila folder. It's a grant.

P.O. GREGORY:

Okay. I'll second the motion. It's ***I.R. 1562 - Accepting and appropriating a grant in the amount of \$1,068,093 from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) II Program with 89.47% support (Sponsor: County Executive)***. Okay.

MR. NOLAN:

It's to take it out of order.

P.O. GREGORY:

All right. All in favor? Opposed? Abstentions?

LEG. BROWNING:

I would like to make a motion to approve.

MR. LAUBE:

Eighteen

P.O. GREGORY:

I.R. 1562, Legislator Browning makes a motion to approve, I'll second it. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. BROWNING:

Okay. Motion to take out of order 1559.

P.O. GREGORY:

It's in the manila folder -- excuse me, the red folder, CN. All right. *I.R. 1559 - Creating a Research Technician Position in the District Attorney's Office associated with a grant from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) II Program with 78.98% support (Sponsor: County Executive).*

LEG. MURATORE:

Motion.

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning, second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. BROWNING:

Okay. And motion to take out of order 14 --

P.O. GREGORY:

Oh, wait, we didn't approve it yet.

LEG. BROWNING:

Oh.

P.O. GREGORY:

Motion to approve by Legislator Browning, second by Legislator Muratore --

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

-- to approve. On the motion, who? Oh, Legislator Krupski.

LEG. KRUPSKI:

I'm trying to read this quickly here. I'm reading as fast as I can, I promise. Oh, is there some explanation as to what the task will be for this person, and is this going to be a permanent position?

P.O. GREGORY:

Okay.

MR. HEILIG:

Good evening. My name is Ed Heilig. I'm a Division Chief with the District Attorney's Office. It's not a -- it's intended to be a permanent position, provided that the funding is given to us every year in this grant. DCJS, Department of Criminal Justice Services, indicates that this funding will continue. We've received it for the last seven, eight years, and I anticipate that funding to continue. If the funding -- if the funding doesn't continue for this position, we wouldn't need this position.

The position, to answer the first part of your question, what the tasks are going to be, is to provide -- is to gather data, provide it to our Prosecutors, to our Gun Suppression Team, and to the Division of Criminal Justice Services, because basically what's happening is they're asking us to have this position, because we need to provide them with the data on how the program is operating. So this person will be gathering gun statistics, gun violence statistics, locations, all in an effort to reduce gun violence in the County.

LEG. KRUPSKI:

Thank you.

LEG. BROWNING:

And real quick, DuWayne, I mean, I received some information. I do have information with regards to violent gun crime, Nassau and Suffolk, and I did see Suffolk numbers are much higher, and I'm hoping that this is going to help us to combat that problem.

MR. HEILIG:

And they have given us -- the Division of Criminal Justice Services has been very supportive, and working with the Police Department and the other partners. We partner with the Probation Department, the Medical Examiner's Office, the Sheriff's Department in a joint effort to fight this problem.

LEG. BROWNING:

Right. And that's where we're going to get back to talking about more cops, so -- but we'll talk about that another day. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen.

P.O. GREGORY:

Okay.

LEG. BROWNING:

Okay. Motion to take out of order 1460.

P.O. GREGORY:

I.R. 1460, on Page 10 - ***Amending Resolution No. 1204-2014 in connection with the improvements to buildings and facilities Countywide (CP 1817) (Co. Exec.)***. Second by -- I'll second. Oh, second by Legislator Krupski. All in favor? Opposed? Abstentions to take out of order?

MR. LAUBE:

Eighteen

P.O. GREGORY:

Motion by Legislator Browning, second by Legislator Muratore to approved. On the motion, anyone?

LEG. D'AMARO:

Yeah.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

I just want to know specifically what this capital project is targeted at? This is resolution 1460; is that right?

P.O. GREGORY:

Yes.

LEG. BROWNING:

Yeah.

LEG. D'AMARO:

Okay.

LEG. BROWNING:

This is for the District Attorney's Office to move to the Dennison Building. I don't know if Ed or DPW wants to respond to that.

COMMISSIONER ANDERSON:

Good evening. It's 1460?

LEG. D'AMARO:

1460. There was an original appropriation in Capital Project 1817 of 800,000, according to the notes I have, and now we're amending the resolution that appropriated that money.

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

And I'm just curious what the amendment is needed for.

COMMISSIONER ANDERSON:

We're -- originally, we asked for, under 1204-2014, 800,000 in construction. We're asking it to be amended to \$400,000 for construction and 400,000 for furniture, to enable -- to place the District Attorney's staff out of the old Fourth Precinct and other rental space and bring them into the Dennison. It's part of the restacking project.

LEG. D'AMARO:

So that plan arose after the 800,000, the 1204 resolution was passed?

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

Oh. So then you're just fitting the funds to the change in plans?

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

Okay. That's great. Thank you.

P.O. GREGORY:

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

MR. LAUBE:

Eighteen

P.O. GREGORY:

Okay. *I.R. 1460A*, bond resolution, same motion, same second. Roll call.

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

LEG. BROWNING:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. LAUBE:

Eighteen

HEALTH

P.O. GREGORY:

Okay. Back to Page 8. *I.R. 1376 - To appoint member to the Food Policy Council of Suffolk County (Monique Gablenz) (Hahn).*

LEG. HAHN:

Motion.

P.O. GREGORY:

Motion by Legislator Hahn, I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. GREGORY:

I.R. 1450 - Developing a Wellness Program for County Employees (Lindsay). Motion by Legislator Lindsay, I'll second. Anyone on the motion? All in favor? Opposed? Abstentions?

D.P.O. SCHNEIDERMAN:

Do you want to --

P.O. GREGORY:

Oh, I'm sorry.

D.P.O. SCHNEIDERMAN:

Do you want to explain it a little?

P.O. GREGORY:

Did you want to? I'm sorry, go ahead.

LEG. LINDSAY:

Sure. So the purpose of the Wellness Program would be to collaborate on developing a Wellness Program. Right now, we self-insure all of our health insurance, and the only way to lower our cost of what we pay for our health insurance is, since we pay all of our own claims, is really to try to reduce the claims, or we can reduce the coverage, or increase co-pays, which I know there would be a lot of resistance to doing. So, in an effort to try to help our employee population be healthier, and have to go to the doctors less, and have to get medical procedures less frequently, we would look to provide or create a wellness program.

The wellness program would be multifaceted. There would be a preventive care aspect to it, as well as a diet and exercise aspect to it as well. It wouldn't be mandatory, it would be done on a voluntary basis, but in an effort to try to assist our employee population. If we were really to go through our health insurance claims and dissect them, you would see that on average, with a population of our size, there's probably about 60 or 70% of our employee population -- I'm sorry -- there's probably about 20% of our employee population incurring 60 to 70% of our claims dollars, and most of those claims dollars are spent on manage -- manageable diseases, whether it's hypertension, high blood pressure, diabetes, and in most cases, it's improper diet, not enough exercise, not regulating the medications properly. So there would be an educational aspect to the program, as well as a diet and exercise aspect to it as well, and just trying to encourage our employees to have healthier lifestyles.

P.O. GREGORY:

Okay. Legislator D'Amaro, then Legislator McCaffrey.

LEG. D'AMARO:

Through the Chair, I'd like to ask the sponsor, Legislator Lindsay, are you considering some kind of incentives to support the -- you know, encouraging County employees to get more healthy?

LEG. LINDSAY:

That would be for the committee to decide, but I would -- I would encourage that to be an aspect to it. Otherwise, I think the involvement would be minimal. I think if -- when people have more of an incentive to participate, they -- the program has a greater --

LEG. D'AMARO:

Yeah. There may be a cost to incentives, but it may be far less than the cost of caring for folks that are ill, you know.

LEG. LINDSAY:

Exactly.

LEG. D'AMARO:

Yeah, it's something to think about.

LEG. LINDSAY:

And these programs have been utilized in the private sector for years. Many employers, typically, when you have greater than 200 employees in your health insurance plan, you self-insure, because you get to a point where you have enough critical mass, it doesn't make sense to engage an insurance carrier. And in order to reduce costs, many private employers have utilized these plans with great success over the last ten years.

LEG. D'AMARO:

Yeah. I think there's a lot of information out there, stress reduction, things that can be done. But I think the incentive -- I've looked at this also, and I think without the incentives, it's much more likely not to get to where you want it to be.

LEG. LINDSAY:

I agree.

LEG. D'AMARO:

Yeah, okay. Thank you.

P.O. GREGORY:

Legislator McCaffrey.

LEG. MC CAFFREY:

Yes, to the sponsor, if I may, through the Chair. Bill, is there any cost involved to us on this?

LEG. LINDSAY:

It depends on the type of plan that we develop, and the scope of what -- of what it ultimately ends up being. There could be an up-front cost with the benefit of savings over our health insurance claims in the future. But, again, it depends on the -- how much of a plan they put together and what it encompasses.

LEG. MC CAFFREY:

And, as you know -- the big bag, as we're passing around the big bag of M&M's, but we did not buy this in a County vending machine. You know, that would be against the law.

*(*Laughter*)*

We snuck it in when no one was looking, but --

LEG. HAHN:

Single serving.

LEG. MC CAFFREY:

But -- single serving. But I am familiar with the stuff, as we've had this conversation. I actually administered my self-insured health fund for my union, and some of these very active employee benefits, and serve on a national committee on this stuff. And the latest information out there is that these wellness programs are not working, and there is no payback on that money. And I would really caution spending money on this.

What ends up happening, you give incentives to the healthy people. I mean, I go to the gym, and until you're going to pay for my gym membership, I'm going to go anyway. And the people who are going to stay healthy are going to stay healthy. And there's nothing that proves that you're getting -- it sounds great, it sounds wonderful. We've gone into it, we've done it. We haven't found any -- been able to connect and particular savings to the amount of money that's being paid out.

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Time and time again, these self-insured funds -- I mean, I can show you studies to the contrary. They're going to show -- the latest documentation shows that it doesn't work, you know.

So I'm just concerned about to what extent -- if we're going to look at it, fine. But before you spend money, I'd like to be able to put some two cents into this with some factual background on the latest information on it. I just don't want to -- I just heard so many -- seen so many cases where it's not -- in the latest information, they're saying that people are backing away from these wellness programs. It sounds great, and, listen, I thought it would work, but it isn't. The data seems to show otherwise. But just before we expend any money, I would just like to have this come across us again. You know, if there's a feasibility study and we can do it inhouse, that's great. But if we're going to spend money, I've seen that, there's proof of results that it will not work.

LEG. LINDSAY:

I agree, and I appreciate your comments on it, Legislator McCaffrey. I think a lot of the programs or plans that are out there are more boiler plate, cookie cutter, one-size-fits-all. And that's kind of the premise behind developing this committee, would be for us to custom design that's specific to our population.

You know, one of the items or one of the issues that we looked at in terms of trying to encompass it within the plan, or within a potential plan, would be to have healthy food options delivered to, you know, places where we have aggregations of employees. So like the Dennison Building, like this complex here, where we would have a farmers market where you could pre-order from local farmers healthier foods, and they'd deliver right to the building once a week, so that it's almost like your produce shopping is coming towards you. So there's different programs like that, there's different options, or different health screenings that we could do.

With a population of our size, with over 10,000 employees, if we were to do a heart screening for our employee population, the odds are that we would find several people who are on the cusp of having a major heart attack, or having some type of event that could be either avoided by having those health screenings. And, thus, for us the savings would come from not only the benefit of helping, hopefully, save someone's life, but also the benefit of now it's a minor procedure that's out-patient, as opposed to, you know, weeks, potential weeks in the hospital in critical care because of a -- it went undetected for so long.

So I think there's a preventive measurement to it, and there's also a forward-thinking in terms of lifestyle as well.

LEG. MC CAFFREY:

No, I agree. I mean, it sounds great, it sounds wonderful, and I've seen it work and seen it fail, and then the new evidence out there is showing that it is not working. I mean, the people -- the farmers market, they're going to the farmers market off-site anyway. We're just going to make it easier for them. The people that don't go to the farmers -- they're probably going to go walk right by there and head to Five Guys, you know. It's just, I mean -- sorry. Sorry, they're good. But, I mean, this is -- I wish it would work. But do we have any idea how much we're going to spend on this? That's my concern.

LEG. LINDSAY:

We don't. It's kind of the chicken-before-the-egg argument. So I think at this point, I'd ask for your support to at least do the study, let them come back and decide what would be the best plan that would fit with our population, and at that point, we can assess whether it's valuable to us.

LEG. MC CAFFREY:

I agree with. I'll support the study. I just don't want to expend any money until we have time to talk about it a little more and see what the latest information that I thought I had was on it, so.

LEG. LINDSAY:

Okay, agreed.

LEG. MC CAFFREY:

Thank you.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

I might be getting the cart a little before the horse. If I could ask the sponsor through the Chair, do you foresee anything mandatory coming out of here, or is it, you know, like the non-smoking in County buildings type of mandates?

LEG. LINDSAY:

I don't want to presuppose what the committee is going to come up with, but --

LEG. KRUPSKI:

No. I meant, do you have any specific recommendations that you really are championing?

LEG. LINDSAY:

No, I'm not looking to mandate. I don't want to -- I don't think we want to be in a position where we're telling people how to live, and what to eat, and how to -- how much to exercise. I think what we are trying to is just create an environment that makes it as easy as possible for them to do that, and where -- by putting it inhouse and giving them options, or trying to educate them at the same time. I think that's what I envision it to be. I don't look at it as being a punitive "You have to do this or else." You know, that -- those systems have been tried often in the private sector, and those are the ones I think that are -- have been the least successful.

LEG. KRUPSKI:

Okay. Thank you.

P.O. GREGORY:

Okay. Legislator Hahn.

LEG. HAHN:

For the record, Legislator McCaffrey, though I did have three servings of those M&M's that you passed around, I haven't been to Five Guys in months, so. No, no, I really love this idea. Months. No, I haven't had White -- never, I've never eaten at White Castle (Laughter). Sorry. I love this idea.

You know, there are all kinds of ways to get folks either more active. I remember when I worked at the Legislature building in Hauppauge, now three-plus years ago, you know, we used to -- a long time ago, we used to walk on breaks. You know, we used to take walks as a group together around Blydenburgh Park and other -- and other places. I know people have talked about walking upstairs, you know, the Dennison Building. There could be stair walks during breaks. There's all kinds of things that can be organized and done in a way that doesn't have to cost money. And people do get -- you know, I wasn't a walker back then, but because folks at the Leg. were doing it, I got involved and I started walking. And, you know, I've since -- now I'm going to run. I'm training for

the half-marathon that we have coming up.

And, you know, I think there are ways. When other people are getting healthy, people jump -- sometimes jump on board. Sometimes they don't, you're right, sometimes they fall off, but if there are activities going on, you know, bringing in healthy food, bringing in recipes, sharing recipes, there are ways that you can -- not have to spend a lot of money, but really add lifestyle changes to our employees' lives that can benefit them, benefit their families, you know, all kinds of -- all kinds of ways. And so, you know, I'm excited that soon our healthy options, and our vending machines, and our concession stands will take -- you know, take hold, but this can -- you know, on all kinds of levels this can help our folks, so I'm very supportive.

P.O. GREGORY:

Okay. All right. We have a motion and a second?

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

LEG. BARRAGA:

Opposed.

MR. RICHBERG:

Seventeen.

P.O. GREGORY:

Okay. ***I.R. 1461 - Authorizing use of Cupsogue County Park by Blessings in a Backpack and Backpacks for Fellow Students for their Run For A Reason Fundraiser (Co. Exec.).***

D.P.O. SCHNEIDERMAN:

Motion.

LEG. CALARCO:

Second.

P.O. GREGORY:

Motion by Legislator Schneiderman. Who's that? Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1462 - Authorizing use of Manorville Hills County Park by the Long Island Greenbelt Trail Conference for its 15K Trail Race Fundraiser (Co. Exec.).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
J.R. 1463 - Authorizing use of Cedar Beach County Park by Event Power for its Mighty North Fork Triathlon Fundraiser (Co. Exec.). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
J.R. 1467 - Authorizing use of the Long Island Maritime Museum by the Rotary Club of Sayville for Annual Beefsteak Fundraiser (Co. Exec.). Motion by Legislator Lindsay.

LEG. CILMI:
Second.

P.O. GREGORY:
Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
J.R. 1468 - Authorizing use of the Long Island Maritime Museum by the Cystic Fibrosis Foundation for their Annual "Sayville Run/Walk & Barbeque" Fundraiser (Co. Exec.). Sounds healthy. Motion by Legislator Lindsay, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

PUBLIC SAFETY

P.O. GREGORY:
J.R. 1452 - Appropriating funds in connection with the purchase of Custom Fitted Ballistic Soft Body Armor Vests for the Police Department (CP 3153) (Co. Exec.).

LEG. BROWNING:
Motion.

P.O. GREGORY:
Motion by Legislator Browning, second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
J.R. 1452A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. BROWNING:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1456 - Amending Resolution No. 1187-2014 (Co. Exec.). I'll make a motion, second by Legislator Browning. For everyone's edification, Counsel says this is just moving monies around in a grant.

MR. NOLAN:

Within the grant.

P.O. GREGORY:

Within the grant that we already approved. Okay? All right? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1464 - Accepting and appropriating \$5,500 in sub-granted funds from the Citizens Campaign Fund for the Environment for a prescription drug reclamation initiative sponsored by a grant from the State of New York Department of Health with 79.14% support (Co. Exec.).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion, Legislator Browning.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1465 - Accepting and appropriating a grant in the amount of \$455,500 from the New York State Division of Criminal Justice Services for the 2015 Motor Vehicle Theft and Insurance Fraud (MVTIF) Program with 78.04% support (Co. Exec.). Motion by Legislator Browning, second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1466 - Accepting and appropriating a grant in the amount of \$66,745 in Federal pass-through funding from the State of New York Division of Criminal Justice Services for

the Suffolk County Police Department's Stop Violence Against Women Formula Grant Program with 75% support (Co. Exec.).

LEG. HAHN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

PUBLIC WORKS, TRANSPORTATION & ENERGY

P.O. GREGORY:

I.R. 1453 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with pavement resurfacing of CR 83, North Ocean Avenue from the vicinity of Sunrise Highway (NY27) to the vicinity of LIE (I-495) (CP 5599, PIN 076083) (Co. Exec.).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco, I'll second. On the motion, anyone?

LEG. D'AMARO:

On the motion.

P.O. GREGORY:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Yes. I have just -- this is an amendment to the Capital Budget, and appropriating \$4 million for this program. And I wanted to see if we could get an explanation as to why it was an amendment that's required, as opposed to being included in the original budget.

MR. NOLAN:

It amends the -- because it's like an 80/20 Federal local split, it doesn't require an offset. It's being added to our program.

LEG. D'AMARO:

So this is --

LEG. TROTТА:

It's amending the program by adding the \$4 million, but it's 80% Federal-funded.

LEG. D'AMARO:

Yeah, it's 3.2 million in Federal Aid, and 800,000 in County bonds, but -- so, in other words, this aid came in after the budget was enacted, and this is now accommodating the grant?

MR. NOLAN:

I believe so. I think there's a whole bunch of resolutions after that, they're doing the same thing. They're all 80% Federal-funded. They're being added to the program at this point.

LEG. D'AMARO:

Right, but -- so don't we usually anticipate that Federal Aid?

COMMISSIONER ANDERSON:

Yeah. If I may.

LEG. D'AMARO:

Sure.

COMMISSIONER ANDERSON:

The -- there's a Federally-funded project, CR 16 over the LIRR in Medford. It's a bridge repair projects. We're re -- we're taking 17 million from that project and we're putting it into other projects, rather than the bridge project. The reason for that is over the past 10, 20 years, the MTA has not done their share of bridge repairs, where we've gone in, and they've always required the County to do the structure when we need to be doing the redecking. And what we're doing here is we're not going to do the structure, because we don't feel it's the County's responsibility, and the structure will be fine, unless the MTA wants to pay for it. So we've taken that 17 million and we're putting it into a number of projects that we'll be talking about tonight or --

LEG. D'AMARO:

Right. So you're reallocating that Federal Aid?

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

And in order to -- once you do that, you have to amend the Capital Budget. And then you also have to amend the Capital Budget to put the County matching portion?

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

Is that what's happening here?

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

So this isn't really new bonding authorization.

COMMISSIONER ANDERSON:

Right.

LEG. D'AMARO:

It's just moving around -- all the bonding authorization was in the initial project, and now it's being spreading out?

COMMISSIONER ANDERSON:

Yes, sir.

LEG. D'AMARO:

Okay. Thank you.

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P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1453A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. CALARCO:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yup.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1454 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with pavement resurfacing of CR 100, Suffolk Avenue from the vicinity of Washington Avenue to the vicinity of NY 454 (CP 5599, PIN 076084) (Co. Exec.)***. Motion by Legislator Martinez, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1454A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. MARTINEZ:

Yes.

LEG. CILMI:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1459 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with improvements to CR 4, Commack Road/I-495 Bridge Replacement Feasibility Study (CP 5584, PIN 076088) (Co. Exec.).

LEG. STERN:

Motion.

P.O. GREGORY:

Motion by Legislator Stern. Second?

LEG. D'AMARO:

D'Amaro.

LEG. SPENCER:

On the motion.

P.O. GREGORY:

On the motion. Was that you, Legislator Spencer? Legislator Spencer.

LEG. SPENCER:

To Counsel, how much is this? And doing -- it's just a feasibility study? What's your -- could you just give a brief explanation?

MR. NOLAN:

The total is \$250,000; 80% of that is Federal. Fifty grand is the local share. Exactly what the project is, I'm sure Gil could explain that.

LEG. STERN:

If I may, it's 80% Federal, right? The rest is local. This is -- several years ago, because this area of Commack Road is heavily trafficked, particularly with truck traffic that serves the industrial area, the turning lanes are a part of the problem underneath the Expressway onto the service roads, and coming off the service roads and utilizing the local roadway. Several years ago, DPW had worked on a plan to change the lanes underneath the existing infrastructure of the L.I.E. that runs over Commack Road. In an effort to make improvements in the most cost efficient way, years later, the area is still a challenge. So this is a feasibility study that could help determine what changes may be made now underneath the bridge, and perhaps reworking the infrastructure that DPW had to work around several years ago.

COMMISSIONER ANDERSON:

It's pretty spot on.

P.O. GREGORY:

All right.

LEG. SPENCER:

That's perfect. This is something we should definitely do. Thank you.

P.O. GREGORY:

Legislator Trotta, you had a question?

LEG. TROTTA:

What does this study -- 250,000, what do we do? We hire a consultant or something?

COMMISSIONER ANDERSON:

Correct. We would bring in a consultant to look at -- excuse me -- not only the reconfiguration of the lanes, but also in this particular case, we believe there's some efficiency in the internal abutment, taking the internal abutment, which is sloped, and bringing it vertical to actually add lanes. And we're going to have them look at that to see how viable that is, and if it could be done through the structure, and to also see how effective it would be to do that. And if not, then what other options do we have?

LEG. TROTTA:

Is that for the design of the new thing, or just the study?

COMMISSIONER ANDERSON:

At this point, it would be used towards the new study. And if there's funding left over after the feasibility is complete, you know, we might be able to put the remainder of that towards some design. But, again, this is Federally-funded, and there's a certain process we do. Under the Federal system, we have to do a feasibility study, then we do a design document, then we do an actual plan specification, engineering, and then we go to construction. So it's not just do a study with a design and go to -- we have to follow their process.

LEG. TROTTA:

So we have no choice in how this is done, basically?

COMMISSIONER ANDERSON:

Process-wise, yes, we have no choice.

LEG. TROTTA:

It seems like, you know, \$250,000, you need more lanes.

COMMISSIONER ANDERSON:

Again, you have to look at the bridge. We believe, looking at it, that it could be done. It's a State bridge. The State doesn't -- the State looks at the intersection as no problem, because the intersection doesn't affect the traffic on the L.I.E.. The capacity is impacted on Commack Road, and as far as they're concerned, well, that's our road, so we have to deal with it.

LEG. TROTTA:

All right.

P.O. GREGORY:

Okay. All right. We have a motion and a second.

MR. RICHBERG:

Can I just double-check the second, please?

LEG. STERN:

It was D'Amaro.

MR. RICHBERG:

It was D'Amaro.

P.O. GREGORY:

Yeah, who was the second? Spencer. All right. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1459A, bond resolution, same motion, same second. Roll call.

LEG. TROTTA:

On the motion, real quick, on the bond. Are we just bonding the 50?

P.O. GREGORY:

I don't know. I think we have to first-instance it, then we'll get reimbursed the Federal portion.

MR. NOLAN:

Right. We're authorizing \$250,000 in serial bonds.

LEG. TROTTA:

So do we pay the 200 off right away and only pay on the 50, or are we paying -- how does that work?

P.O. GREGORY:

Well, as I understand it, we'll get -- I guess the monies will come next year, as long as we're -- well, maybe not. Go ahead, Bill.

MR. HILLMAN:

It's my understanding that the few hundred thousand dollars of the bonds is paid off when we recoup the money. That's what I've been told from Budget.

LEG. TROTТА:

Is that what's happened in the past?

COMMISSIONER ANDERSON:

Usually, there's a short note or a bond at this point, a BAN, that's gotten. It's not an actual long-term bond, but, I guess, a short-term bond. And then once we get reimbursed, it goes right back to pay that bond off.

MR. LIPP:

So, usually -- the microphone works better than this, but it doesn't now. Usually, we just basically borrow internally from the Capital Fund, that there is enough reserves there to utilize this. And then, when we get the State money in, then we -- I'm sorry, Federal money in, then we just replenish the money in the Capital Fund.

LEG. TROTТА:

So, basically, we're only borrowing 50 of this.

MR. LIPP:

Probably.

P.O. GREGORY:

Okay. All right. So we -- roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTТА:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes, sir.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Seventeen.

P.O. GREGORY:

Okay. We did 1460. ***1481 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with resurfacing of CR 80, Montauk Highway from the vicinity of CR 101, Sils Road to the vicinity of NY 24 (CP 5599, PIN 076090) (Co. Exec.).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1481A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. CALARCO:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1482 - Appropriating funds in connection with the improvements to CR 7, Wicks Road/I-495 Bridge Replacement Feasibility Study (CP 5539, PIN 076089) (Co. Exec.).

Motion by Legislator Martinez, second by Legislator Barraga. Right, that's your District? No?

LEG. BARRAGA:

No.

LEG. CALARCO:

Second.

LEG. CILMI:

Stern's District.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1482A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. MARTINEZ:

Yes.

LEG. STERN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1483 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with Resurfacing of CR 48, Middle Road from the vicinity of Cox Neck Road to the vicinity of Horton Lane (CP 5599, PIN 076091) (Co. Exec.).

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski, second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1483A, bond resolution, same motion, same second. Roll call.

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(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. KRUPSKI:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1484 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with Countywide Highway Inventory Study for American's with Disabilities Act (ADA) Compliance (CP 3314, PIN 076087) (Co. Exec.).

LEG. CALARCO:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1484A, bond resolution, same motion, same second. Roll call.

(Roll Called by the Chief Deputy Clerk, Jason Richberg)

LEG. CALARCO:

Yes.

LEG. CILMI:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1485 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with the County share for participation in resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road (CP 5599, PIN 076092) (Co. Exec.). Motion by Legislator Krupski.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman.

LEG. STERN:

On the motion.

P.O. GREGORY:

On the motion, Legislator Stern.

LEG. STERN:

This is probably a question for the Commissioner. I just wanted to confirm that this is essentially working the same way with the Federal funding.

COMMISSIONER ANDERSON:

Yes, sir.

LEG. STERN:

And then -- and with reimbursement, but we are expending those funds in the first instance?

COMMISSIONER ANDERSON:

Yes.

LEG. STERN:

And then 20% County funding?

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Okay. This is --

COMMISSIONER ANDERSON:

This is 350,000 for engineering. In order to do a project which really involves resurfacing, this -- we, under Federal guidelines, have to study to make sure that the pavement is the right age, it's in the right shape to do resurfacing and not require reconstruction. So this is -- again, it's 80% Federally-funded. If we don't take this funding, it's going to go somewhere else.

LEG. STERN:

Very good. Thank you.

P.O. GREGORY:

Legislator Trotta.

LEG. TROTТА:

We have to study the pavement to see that it needs to be repaved?

COMMISSIONER ANDERSON:

Correct. It's at an age right now where we believe it's ready for resurfacing. Normally, we would have done a resurfacing project. But because we're using Federal funds, they require a study to be done, and that study involves essentially looking at the pavement, determining that it has enough thickness. It doesn't -- and, basically, what you're determining is that you don't actually need do a reconstruction project.

LEG. TROTТА:

And that's \$350,000 to determine whether or not we should repave it?

COMMISSIONER ANDERSON:

That's the estimate we're using.

LEG. TROTТА:

How much road is this?

COMMISSIONER ANDERSON:

It's essentially -- I believe this is 94, so this is going, and Bill can probably, hopefully, can correct me, I believe this is from the circle all the way down to 51. Is that it?

MR. HILLMAN:

The Expressway, the Expressway is here.

COMMISSIONER ANDERSON:

Oh, I'm going the wrong way. I'm sorry. Right, I'm going the wrong way. It's from the Expressway to here. So the road that's right outside here, that's the road we're doing.

LEG. TROTTA:

I want to get this straight. We're going to pay \$350,000 to determine whether or not a road should be paved?

COMMISSIONER ANDERSON:

It's going to be that. It's also going to be for the final design of the planning. So it's not just the feasibility study. This, in this particular case, we're going to go through a feasibility stage, once it --

LEG. TROTTA:

There's like not roads, no intersections, like one or two between here and there.

COMMISSIONER ANDERSON:

It's a long stretch of road, though. This is -- you know, there's two lanes in either direction.

LEG. TROTTA:

Do you understand the absurdity of that, \$350,000 to see if a road needs to be paved?

COMMISSIONER ANDERSON:

It also includes the plans, specification, and then, you know, engineering. So it's not just a matter of --

LEG. TROTTA:

They just paved 25A near my house in three days. They tore it all up in one day, they cleaned it the next day, and they paved it the next day, three days.

COMMISSIONER ANDERSON:

And if they used Federal funding, that's the process they went through to do it.

LEG. TROTTA:

What does the Federal -- what does the Federal law that required -- do you know what, I mean -- I'd like for you, you know, to have someone contact me, let me know. I want to know. This just -- it seems absurdly -- it just can't be true that we're going to pay \$350,000 to see if a road needs to be paved. It just -- it defies logic.

COMMISSIONER ANDERSON:

It's not just a matter -- and I was corrected by Bill. It was not just a matter of a feasibility in this particular case. This is also for the plans. This is to develop a set of plans. You just don't go out and say, "Here, go from point A to point B, go down an inch," and drop -- you know, drop an inch of pavement on top of it. You have to look at the drainage, you have to look at the condition of -- if there's curbing, you know, any utility sites. It's -- resurfacing is not just a matter of going down and pulling out old pavement and putting in new pavement, there's a lot of other work that goes into it.

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

LEG. TROTТА:

Well, I just watched them do it and it was a matter of taking it up and repaving it.

COMMISSIONER ANDERSON:

In that particular case it may be, in other cases it's not. We can't just cut a work order and say, *Go from Point A to Point B*, we have to develop a plan for it.

LEG. TROTТА:

I'd like to see that -- I want to see what we're paying for. I mean, everything -- I want to see exactly what we're paying \$350,000 for.
It just seems mind boggling to me.

COMMISSIONER ANDERSON:

Okay.

LEG. TROTТА:

There's not even a bridge between there. There's not even -- I don't think there's a bridge between here and there.

COMMISSIONER ANDERSON:

There is none. There is no bridge in-between there. There is, however, an expansive stretch, I don't know how many miles this is, but it's from the --

LEG. TROTТА:

If you told me it was \$350,000 to pave it, then I'm okay. This is to study whether we should pave it or not?

COMMISSIONER ANDERSON:

No. I mean, as Bill points out, there's also -- we have to look at the ADA, we have to look at environmental, you know, endangered species, things like that. It's not just a matter of going through.

LEG. TROTТА:

Endangered species on the road? (*Laughter*).

COMMISSIONER ANDERSON:

Off the road, yeah.

LEG. CILMI:

Government regulation.

COMMISSIONER ANDERSON:

I'll get you the requirement --

LEG. TROTТА:

I know the government's really screwed up, but I don't think it's this screwed up. I really -- I would be really disappointed if this is it.

LEG. CILMI:

It really is.

COMMISSIONER ANDERSON:

We're not doing this to make work for ourselves, trust me. This is something that we're --

LEG. TROTTA:

I know, but we just shouldn't approve it. We should say, *Stop*, and call some, you know, Congressman or Senator and say, *This is absurd*.

COMMISSIONER ANDERSON:

We don't have the ability right now, because in September we have to -- we have to pass certain milestones in order to keep the funding in our hands. If we don't approve and appropriate the funds for this project by September, the Feds have the possibility of taking that money back and sending it elsewhere.

LEG. TROTTA:

All right. Well, that doesn't make it right just to go spend it because we have to. I mean, that's just, you know, not logical.

COMMISSIONER ANDERSON:

And again, it's not being stupid --

LEG. TROTTA:

Everything the Federal guidelines, everything is -- I want to see where the Feds say you need to spend this much money per mile to look at a road. Because I'm going to get out of this business and I'm going to start looking at roads and saying, *Pave it or not pave it*. It just seems -- what are they going to say? What are they going to say?

P.O. GREGORY:

You made your point (*laughter*). I was waiting for you to say how much your guy would charge.

(*Laughter*)

His three different guys.

(*Laughter*)

P.O. GREGORY:

Yeah. All right, Legislator D'Amaro.

LEG. D'AMARO:

You stole my joke (*laughter*). But I did want to ask a question. How long is this stretch of road?

COMMISSIONER ANDERSON:

I don't have that information.

LEG. D'AMARO:

Roughly; is it a half of mile? A couple of miles?

COMMISSIONER ANDERSON:

I think it's a couple of miles, yeah.

LEG. D'AMARO:

Yeah, because --

COMMISSIONER ANDERSON:

Maybe five miles, you know, something like that.

LEG. D'AMARO:

It's not just the feasibility, it's the design --

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

-- and the resurfacing project itself.

COMMISSIONER ANDERSON:

Yes. Well, it's not the construction.

LEG. D'AMARO:

No, it's not the construction, but it's everything up to to get it shovel-ready, so-to-speak.

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

And it's the topographical survey and the drainage and the drainage infrastructure.

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

You know, plume --

COMMISSIONER ANDERSON:

Environmental.

LEG. D'AMARO:

Environmental SEQRA process, all of that all rolled into one.

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

Right. So that's where the 350 comes from.

COMMISSIONER ANDERSON:

Correct.

LEG. D'AMARO:

Yeah. It's expensive to do, but it's also very labor intensive --

COMMISSIONER ANDERSON:

Right.

LEG. D'AMARO:

-- to get a project ready to actually begin the construction.

COMMISSIONER ANDERSON:

Right.

LEG. D'AMARO:

Yeah, okay. Thanks, Gil.

COMMISSIONER ANDERSON:

Thank you.

P.O. GREGORY:

All right. We have a motion and a second?

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

All right. All in favor? Opposed? Abstentions?

LEG. TROTTA:

Opposed.

MR. RICHBERG:

Seventeen (Opposed: Legislator Trotta).

P.O. GREGORY:

IR 1485A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$350,000 Bonds to finance the cost of planning resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road (CP 5599.112, PIN 076092), same motion, same second. Roll call.

***(*Roll was called by Mr. Richberg -
Chief Deputy Clerk of the Legislature*)***

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Seventeen (Opposed: Legislator Trotta).

P.O. GREGORY:

IR 1486-15 - Calling for a public hearing for the purpose of considering the proposed increases and improvements to the facilities at Suffolk County Sewer District No. 11 – Selden (CP 8117) (County Executive). Motion by Legislator Muratore.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1511-15 - Directing the development of a cost benefit analysis for retaining a County Architect (Cilmi).

LEG. CILMI:

Motion.

P.O. GREGORY:

Motion by Legislator Cilmi.

LEG. TROTTA:

Second.

P.O. GREGORY:

Second by Legislator Trotta.

LEG. D'AMARO:

On the motion.

P.O. GREGORY:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Just an explanation, through the Chair, Legislator?

LEG. CILMI:

If I may. Basically what we're trying to get at here, this is a fact-finding mission to see whether or not it would be more cost effective to have a County Architect, two County Architects, an engineer, whoever, on staff full-time so that these variety of projects that come to us typically as Capital Projects, to spend money on, you know, engineering studies, architecture, to see whether or not they could be done less expensively in-house. So this directs the Department of Public Works, who are the experts here, to work with our Budget Review Office, who are the financial wizards, to basically analyze what we've spent on these capital -- these types of Capital Projects, and compare these costs to what it would cost to have an employee or employees in-house to do that work. And the result will give us some information to base decisions on when it comes to our operating budget process.

P.O. GREGORY:

Okay. Legislator Trotta.

LEG. D'AMARO:

So could I just --

P.O. GREGORY:

Oh, I'm sorry.

LEG. D'AMARO:

-- follow-up with that? Thank you. Legislator Cilmi, who's doing the study; Budget Review is doing it?

LEG. CILMI:

In conjunction with our Department of Public Works.

LEG. D'AMARO:

Yeah. But when they look at this, is cost going to be the only factor that they're considering?

LEG. CILMI:

No, it won't be the only factor. And that's exactly why I have Department of Public Works working on this with Budget Review, because there are obviously other factors that go into making those decisions.

LEG. D'AMARO:

Right. It's easy --

LEG. CILMI:

So those have to be taken into consideration.

LEG. D'AMARO:

Right. It's easy to say it's cheaper to do it in-house; I'm sure it is, but are you getting the level of expertise that you need and all of that? So they're going to look at all of that, I would assume.

LEG. CILMI:

Yes.

LEG. D'AMARO:

Okay. Thank you.

P.O. GREGORY:

Legislator Krupski?

LEG. KRUPSKI:

Initially I wasn't really sure about this, and then all the discussion tonight about the consultants and whatnot. I think if you were in a position where you constantly reevaluate how government operates, whether we should have more staff or we should farm it out to private enterprise, there's nothing wrong with that. So I think it's good to constantly reevaluate and see what's most cost effective and where we could be the most efficient.

P.O. GREGORY:

Okay. Anyone else? Legislator Trotta?

LEG. TROTТА:

Just through the Chair to Legislator Cilmi. I mean, like the \$350,000 to look at the road, would that be something that we could hire someone for like \$150,000 to check the road out?

LEG. CILMI:

Well, I mean, we all have sat here through the discussions about the cost associated with doing these -- doing this work. So, yeah, that could potentially be an example.

LEG. TROTТА:

For instance, the Beach Hut.

LEG. CILMI:

The Beach Hut is another example (*laughter*).

LEG. TROTTA:

So for \$300,000, we could hire an architect for \$100,000; is that what you're talking about, something like that?

LEG. CILMI:

Something like that.

LEG. TROTTA:

Yeah. I had to get the Beach Hut in.

LEG. CILMI:

Thank you.

COMMISSIONER ANDERSON:

If I may?

LEG. CILMI:

And through the Chair, Commissioner Anderson would like to weigh in.

P.O. GREGORY:

Okay.

COMMISSIONER ANDERSON:

If I may. I mean, again, I appreciate what the sponsor is trying to do here. My concern is if we don't have an operating budget that can handle the personnel and pay for the personnel, I'm -- this is like handing a hungry guy a steak. I mean, yeah, I think it's great, but I need other positions more than I need architects. I would dis -- there was a time, decades ago, when Public Works did all the design in-house, and over the years, as staff became reduced, we became more reliant on consultants. We rely on them. I think they provide the expertise in specialized situations, like the Beach Hut. You know, even something as simple as repaving. Yeah, we could hire one or two guys and that may take off something, but it's not going to get us to a point where we're going to be able to do this on a regular basis. We're so -- when I came here to the County, we were just under 1100 people, now we're about 680. So that -- you know, the decimation of our staffing isn't just going to come by one or two guys, and that's my concern. It's going to be --

LEG. CILMI:

And this is aimed at sort of getting at the empirical data that we can use as policy makers here to make those decisions come Operating Budget time. Intuitively you're thinking you might hire other people first. Intuitively I'm thinking, and there may be others who are thinking, that we might get more control over these types of -- over this type of work if we did it in-house, and it might be less expensive. I'm saying let's put our intuition aside and let's actually use some data to make some decisions, and that's the purpose of this bill.

And there's nothing that prevents you, Commissioner, from looking at the scope of other work that you do through contractors and talking to us about where it may be cost effective, in other areas, to hire staff instead of going out and borrowing money and paying interest to pay for some of this stuff. So I appreciate your work on this and I look forward to working with you on it.

P.O. GREGORY:

With all due respect, isn't that what the department heads are supposed to do when they submit their budgets? They do a cost benefit analysis on what their needs are and what the budget can withstand. And if I understand, Commissioner, a lot of these positions we kind of -- we went to a method of paying for these positions through the Capital Program, right, as a part of off-loading our

direct operating expenses.

COMMISSIONER ANDERSON:

Thankfully, we haven't gotten to paying for positions through Capital, and I would definitely not ever suggest something like that.

P.O. GREGORY:

No, but aren't some of the -- what I mean is aren't some of the Federal grants, they pay a portion of, you know, the engineers and architects?

COMMISSIONER ANDERSON:

Yes, of the consultants that we bring in.

P.O. GREGORY:

Right.

COMMISSIONER ANDERSON:

We try and bring in as much Federal funding, or any funding that we can.

P.O. GREGORY:

Right, that's what I meant.

COMMISSIONER ANDERSON:

Okay, I'm sorry.

P.O. GREGORY:

I misspoke, I'm sorry.

COMMISSIONER ANDERSON:

Not a problem.

P.O. GREGORY:

Okay. Legislator D'Amaro had a question, or a statement.

LEG. D'AMARO:

I appreciate what Legislator Cilmi is getting at here. I wish we could hire more in-house and do it cheaper and more effectively and have more control. But Commissioner, what you're saying, I think, is that you know your department, you know the scope of work that's in your department, you know what your staffing priorities are. And I sense that you're saying that even if we hired an architect, given the sophistication of the projects, you don't believe that one or even two would make that much of a difference.

COMMISSIONER ANDERSON:

Correct. And I'll be honest with you, my real need, as much as, you know, the County Architect and the Chief Engineer of Highways would be mad at me for saying, but I need maintenance guys. I need guys to work on the roads, to work on the buildings; that's where we've been decimated over the past few years and. And while it is relatively empirical, is that the right word, it's intuitive, you know, doing it day-to-day you see what the guys are up against and how much overtime we spend towards that, so.

LEG. D'AMARO:

Right.

COMMISSIONER ANDERSON:

We do do this as part of the Operating Budget and the requests that we make.

LEG. D'AMARO:

Right, right. Okay, thank you.

P.O. GREGORY:

Legislator Trotta.

LEG. TROTTA:

I have to say, the money you may save by doing this may give you the ability to hire those people, those workers that you need. If we can save -- you know, if we could have a guy look at this road for \$100,000 rather than 350, or build a Beach Hut or design a Beach Hut for 30 rather than 300, that gives you the money that you need to hire those people. It's plain and simple; we are spending money like drunken sailors here. It's out of control, and we've got to do something to stop it. And to not support an idea to look at it is ludicrous.

COMMISSIONER ANDERSON:

I'm just telling you my viewpoint. Certainly if the bill's passed, we will work to get it done. The problem is -- and again, there's another -- there seems to be an understanding here that may be confusing Capital costs with Operating costs.

What you're looking at us -- what you're asking us to look at is whether a consultant paid through the Capital Program could be -- I'm saying this wrong. If we brought in staff and paid for them through the Operating Budget, then would that offset the capital cost? Now, the capital costs are -- and I'd have to defer to BRO, is a percentage of the overall operating cost, and thus the engineering is even a percentage of that. I'm not here to argue, I just want you guys to understand, I don't -- we don't need another study to see this. I'll do it if you're requiring us to do it, but it's -- I don't know that it's going to get us anything if we can't pay for them at the end of the day.

LEG. CILMI:

Yeah, and I -- if I may, through the Chair. I don't know either, quite frankly. And while I appreciate your expertise, you're not a budget expert. You know, you do a great job of running our Department of Public Works, but I think more and more we recognize here that, you know, we have to look at things a little bit differently than we have in the past. We're forced to do that by the financial situation that we're in.

So, you know, while I appreciate your intuition in terms of where the -- you know, where this is going to fall out, I still think it's worthy of spending a few minutes. And I can't imagine that it's going to take all that much time and effort to look at it, with Budget Review Office on your side, to put a pen to paper and look at the numbers in a -- you know, in a objective fashion and let's compare, and that way we have the tools to make the decisions that we have to make.

I mean, ultimately we may decide that we just can't afford to hire the additional people that we would need in order to make it effective to do it through operating. Or I may decide that, you know what? Just as we do with -- just as we made the decision to borrow money to pay for efficiency measures in all of our buildings because we saw that the payback was greater than the cost of the debt service, just as we saw that, we may, in fact, see that the savings associated with hiring somebody and letting them perform some of this work in-house is greater than the debt -- the savings is greater than the debt service that we have to pay when we're doing all this bonding.

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So again, the point here is not to come to -- the point of this bill, of approving this bill today is not to come to the conclusion. The point of this bill today is to ask you, as our Commissioner of Public Works, and our Budget Review Office as our budget advisors, to work together to analyze this; and it's not a study, but to analyze this and present your findings to us. That's all.

P.O. GREGORY:

If I may respond to Legislator Trotta's comments. I don't think we spend money like drunken sailors. I think we spend money in compliance with the laws and the regulations that are put upon us. I mean, we had a 10-minute conversation about \$350,000 to look at a road. I mean, that's because we didn't just feel like saying, *Oh, let's just spend 250,000*, that's what the Federal requirements are. So I disagree with that.

You know, we've done a lot to cut the budget and to trim the budget where we can and make efficiencies, and I think we're spending wisely and, you know, given the constraints that we deal, and they're tough. And there are times, I think you're right, where why are we spending so much for this task or whatever it may be? I don't know, but that's the cost of what the costs are. And I know you have great disagreement with that and I understand that, but they are what they are. That doesn't mean that we're not doing what we're supposed to be doing.

LEG. TROTТА:

A lot of times it does. We were just going to let \$350,000 pass through. Now, I'm going to look at it and see what the heck we're doing. I mean, we're bonding Police cars for 18 years, we're doing all kinds of stuff.

To Dr. Lipp, what is our -- we pay like \$126 million a year in interest on our debt; is that the figure?

MR. LIPP:

No. I'm sorry, I'm having trouble with this. So we pay -- I believe it's 120 --

*(*Technical difficulties with Mr. Lipp's Microphone*)*

It's a plot against me, okay.

*(*Laughter*)*

But I embrace all plots against me, okay. So there's just over 120 million in serial bond debt service in the General Fund; that's a combination of principal repayment and interest. So it's not that high as you would think. But then again -- so it's not just interest.

LEG. TROTТА:

We're approaching \$2 billion of debt, or depending on how you look at it; you can argue it's 2.2 or 2.4, because all we're doing is floating the RANs and the TANs and the Interfund borrowing.

MR. LIPP:

Yeah, so when you take that stuff out and you just leave Capital, it's like 1.4 billion, I believe.

LEG. TROTТА:

Okay. But that's -- you only take that out because it's still debt, we don't have it.

MR. LIPP:

Right. Well, the interest is a non-productive expense, but the principle itself is productive.

LEG. TROTТА:

All right. I think we should pass this bill.

*(*Laughter*)*

P.O. GREGORY:

Okay. We have a motion to approve?

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

LEG. CILMI:

Thank you, everybody.

LEG. STERN:

Opposed.

MR. RICHBERG:

Seventeen (Opposed: Legislator Stern).

P.O. GREGORY:

IR 1524-15 - Establishing a policy for the removal of roads from the County Road System and the apportionment of the maintenance costs associated with County Road Systems (County Executive).

LEG. KRUPSKI:

Motion.

LEG. D'AMARO:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski. Second by Legislator D'Amaro. On the motion anyone?

LEG. D'AMARO:

I had just a couple of quick questions --

P.O. GREGORY:

Okay.

LEG. D'AMARO:

-- of the Commissioner, if he doesn't mind coming up.

COMMISSIONER ANDERSON:

Stand up.

LEG. HAHN:

Stand up/sit down, stand up/sit down.

COMMISSIONER ANDERSON:

This is my new health program, getting up and down.

LEG. D'AMARO:

Commissioner, this legislation puts in place a framework, I believe, for the County to do that which it's already authorized in law to do and that is to better manage the County Road system.

COMMISSIONER ANDERSON:

Yes, sir.

LEG. D'AMARO:

So we have the ability to finally and fairly determine what roads are in the system, what are not, what belong there, what don't belong there, and then ultimately who pays for the maintenance.

COMMISSIONER ANDERSON:

What this allows us to do -- and this is for apportionment, right?

MR. HILLMAN:

Yes.

COMMISSIONER ANDERSON:

Yeah. What this allows us to do is under the court order we were mandated to maintain certain Town of Huntington roads, and what this allows us to do is to apportion the cost back to the Town of Huntington for the repaving, for maintenance, for snow plowing, for all the work that we need to do on those roads within the Town of Huntington.

LEG. D'AMARO:

So this is going to apply only on a prospective basis? So, in effect, any work that the County has done up until this point is paid for and it's not a chargeback situation, or is this something where it's retroactive?

COMMISSIONER ANDERSON:

I don't know --

LEG. D'AMARO:

Or is that to be determined?

COMMISSIONER ANDERSON:

That's still to be determined, yeah. That's something we're still looking at. We've spent in the last five years over \$4 million between snow plowing, between repaving certain roads that needed to be repaved. So, you know, that's what we're looking to be able to get those -- go back to the towns and say, *Okay, look. We're maintaining your roads, we are entitled to be paid for that work.*

LEG. D'AMARO:

Okay, thanks. Thank you, Legislator Gregory.

P.O. GREGORY:

Okay. Legislator Barraga.

LEG. BARRAGA:

Yeah, the history of this legislation, I mean, originally didn't we assume as a County certain maintenance responsibilities on Town Roads in order to get State and Federal aid, as the towns were not able to get aid at those levels based on the municipal towns if they took care of it?

COMMISSIONER ANDERSON:

As far as I know, the agreement back in 1929, 1930 was that the roads would be placed on the County map, the County Road map and they would be eligible to get funds to do the road.

LEG. BARRAGA:

Right. So the towns -- if they kept them as town roads and maintained the roads, they could not, under the old law, get reimbursed any aid from the Federal or State levels; correct? We could, the County could.

COMMISSIONER ANDERSON:

Yes, yes.

LEG. BARRAGA:

Right. So the law has now changed so that municipalities are now eligible to get that aid at that State and Federal level.

COMMISSIONER ANDERSON:

Yes, Sir.

LEG. BARRAGA:

All right. And so it's a question of whether or not the roads we're maintaining should be shifted back to the towns. I mean, why we continue to maintain roads that really the towns should maintain when they can get the aid at their level now.

COMMISSIONER ANDERSON:

Right, and they have been getting CHIPS funding from the State to do just that.

LEG. BARRAGA:

So this gives you the ability to shift some of these roads back to the municipalities, so we don't have to maintain them.

COMMISSIONER ANDERSON:

Correct.

LEG. BARRAGA:

All right.

P.O. GREGORY:

Okay, Legislator McCaffrey.

LEG. McCAFFREY:

Commissioner, so these were roads that really aren't designated County roads, right?

COMMISSIONER ANDERSON:

Right. They're on the County Road map for the purposes of obtaining Federal funding way back when, we never took it off the road map and we never gave them back to the towns. So the lawsuit basically found that we were responsible to maintain them.

LEG. McCAFFREY:

But it doesn't say like County Road 51 or --

COMMISSIONER ANDERSON:

No, we consider them County road -- County System Roads rather than County Roads. They're on the land -- actually, the road itself is owned by the township.

LEG. McCAFFREY:

What's the difference between that and the roads that we actually own, like say 51 which is --

COMMISSIONER ANDERSON:

We own the land underneath it, we own the road itself. We don't own any of Cuba Hill Road or New Highway, there's not -- we just are responsible to maintain them, so the pavement starts to go or it snows, we have to get out there and plow it. If the pavement goes --

LEG. D'AMARO:

It's not ours.

COMMISSIONER ANDERSON:

Right, it's not ours. We don't have ownership of those, the Towns have ownership of those.

LEG. McCAFFREY:

And we have a lot of them?

COMMISSIONER ANDERSON:

In Huntington there are six that we're looking -- that we were mandated to maintain right now.

LEG. McCAFFREY:

It's mostly Huntington is where the --

LEG. McCAFFREY:

The lawsuit was specific to Huntington, but we would anticipate, if we do not start to get some of these roads back to the towns, other towns will start to join in.

LEG. McCAFFREY:

Say *Take our roads, too?*

COMMISSIONER ANDERSON:

Yeah.

LEG. McCAFFREY:

Okay, I gotcha. Thank you.

P.O. GREGORY:

Okay, Legislator Kennedy.

LEG. KENNEDY:

When a County Road is split between two towns; and I think you know the particular road I'm speaking about?

COMMISSIONER ANDERSON:

Correct.

LEG. KENNEDY:

Would that include giving half the road to one town and half the road to another, if you decided that you wanted to remove that particular road from the County?

COMMISSIONER ANDERSON:

On that particular road, the half that is the Town of Huntington is under our maintenance, our jurisdiction. The Town of Smithtown was not included in the lawsuit, so technically we are not responsible for that other half, and it's split right down the middle.

LEG. KENNEDY:

When the County paves a road, County standards are different than town standards, correct?

COMMISSIONER ANDERSON:

Absolutely.

LEG. KENNEDY:

You have to be thicker, you have to do it to maintain large truck traffic.

COMMISSIONER ANDERSON:

Correct. We're looking at, you know, line-of-site, we need to make sure that the curves are -- you know, these are generally highways that we deal with rather than the towns. So if we came in and, you know, we've estimated and we put into the Capital Program -- you know, roughly, within the Town of Huntington, if we had to redo those roads, we're looking at \$58 million in reconstruction, and that involves, you know, widening, clearing, opening up, you know, the canopies so that vehicular traffic can see where they're going, a whole host of things. Drainage is a big issue that we're coming up against.

LEG. KENNEDY:

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. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay, ***IR 1525-15 -Amending the 2015 Capital Budget and Program and appropriating funds in connection with improvements to the Suffolk County Farm (CP 1796)(Browning).***

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning. Second by Legislator Krupski. On the motion, anyone? All in favor? Opposed? Abstentions?

LEG. D'AMARO:

Opposed.

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MR. RICHBERG:
Seventeen.

*(*Legislators McCaffrey, Trotta & Kennedy raised hands in Opposition*)*

MR. RICHBERG:
Fourteen (Opposed: Legislators D'Amaro, Trotta, Kennedy & McCaffrey).

P.O. GREGORY:
Okay. ***IR 1525A, Bond Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,300,000 Bonds to finance the cost of improvements to Suffolk County Farm (CP 1796.315), same motion, same second. Roll call.***

*(*Roll was called by Mr. Richberg - Chief Deputy Clerk of the Legislature*)*

LEG. BROWNING:
Yes.

LEG. KRUPSKI:
Yes.

LEG. SPENCER:
Yes.

LEG. D'AMARO:
No.

LEG. STERN:
Yes.

LEG. McCAFFREY:
No.

LEG. TROTTA:
No.

LEG. KENNEDY:
No.

LEG. BARRAGA:
Yes.

LEG. CILMI:
No.

LEG. MARTINEZ:
Yes.

LEG. LINDSAY:
Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Thirteen.

LEG. D'AMARO:

Before you call that, just change my vote to a yes, please.

MR. RICHBERG:

Fourteen (Opposed: Legislators McCaffrey, Trotta, Kennedy & Cilmi).

P.O. GREGORY:

Okay. All right, ***IR 1443 Ways & Means Approving payment to General Code Publishers for Administrative Code pages (Presiding Officer Gregory)***. I make a motion to approve.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1444-15 - Amending Resolution No. 379-2015, establishing a Southern Pine Beetle Joint Commission (Calarco). Motion by Legislator Calarco. Second by Legislator Schneiderman.

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

Through the Chair, could I ask the sponsor a question?

LEG. CALARCO:

Sure.

LEG. KRUPSKI:

So this seems to be a County-wide problem and you've only included, you know, some of the -- I mean, the main, the core Pine Barren towns. Should -- and I'm asking, I don't know the answer; should the rest of the towns be included?

LEG. CALARCO:

Well, I was trying to keep the Commission from getting unwieldy. I think if you get too many members to a group, you have a hard time getting anything accomplished, so I was trying to keep it to the core entities that would have issues.

The reason for this particular resolution is to add the Town of Babylon who had a quite an investment already made towards dealing with the problem, so that's why we added them in. If another town that I hadn't added in chooses that they want to opt in because they're facing similar issues of extensive size, I'd be more than happy to add them.

LEG. KRUPSKI:

Thank you.

LEG. BARRAGA:

I have a question.

P.O. GREGORY:

Okay, Legislator Barraga.

LEG. BARRAGA:

Legislator Calarco, can you tell me what this Commission going to come up with if we don't already know about this beetle and the damage it's done?

LEG. CALARCO:

It's not so much dealing with knowing what the beetle itself can do or does do. The point is to create an interagency plan of action, because what we have happening right now is the DEC is doing certain things on State land, the Town of Babylon is doing things on Town land. The Town of Brookhaven is going to be facing dealing with things on town land. There are some situations where there's joint land where the Town of Brookhaven and Suffolk County own property together because we joint purchased those properties. And instead of having us having this bifurcated approach where each entity is dealing with their own problems, in the original resolution we directed them to actually develop an action plan where each entity is going to say, *This is how we're going to interact together so we can maximize our resources.*

LEG. BARRAGA:

So do you think this Commission is going to be the coordinator of all these different groups so everything runs smoothly; is that the intent here?

LEG. CALARCO:

I want them to develop an action plan that actually has an IMA we can all agree to, but we'll say -- when we identify problems in particular locations, we can maximize our resources so that you don't have each person, each municipality trying to deal with it on their own property without worrying about the other property. In the world, these people, they don't see jurisdictional boundaries either, right? So I want them to be -- I want us to have a collaborative effort here.

LEG. BARRAGA:

I understand your point, but I don't recall reading where there were serious jurisdictional problems between different towns and different agencies in dealing with this issue. They seem to be moving pretty directly and very completely to eradicate the beetle in certain areas when they see it.

LEG. CALARCO:

I think they are trying to do that. But certainly, if you speak to the folks at the DEC, and we have that conversation with Pete Scully just before he left, but they see that they would like to have more cooperation with all the towns and the County. And in fact, the idea of a joint commission itself came out of the Supervisor of the Town of Brookhaven when he came across an issue, a jointly-owned Town and County property, he said, *You know, we really ought to have some sort of joint plan of action here that we can all agree upon so that we can move forward.*

And then there's the other problem that no one's really addressing yet and it's what to do with private properties when the beetles were found on the private land. Because when they're on the private property, it's up to that property owner to actually deal with the problem. And especially if you're talking homeowners that are adjacent to large reserves, they're not going to have the necessary resources to take down four or five trees and how do we deal with that? So that's part of the overall package we need to look at.

LEG. BARRAGA:

All right, I understand your intent, but I'm not going to vote for it. I just don't -- I'm not so sure what ultimate purpose it is other than a group of people getting together and coming out with suggestions or recommendations that --

LEG. CALARCO:

Well, that's why I put the directive in there for them to actually develop the action plan --

LEG. BARRAGA:

Thank you.

LEG. CALARCO:

But the Commission's already formed, this is just adding Babylon Town to the organization, so.

P.O. GREGORY:

Okay. All right, anyone else? All in favor? Opposed? Abstentions?

LEG. BARRAGA:

Opposed.

MR. RICHBERG:

Seventeen (Opposed: Legislator Barraga).

P.O. GREGORY:

IR 1445-15 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Jason Aviano and Life Estate of Nancy Aviano (Calarco). Motion by Legislator Calarco. I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1518-15 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Wendy C. Halpin, administrator of the estate of Thomas W. Halpin (SCTM No. 0400-198.00-02.00-016.000)(D'Amaro).

LEG. D'AMARO:

Motion.

P.O. GREGORY:

Motion by Legislator D'Amaro. I'll second. All in --

LEG. STERN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. In the **manilla folder**, we have a couple of resolutions.

Okay, ***Procedural Motion No. 2-2015 - Authorizing public hearing for approval of rates for Fire Island Ferries, Incorporated (Presiding Officer Gregory)***. I make a motion.

LEG. KRUPSKI:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1535-15 - Accepting and appropriating a grant from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the Parole Re-entry Task Force Grant Program with 100% support (County Executive). Motion by Legislator Calarco. Second by Legislator Browning. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1561A, Bond Resolution of the County of Suffolk, New York, Authorizing issuance of \$100,000 bonds to finance the cost of improvements to the Suffolk County Farm (CP 1796.314).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator.

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

-- Browning. I saw Muratore raise his hand.

MR. NOLAN:

This is a Bond that failed last year when we appropriated money for the farm and the Administration asked that this Bond be resubmitted for reconsideration.

P.O. GREGORY:

Okay, anyone on the bond? All in favor? Opposed? Abstentions?

LEG. D'AMARO:

Wait a minute.

MR. NOLAN:

You have to do a roll call.

P.O. GREGORY:

Oh, I'm sorry, I'm sorry. We have a motion, a second. Roll call.

*(*Roll was called by Mr. Richberg -
Chief Deputy Clerk of the Legislature*)*

LEG. BROWNING:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

No.

LEG. STERN:

Yes.

LEG. McCAFFREY:

No.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Fifteen (Opposed: Legislators D'Amaro, McCaffrey & Trotta).

P.O. GREGORY:

Okay. All right, all right. All right, Late Starters. I would like to waive the rules and lay the following resolutions on the table:

IR 1557, Parks; IR 1558, Public Works.

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

That's our agenda, we stand adjourned. Thank you.

MR. RICHBERG:

Eighteen.

(*The meeting was adjourned at 9:08 P.M. *)

{ } – Denotes Spelled Phonetically