

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

TWELFTH DAY

October 6, 2015

Verbatim Transcript

MEETING HELD AT THE EVANS K. GRIFFING BUILDING

IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM

300 CENTER DRIVE

RIVERHEAD, NEW YORK

Taken & Transcribed By:

Alison Mahoney & Lucia Braaten - Court Stenographers

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

*(*The meeting was called to order at 9:35 A.M. *)*

P.O. GREGORY:

Good morning, Mr. Clerk

MR. RICHBERG:

Good morning, Mr. Presiding Officer.

P.O. GREGORY:

Please do the roll call.

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

LEG. SPENCER:

Here.

LEG. D'AMARO:

(Not Present).

LEG. STERN:

(Not Present).

LEG. McCAFFREY:

(Not Present).

LEG. TROTTA:

Here.

LEG. KENNEDY:

Here.

LEG. BARRAGA:

Here.

LEG. CILMI:

Here.

LEG. MARTINEZ:

(Not Present).

LEG. LINDSAY:

Here.

LEG. CALARCO:

Present.

LEG. ANKER:

Here.

LEG. HAHN:

Present.

LEG. MURATORE:

Present.

LEG. BROWNING:

Here.

LEG. KRUPSKI:

Here.

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

Here.

D.P.O. SCHNEIDERMAN:

Call Stern again.

MR. RICHBERG:

Stern?

LEG. STERN:

Here.

LEG. McCAFFREY:

McCaffrey again, please.

MR. RICHBERG:

McCaffrey?

LEG. McCAFFREY:

Here.

MR. RICHBERG:

Seventeen (**Amended Vote: Sixteen - Not Present: Legislators Martinez & D'Amaro**).

P.O. GREGORY:

Okay. This morning we're going to have a salute to the flag led by Legislator Spencer.

Salutation

Please remain standing for the invocation which will be given by Legislator, Doctor, Reverend William Spencer.

LEG. SPENCER:

Good morning. It's really a privilege to be able to stand before you and share some words of faith. Growing up in Appalachian, Southern West Virginia, which was an area where my father was a pastor and I grew up in the Southern Baptist faith and my faith has always been a huge part of my life. And part of what happened to me when I was 18-years old, I really felt that I was called into the ministry. And I was competing with a sense of my personal desires to be a physician, and the

advice I received at the time was that if you put God first, then everything else will fall into place and I followed that advice and was licensed as a minister when I was 18-years old and ordained in the ministry at 24-years old, and I've been a pastor for the last 15 years in a small congregation. And that's something that I -- a lot of people aren't aware of, but it's, I feel, the driving force behind our community service and everything that we do, is that if we put others before ourselves then everything works out.

So the prayer that I'm going to share this morning was given before a State Legislature, portions of it, but portions of it are unique for Suffolk County. So please join me in a word of prayer.

Holy and everlasting God, compassionate and merciful. We, your servants, are listening. We come before you in a time of anxiety as our municipalities look for financial solutions, as brave soldiers sacrifice on the fields of war and families wonder how they will pay the bills. Yet your Prophet Isaiah has asked, has thou not known, has thou not heard that the everlasting God, the Creator of the ends of the Earth, faints not neither as weary. He giveth power to the faint, and to them that have no might he increases their strength. Even the youth shall faint and be weary, and the young will utterly fall, but those that wait upon the Lord shall renew their strength. They shall wind up with wings as eagles, they shall run and not be weary, and they shall walk and not faint. Give us the courage to dream new dreams, to see new possibilities, to look forward with hope resting in your blessed covenant, that each day is a new day, that heavens are open and your spirit is poured forth upon the Earth.

So today, with abiding faith and calm assurance, we evoke your presence on these proceedings. You are the Creator and parent of all, your splendid diversity reflecting your infinite glories. Compassion to the poor, you have promised to lift up the powerless and cast down the powerful; to heal the broken-hearted, to bind up their wounds; recovery of sight to the blind and let the oppressed go free. You sustain and comfort us, filling us with your holy spirit and thereby uniting us in all creation at every time and place, a fellowship of solidarity, a beloved community, reminding that what we have done unto the least of us we have done to thee.

We ask your blessings upon the victims of the Umpqua Community College massacre. We pray that there can be some solution that we, as your elected representatives, can do to better protect their people against violence. We pray for the South Carolina victims of the floods that continue to face unspeakable tragedy; we ask that you would give them aid, give them comfort. We ask that you would bless the citizens of Suffolk and bless this Legislature, bless my colleagues and myself to allow us to make the best decisions, guide our deliberations. We ask that you would bless those who serve our country, both at home and abroad, and we ask that you would bless all of our Suffolk County employees in law enforcement. We cannot continue without your guidance. We, your humble people, beseech thee and your many names we pray, amen.

"Amen" said in Unison

P.O. GREGORY:

Thank you. Please remain standing for a moment of silence. Let us all remember all those men and women who put themselves in harm's way every day to protect our country.

Moment of Silence Observed

Proclamations

Good morning again. We have a couple of proclamations. One we have to put off, our recipient will be here a little later in the meeting, but right now we're going to go to **Legislator Anker**.

LEG. ANKER:

So I have a proclamation for Mark Passamonte. And I just wanted to talk real quick about a recent sports safety forum that we had, thanks to your help and your support.

Now, Mark is the Athletic Director for the Shoreham-Wading River School District. And unfortunately, they've had to deal with some tragedy over there; Tom Cutinella passed away, he was a football team member. And also, there was another student, North Shore Little League, a 15-year old actually died on the field, was revived by a defibrillator donated by the Rocky Point Fire Department. There was something that happened here in Riverhead, a young man succumbed to dehydration, and I believe he's still in intensive care; again, with sports.

With this in mind, we've been working -- Mark and I, my staff, I have to give a big shout out to Imran Insari, Amy Ellis and Theresa Santora. We put together a Sports Safety Forum and we held this Thursday evening. We had an amazing group of experts that gave a lot of information pertaining to sports safety. I actually was a coach, a volunteer coach to my kids, they were five, six and 7-year-olds. Now, I did not have training in any type of sports safety, and thinking of that and moving forward, we need to institute some type of program for our not-for-profits. Because there really isn't, there's no oversight with these little leagues and travel teams.

Now, Mark -- again, working with Section XI, has some amazing connections and knowledge and we galvanized that information at the Safety Forum. And from what I hear, working with Don Webster, who actually is the head of Section XI here in Suffolk County, I believe -- I was talking to him this weekend -- they may be taking our forum State level, that's how important this is in protecting our kids for sports. Because remember, I mean, you know, if you think back when you were younger and you had a sports injury, you still feel it, you still feel the pain with some of those injuries. And if we can prevent them now, prevent them while they're children.

Another important part to the sports forum was to encourage those volunteer Mom and Dad coaches and the Athletic Directors to be the mentor to our children. We know we have a heroin epidemic, an opiate epidemic, and it provides a perfect opportunity to drill it in their heads that their actions, what they do affects others.

So Mark, I know you may not want to speak too much, but I just wanted to introduce you just for a few minutes. If you can talk about some of the safety measures that you're taking and that you've been involved with at the Shoreham-Wading River School District.

MR. PASSAMONTE:

Thank you, Legislator Anker. I would like to thank Legislator Anker and her staff for working along with myself and Don Webster of Section XI and putting together this Sports Safety Forum for really the youth organizations. We as a high school, and any high school in New York State, are governed under Section rules as well as State rules. So as far as any safety measures -- and the National Federation of High Schools. So we have the safety measures in place at the local school districts, but as Legislator Anker indicated, we need to look at upping that to the youth levels as best as possible. And I know that she spoke at the forum a little bit about maybe getting local governments involved to help get some type of governing body to help the safety of youth sports and moving forward. So again, I'd like to thank you and I'd like to thank your staff, and it was a great forum and we'll see where this goes. Thanks again.

LEG. ANKER:

Thank you. Let's give Mark a round of applause, well deserved. Thank you.

Applause

I also want to mention, you know, Reverend Spencer had mentioned some of the issues that are happening throughout our country. You know, I just found out this morning my Mom is part of the South Carolina evacuation, and I'd like for you to keep my family in your prayers. I also found out that a number of my relatives on Long Island in the Bahamas, you know, have dealt with the hurricane. So again, it's been very, very difficult dealing with this.

And I appreciate, again, your outreach to those that are in need, how important it is. When we can appreciate what we have, if we can extend some of our energy, our time, our financial benefit to those that are in need. So again, thank you.

P.O. GREGORY:

Okay, thank you. Congratulations.

Volunteer Firefighters/EMS Personnel of the Year - 2015

Next we will recognize -- we have our Volunteer Recognition Program for Firefighters and EMS Personnel via Resolution No. 339-2001, Establishing Volunteer Recognition Program for Firefighters and EMS Personnel whereby each Legislator has the opportunity to formerly nominate one person in his or her district for their outstanding service to the community as a firefighter or EMS worker. At today's General Meeting, I will read into the record the names and a brief description of each district's designated volunteer and any presentation of proclamations will be done in each individual district. But if any recipients are in the audience, please stand up to be recognized when your name is announced. Thank you.

We will start off with **Legislator Krupski**. Legislator Krupski is proud to honor all the **First Responders, including volunteer Firefighters, EMTs and Paramedics from the Cutchogue, East Marion, Greenport, Jamesport, Mattituck and Southold Fire Departments**, all of whom displayed the utmost professionalism and bravery on Saturday, July 18th, 2015, when a limousine making a U-turn at the intersection of Route 48 and Depot Lane in Cutchogue was struck by another vehicle, killing four young women and seriously injuring four others. Despite the horrendous nature of this tragedy, the men and women who responded to the accident worked together and performed their duties with the skill and courage required by the situation. We are grateful for their service to our community.

D.P.O. SCHNEIDERMAN:

Okay. This year I'll be recognizing **Deborah O'Brien**, she is the longest-standing volunteer of the **Sag Harbor Ambulance Corps**. Her late grandfather started the ambulance corps in 1932 and served for 60 years. Both her husband and sons are also members, as well as her sisters, brother and sister-in-law, making it a family affair. Debbie is not only the Vice-President of the Ambulance Corps, but also has an impressive collection of letters after her name; MBA, BS, BSN, RN and EMTCC. She's also a full-time emergency room nurse at Southampton Hospital.

P.O. GREGORY:

Legislator Browning recognizes **2nd Assistant Chief Kieran Murphy** as the honoree from Legislator Browning's district. On June 6th, 2014, the **Bellport Fire Department** received a call from EMS to assist a victim of an attempted suicide. Chief Murphy's heroic action was his quick-thinking and ability to fight off an attacking dog while saving a victim's life.

D.P.O. SCHNEIDERMAN:

Okay. **Legislator Muratore** is recognizing **Luisa Martins** of the **Farmingdale Fire Department**. Luisa Martins has been a member of the Farmingville Fire Department for four years and has displayed the courage and the heart it takes to be an EMS provider. She is a single mother who has selflessly answered the call to help the community and members of the Farmingville Fire Department

and has been the top responder for almost all of her four years with the department. Like all firefighters and EMS providers, she has responded at all hours of the night, cutting short family gatherings and holidays. Being multi-lingual, Luisa has been an asset during emergency situations with the Portuguese and Spanish-speaking community, and she has recently become a naturalized citizen of the United States.

P.O. GREGORY:

Legislator Hahn is recognizing **William Engels** for his 50 years of service to the **Setauket Fire Department**. William's service over the past half-century has allowed the Setauket Fire Department to be the guardian of safety for all those in or visiting the Setauket community.

D.P.O. SCHNEIDERMAN:

Legislator Anker this year is recognizing **Scott Peterson**. Scott Peterson is an **EMT at the Rocky Point Fire Department**. While off-duty and working at a local Home Depot, he used his training to resuscitate a customer whose heart had stopped beating. Through breathing assistance and chest compressions with CPR, Scott was able to save the customer's life.

P.O. GREGORY:

Legislator Lindsay is honored to nominate **JP Latkovic** for his outstanding service to the community as an **EMS worker**. Always having a long-held passion and desire to become a paramedic, JP decided to attend an EMT school and join up with a local volunteer ambulance company, the **Community Ambulance Company in Sayville**. Known best for his reliability and selflessness, JP continues to serve as an example and role model for all fellow community ambulance company members and volunteer workers. In addition, JP currently works at Good Sam Hospital, Coram Fire Department, East Northport Fire Department, Greenlawn Fire Department and Northport Fire Department as a paramedic. JP has displayed exceptional commitment to public service and unwavering dedication to saving and protecting the lives of all residents.

D.P.O. SCHNEIDERMAN:

Legislator Monica Martinez is honoring **Edward Giraldo** who joined the **East Brentwood Fire Department** in November of 2011. Since joining, Mr. Giraldo has proven to be an asset, not only to the department but to the community as well. He has been self-motivated to educate himself and firefighter and rescue services by continuously attending training and courses. He is always available to assist in fire department related activities ranging from fund-raising to painting the vehicle bays. He is an extremely active member earning Top Responder of the Year Award for two consecutive years. His involvement in multiple committees and his dedication to his work has made him a positive influence to his peers. In 2014, he was awarded Firefighter of the Year for all his accomplishments and dedication to the department. He is a hard-working and well respected individual.

P.O. GREGORY:

Legislator Cilmj is pleased to honor **Christian Brown** from the **Exchange Ambulance of the Islips**. Since joining in January, 2014, it has become evident that Christian Brown spends as much as his free time as possible helping and serving in our community. In the past year, Christian has logged over 1400 on-duty hours and responded to 500 EMS alarms. He is currently the most active member that the Exchange Ambulance has. Christian holds an Emergency Medical Technician Certification and is a cleared driver for the ambulances. He is always more than willing to help out when the Exchange Ambulance needs crews for special events or to cover other shifts. Christian is a great role model and an example for our other members. Having started in the Exchange Ambulance Youth Squad, he learned at a young age how to provide outstanding care and treatment to patients.

D.P.O. SCHNEIDERMAN:

Legislator Barraga is pleased to honor Chief John McAuley who has been a member of the West Islip Fire Department since 1993. Chief McAuley has served as EMS Chief for the last 13 years. His medical prowess has saved the lives of individuals, both in the fire district and throughout the 3rd Precinct where he serves as a Suffolk County Police Officer. Members have come to look to Chief McAuley for his leadership and guidance in all areas of fire department operations.

P.O. GREGORY:

Legislator Kennedy would like to recognize Antonio Cruz from the Smithtown Fire Department and Ronald Barz from the Hauppauge Fire Department, both honorees from Legislator Kennedy's Office. Antonio Cruz is the Director of the New York State Firefighters Cancer Support Network and Ronald Barz is the Assistant Director. The New York State Firefighters Cancer Support Network helps provide assistance, mentorship and education to all fire service members and EMS providers, as well as their families in the event of a cancer diagnosis. Antonio Cruz has served as a firefighter for 45 years and Ronald Barz for 38 years.

D.P.O. SCHNEIDERMAN:

Legislator Rob Trotta is recognizing Captain Peter J. Laura of the Kings Park Fire Department for rescuing a person who was found clinging to the side of a capsized vessel. Captain Laura entered the 44-degree water without protective gear and swam to the victim and raised his head above the water while using his feet to clear the mud away from the victim's legs. Captain Laura then swam with the victim in tow to the Kings Park Fire boat and the man was then transported to the hospital where he was treated for hypothermia.

P.O. GREGORY:

Legislator McCaffrey is pleased to nominate Firefighter Gary Maziarz from the West Babylon Fire Department. Firefighter Maziarz has been a member of over 37 years. He has taught fire prevention for over 20 years, conducts training at pre-schools and all elementary schools in the West Babylon School District, holds events at local businesses and community locations for Boy Scout and Girl Scout Troops and oversees the judging and awarding of the fire prevention essay and poster contest winners.

D.P.O. SCHNEIDERMAN:

Legislator Steve Stern recognizes the Dix Hills Fire Department for an extraordinary rescue this past April. Firefighters arrived at a serious house fire and removed a 70-year old resident who was in cardiac arrest. He did not respond to CPR, so the responders, for the first time nationally, used a CYANOKIT to revive the victim. The medication in the CYANOKIT enters the bloodstream and treats cyanide poisoning from smoke inhalation. By the time the EMTs reached the hospital, the victim had a pulse and was treated for his injuries.

P.O. GREGORY:

Legislator D'Amaro is pleased to recognize Arthur Brice of Melville as District 17's Fire Department/EMS Worker of the Year. Mr. Brice is a First Responder with the Melville Fire Department who became a fire residue member when he retired from his full-time job five years ago. He answers more than a thousand calls a year and is considered the department's "first defense" in any situation, whether it's routine or emergency. He is an inspiration to his fellow volunteers and the entire community.

D.P.O. SCHNEIDERMAN:

Legislator Spencer would like to nominate James Feeley, a Centerport Volunteer Fireman of 50 years for Volunteer Recognition Month. James has been a dedicated volunteer with the Centerport Fire Department since 1965. He was first elected Chief of the Department from 1984 to 1985 and reelected in 2000. He also served a term on the Board of Fire Commissioners and started

the Centerport Fire Department's Dive Team. James served on the Rescue Squad for 28 years as an EMT, earning Advanced EMT Status. He is a past recipient of the Firefighter of the Year Award and has received recognition for fire and rescue alarm response multiple times. He also served as the President of the Town of Huntington Fire Chiefs Council from 1984 to 1985, and currently serves as a Suffolk County Deputy Fire Coordinator for Water Rescue, a position he has held since 2002.

P.O. GREGORY:

And that concludes our recognitions. Congratulations to all honorees for a job well done.

Applause

Public Portion

We will now move forward with our agenda. Okay, we don't have any Town, State or Village officials that are going to make any presentations, so we will go to the Public Portion. We have several cards, the first being John Becker.

Applause

On deck we have Artie Sanchez. You know the routine, John; you have three minutes. Welcome.

MR. BECKER:

Thank you. Good morning. Presiding Officer Gregory, Members of the Legislature, almost a year ago to the day I stood before this Legislature seeking your support, and yet, once again, I have no alternative but to bring to light the fact that members whom I represent are now approaching their sixth year without a contract. I'll say that again; we are approaching our sixth year without a contract. This is unprecedented.

These Deputy Sheriffs and their families are angry, frustrated and disappointed in how they've been treated by the County in which they serve. Despite this fact, they still go to work every day knowing they swore an oath to protect the citizens of this County. They knowingly put themselves in harm's way, sacrifice time away from home, and even endure ever-increasing public scrutiny.

So let's look back to what brought us here. In 2011, a Memorandum of Agreement was signed between the DSPBA and the County of Suffolk. In this agreement, our members agreed to defer \$4 million in retroactive pay in exchange for numerous job protections and to continue patrolling the Long Island Expressway and Sunrise Highway. However, upon ratification of the 2012 PBA contract, the Suffolk County Police Department resumed patrol on those highways and set in motion layer upon layer of costly litigation in which the taxpayer has had to foot the bill. Let us ask ourselves this question; why would this municipality simply not negotiate the issue instead of wasting taxpayer dollars to prevent lower paid officers from patrolling the roadways?

Which brings me to my next point. When the average person hears the Deputy Sheriffs are lower-paid than the Suffolk County Police, what exactly does that mean? Well, as of right now, the base pay of a Suffolk County Police Officer is \$139,000, the base pay of a Suffolk County Deputy Sheriff is \$75,000; that is a difference of \$64,000. How do we justify a tremendous disparity between two police agencies employed by the same County? Even if we look at the new pay scale --

Applause

Even if we look at the new pay scale for police officers, the base pay of a newly-hired Suffolk Police Officer is \$111,000; that is still a difference of \$36,000. Legislators, make no mistake, the issue is not with the Suffolk County PBA; they have done an outstanding job representing their members.

But what we are saying is that if the County has the ability to pay other police unions, they have the ability to pay our 250-member union who are paid out of the General Tax Fund, not the Police District Tax Fund.

What we're asking today is for the County Executive, along with the full support of this Legislature, to focus on this contract. It would produce significant savings to the County, settle very costly litigation and allows for long-term financial planning. The alternative is for the DSPBA to enter into binding arbitration in which a third party will impose a settlement. It is our belief that a mutual settlement reached between two parties is much more beneficial than one imposed by a third.

(Beeper Sounded)

In closing, Legislators, I am not just the face of the Deputy Sheriffs union. Like the hard working people I represent, I am a human being with a family who depends on me. We aren't interested in politics, we simply ask to be treated with fairness; that is our message. I thank you.

Applause

P.O. GREGORY:

Okay, thank you. Artie Sanchez; and then on deck, Thomas Bivona.

MR. BIVONA:

We're just going to switch. This is Thomas Bivona, Artie will go next.

P.O. GREGORY:

Okay.

MR. BIVONA:

Okay. So, good morning, Presiding Officer Gregory and Members of the Legislature -- Legislature, rather. I've had the pleasure of meeting all of you at one time or another. Unfortunately -- and other elected officials. Unfortunately, a lot of the times that conversation starts with one of you asking, *How's it going inside the jails?* Well, out of respect, that question is usually answered in a polite and general *Good*, because to tell you the truth, I have no idea how it goes inside the jails because that's not part of my job function. So I've come to the realization that many of our elected officials, they're uncertain as to even know what a Deputy Sheriff does in the County of Suffolk. So today I'd like to point out some of our duties and clear some of that up.

So, first I'd like to point out that we are all police officers in Suffolk County. Every one of us successfully completed the Suffolk County Police Academy, right alongside with members of the Suffolk County Police Department and various agencies throughout the County. Our duties do include, but are not limited to, civil enforcement; Domestic Violence Unit; we have a District Court Bureau; we do prisoner transportation of all Suffolk County incarcerated inmates within the County and the State, sometimes that does go outside the State. We have a Warrant Squad; a Criminal Investigation Bureau; we have our own K-9-Unit that is also requested out east a lot of times by agencies. We have our own Marine Bureau, a Commercial Vehicle Inspection Unit. We do pistol licensing; we have Deputies that work alongside other agencies in special drug and DWI Task Forces and the U.S. Marshall's Office. We are actively involved in public safety around the County; programs such as Project Lifesaver, Child Safety Car Seat Initiative, and the GREAT Program which is a school-based program including teaching our youth about bullying and smart decision-making skills, helping them turn away from gangs and bad choices.

Our newest unit is a DWI team that is exclusively created to concentrate on DWI arrests within our County. This unit is completely funded by New York State STOP-DWI Program and it consists of just three Deputy Sheriffs, all who are Drug Recognition Experts. Just for a comparison, there's only 170 Certified Drug Recognition Experts in the entire State; Suffolk County Police Department has eight of them, we have four. With just 250 members, four of them are Certified Drug Recognition Experts. In this unit so far, in its infancy, it's only three months old and we have accumulated 60 DWI arrests, three of which have been Felony Leandra Law arrests. And if you're unsure, Leandra Law arrests are when, at the time of arrest, that there is a child in the car under the age of 16. That's simply incredible numbers. So for those people who don't know what we do, that is just some of the things.

As for some examples and the similarities between us and other police agencies, one major difference, unlike other police unions in Suffolk County, we have a residency requirement, so we are required to live in Suffolk County to become a Deputy Sheriff. So every single one of our members over there are -- they do live in Suffolk County, they are taxpayers and, therefore, every one of your constituents.

(Beeper Sounded)

So one good thing about me, I am on the DSPBA Board; I am not a full release, so I get the opportunity to sit and dig within the trenches of the guys I work right alongside with. I just want to present a message; our members are tired of being stepped on, we're tired of being thrown aside and we're tired of being disrespected. I'm asking you all here today to make that first step in making this County right by urging the County to negotiate a fair contract for all of our members. Thank you.

Applause & Cheers from Deputy Sheriffs in Audience

P.O. GREGORY:

Okay. Artie? And then on deck, Andrew Kuldin.

MR. SANCHEZ:

Good morning, Mr. Presiding Officer and Legislators of Suffolk County. My name is Artie Sanchez, I am the Recording Secretary of the Suffolk County Deputy Sheriffs Police Benevolent Association.

First and foremost, I would like to take this opportunity to thank the membership of the DSPBA for their hard work and dedication to the County, the Sheriff's Office and the residents of Suffolk County. Throughout these trying times for our members, they continue to perform their duties with the utmost dignity and professionalism.

As Tom just explained, we are an accredited police agency here for you, your families and your constituents. As union leaders, it is our job to fight for our membership and their families for a safe work environment, good benefits and fair wages. So we stand here before you today, the Legislative Branch of government, and ask you, as our representatives in government, to support our membership and our families, your constituents, in our goal to be treated fairly.

So you may be wondering, why do we feel that we're not being dealt with fairly? In addition to the disparities that President Becker just spoke of between our base pays and longevity pays, there are many other things. But just a small example, we're even compensated less than other unions for uniform cleaning allowance. Are we to believe that it costs less to clean a black uniform than any other uniform?

Furthermore, we have Deputies that work on special task forces, as you've just learned, for the County alongside other police agencies, but their salaries are \$64,000 less than their counterparts. It's simply not fair.

As you all know, in 2011, as part of an agreement with the County, we lagged part of an arbitrator award that we were granted; \$4 million of our earned money, money that we put on a uniform and came to work away from our families to earn. Where is our money that is payable on December 31st of this year? It's not accounted for in the 2015 budget and it's still not accounted for in the 2016 Operating Budget.

The County Executive has said he wants to take the politics out of law enforcement and we strongly agree with that. First and foremost, law enforcement should always be about public safety and the safety of all our law enforcement officers in Suffolk County. There's no room for politics in law enforcement.

With that being said, when the PBA contract was presented three years ago, there was a provision in their contract that affected our 2011 MOA negatively. And I know, in speaking to Members of the Legislature at the time, prior to ratification of that contract, we were told by the County Executive's Office that we would be negotiating with our union, they would be negotiating with our union to rectify that situation. Here we are three years later and it has yet to be rectified.

Furthermore, the County Executive and Labor Relations have said they want to avoid unions going to arbitration due to generous arbitrator awards. I remind you that reopening clauses awarded and granted in recent contracts may result in more payouts due to an arbitrated award.

So to these points, again, tax dollars are being spent to continue litigation over the highway issue. I'm sure that amount, compared to what we spent as a union, is upwards and over \$100,000 in tax dollars. Violating our agreement and not paying us what we earned is simply unethical and wrong. We pay for job protections that we do not benefit from, but yet our earned money is still being held hostage. We are asking this Legislature to make sure our earned pay is accounted for and paid when it is due.

(Beeper Sounded)

We have many responsibilities and duties as Sheriff Deputies here in Suffolk County. We work for you, we work for your families and your constituents. As Deputy Sheriffs, we are here for you. As your constituents, we are asking you to be here for us and our families, and do whatever you can, with your Legislative powers, to make sure that we are treated fairly. Thank you.

Applause

P.O. GREGORY:

Thank you. Okay, Mr. Kuldin, then Hector Gavilla.

MR. KULDIN:

Good morning. Thank you, Presiding Officer Gregory and County Legislators. My name is Andrew Kuldin, I am the Staff Attorney at ERASE Racism. On behalf of Elaine Gross, President of ERASE Racism who is unable to attend this session today, we urge the Legislature to pass Resolution 1615-15 - Authorizing the sale of County-owned real property for the Town of Smithtown for affordable housing.

When the Legislature unanimously passed and County Executive Bellone signed the bill adopting the first Suffolk County Comprehensive Plan since 1971, we were encouraged that the County would take affirmative steps for future residential development in high opportunity communities for low and moderate income residents. The comprehensive plan recognizes that many areas in Suffolk County lack affordable housing options and many residents are priced out of the market. The lack of affordable housing, according to the plan, is a threat to the County's continued success.

According to the adopted Comprehensive Plan, the 2011 median housing value in Suffolk County was approximately \$425,000. In many towns, home values have risen to half a million dollars. This makes it very difficult, if not impossible, for low and moderate income residents to find affordable housing in communities with access to high performance schools and more resources. Smithtown is such a community. Therefore, it was extremely disappointing to discover that the County Legislators had an opportunity to transfer a parcel to the Town of Smithtown for the development of an affordable, single-family housing unit but failed to do so, instead tabling the matter until today. It would be irresponsible for the Legislature, which adopted a comprehensive plan that recognizes the need for more affordable housing in high opportunity communities, to fail to increase that number when given the chance. ERASE Racism urges the Legislature to transfer this parcel to the Town of Smithtown in order to increase affordable housing in a community of opportunity. The Legislature made this commitment when it unanimously passed the comprehensive plan only months ago and it should keep its commitment today. Thank you.

P.O. GREGORY:

Okay, Mr. Gavilla; and then on deck, Pauline Salotti,.

MS. SANDMANN:

Pauline Sandmann.

P.O. GREGORY:

I'm sorry. What did she say?

MS. SANDMANN:

I'm sorry, that's a different Pauline.

P.O. GREGORY:

Okay.

MR. GAVILLA JR:

Hello. Good morning. My name is Hector Gavilla, I'm a resident of Dix Hills and, once again, I'm here to tell you that I oppose the red light cameras. Now, I'm passing around the third amendment that was added to the original contract and it has a lot of alarming things that I found.

Now, a big question. I know nobody can answer me right now, but I have a copy of the entire contract between Xerox and Suffolk County. How many people here have actually read the contract? And I know that's a few of you because a few of you have asked. So if anybody in this room doesn't have the contract, I'll be very happy to e-mail it to all of you. Now, the reason I asked the question is because if you actually read the contract, I don't think any of you would actually vote yes for this because it's kind of embarrassing when you find out what I read.

You allow Xerox Corporation to choose the locations of the red light cameras and there's only one criteria, and that criteria is based on a quota. And yes, there is a quota, and that quota is that there shall be 25 video-validated violations in a 16-hour period. In the contract also, that 16-hour period is defined as between 6 AM and 10 PM. So in other words, in order for Xerox to decide that they're going to put a red light camera in an intersection, they're going to do a test, a site survey and

determine if that intersection is able to give 25 tickets during that period, and if they feel it does not, then they will choose not to put the red light camera in there. Did you know that? Did anybody here know that? That's the only criteria.

I tried to look for safety. I tried to look up if there is a criteria based on accident records; it doesn't exist in the contract. It's only based on a quota, and that's a fact. And if the camera does not meet that quota, it's also in the contract that Suffolk County is required to pay exactly \$2,132 a month per camera that under-performs, does not provide the amount of tickets that Xerox needs to be profitable. And they have to pay \$17.25 per ticket. Wow!

Now, you have a chance today to redeem yourselves, because I'm sure that none of you knew that this was in the contract, and I've seen the people who signed. And I saw the news interview yesterday on CBS News and there was an individual, Paul Margiotta, who said that there is no quota? Well, you know what? I'm surprised by that because he signed the third amendment, and you can see his signature in those copies that I just handed out. So please do the right thing and get rid of these red light cameras.

(Beeper Sounded)

And just one last thing. I have a top real estate agent who's here with me. She's the top real estate agent in Dix Hills, by the way. Okay? She doesn't have time to come today, but she's constantly getting tickets, she has five kids that are in her home, and you had the audacity to add \$30 to the fine. You keep 100% of that \$30.

The other money you share, you have revenue sharing with Xerox. This is disgusting, the tyranny. Have a great day.

Applause

P.O. GREGORY:

Okay. All right. Pauline Salotta. Salotti. Did I pronounce that right?

MS. SALOTTI:

Yes, Salotti.

P.O. GREGORY:

And then Pauline Sandmann on deck.

MS. SALOTTI:

Thank you. Good morning, Presiding Officer, Members of the Legislature. I'm here today also to talk about my concerns with the red light cameras. Yes, they don't give drivers any time in the yellow lights; it has been recorded that they give as little as three seconds. It is dangerous because people slam on their brakes if they see the light turning red at the top of the intersection because they're afraid of getting a ticket, and these are people who could already be hurting for money, like many are, and they're already paying taxes.

And then another thing, too, when these cars, they trip the cameras. If at night those flashes are also distracting to the drivers, other drivers in the intersection, and there are many times for no apparent reasons that they take those pictures. I'm here to ask if it is public knowledge of how much revenue actually those cameras create. And I was pretty surprised also to find out that there is the quota of 25 tickets per red light camera that must be produced each day. Clearly the contract, as it's stated, it does not mention anything about safety, so it is clearly about the revenue and not the safety. So please, please read the contract if you haven't already done so. And I urge you all to consider voiding that contract with Xerox because it's also unconstitutional, it's on the 6th

Amendment that it makes the -- the U.S. Supreme Court has upheld the right to confront an accuser in a ruling concerning photo radar cases. And yes, we do need to have the right to look the accusers in the eye when confronted in court. So, yes, please consider that.

And also, while I still have a few seconds, the camera here that's recording us went through the trouble to do all this, to create the video, to produce the video. So while it's being streamed on-line, I'd ask you to please consider also putting that in an archive so we can access that video later and just as easy it would be to place those meetings on TV for people who do not have access to computers. So thank you very much. Have a great day.

P.O. GREGORY:

Thank you.

Applause

Okay, Pauline Sandmann; and then on deck, Hector Gavilla, Sr.

MS. SANDMANN:

Good morning --

P.O. GREGORY:

Good morning.

MS. SANDMANN:

-- Presiding Officer Gregory and Legislators. As you heard, my name is Pauline Sandmann. I live in River Woods Mobile Home Park in the Town of Southampton just up the road. I'm also President of the Mobile Homeowners Association which meet at the Riverhead Town Hall, but I am here now representing myself.

First I would like to to thank Jay Schneiderman for concerns in our area -- this is a little off the beaten path -- for getting the budget pushed back to 2016 from 2018 for the Riverhead traffic circle. Thank you.

I hope I get all the names correct. Al Krupski has I think the most mobile home parks in his district, next is Jay Schneiderman; Al Krupski is the Town of Riverhead and Jay Schneiderman, the Town of Southampton. Then we have William -- Legislator William Lindsay, Bohemia. Legislator Thomas Cilmi; is he here? Because I wanted to address him. I did call his office last week and unfortunately I heard the day before there was a fire in the East Islip park; a mobile home burned and they found a resident passed away in it. How it burned, I have no idea. Unfortunately those homes are very, very close together, which now there is a law, there has to be certain footage if a new home is put into the area.

Legislator Schneiderman, you also have East Hampton in your district, East Hampton Mobile Home Park. And I'm sure you're aware of what we're trying to do, or what we have knowledge of that East Hampton Park which is the worst park probably in New York State, owned by unscrupulous owners, it's over crowded. I went on a Sunday with some people, cars unbelievable. And I heard since then that a gurney had to be taken from the main road to get the resident in the park, they could not -- an ambulance or a fire truck could not get into that park. They have people living in sheds, wiring next to propane tanks going to homes; it really is a terrible park. And that same owner owns the Valley Forge and Bunker Hill in Bohemia.

One thing I found out which is unreal, two homes were sold in that park for \$175,000, approximately. Those homes can't compare to my home which is an old home, and I'm lucky if I get 30 or \$40,000. There are bills that have been passed. I don't know if I got this right; McCaffrey, do you have --

P.O. GREGORY:

Ma'am?

MS. SANDMANN:

Okay, I understand. I think he has Farmingdale -- Amityville, rather, two parks in his district.

P.O. GREGORY:

Ms. Sandmann?

MS. SANDMANN:

Yes, sir?

P.O. GREGORY:

Your time's expired, please wrap up.

MS. SANDMANN:

Okay. Thank you anyway.

P.O. GREGORY:

All right. If you want to, you can submit your comments to the Clerk and it could be made available to all of my colleagues, if you would like. Okay?

MS. SANDMANN:

Okay.

P.O. GREGORY:

Thank you for coming out here today.

All right, Hector Gavilla, Sr.; and then on deck, Stephen Ruth.

MR. GAVILLA SR:

Hi. Good morning. As you heard, my name is Hector Gavilla, I have been a resident of Suffolk County for 42 years and a 35 years resident of Dix Hills. This is the first time that I come to a meeting and, frankly, I was motivated by getting a ticket from the red light program, okay? And, you know, as a naturalized citizen and having a love for this country, I decided to exercise my rights and I requested a hearing.

Now, my background is in engineering, so I did a lot of research, okay. I researched that there's a reaction time involved, there's a breaking distance and so on, and what I find is that I've been reading about cities like Chicago and other cities where there's a tremendous -- the populous is upset. So today when I filled out that yellow card and I said "*representing self*", I'm speaking for a lot of people like myself who are working. Because it is challenging to live in Suffolk County, okay, so to take a day off, there's a reason for it.

And I am upset about this program. And by the way, if you think my son was upset, you should have seen him at the hearing, okay. Because basically I have been driving for 55 years, and the defense of this program is safety and behavior modification. Now, I don't need my behavior modification in regards to of driving, because I've been driving for 55 years, I have a clean record.

And there were a couple of senior citizens there that I was ashamed. By the way, I love this country, but that exercise of so-called justice was injustice, okay.

Applause

I wasn't allowed to say a word, okay, and I was so angry, okay, because I did all my research and so on and I couldn't defend myself. And there are a few people here that have already said about our constitutional rights so on. And let me say this; I was born in Cuba, okay, and I'm a naturalized citizen and I have taught my children what a great country we live in. This is a great country, okay. I just recited the Pledge of Allegiance, *Liberty and justice for all*. Where is this justice in this program? Last night my son came home, I'm watching the program, I got a call from my friend, he got three tickets in the same intersection.

Now, let me go back to behavior, okay, behavior modification. You know how my behavior has been changed now? When I see a light, do I go through it, do I stop? The other day I'm driving and my wife literally -- if she didn't have a seat belt on, she would have gone through the windshield. She said, *What are you doing*, because I don't know what to do anymore, okay? And by the way, there's something called standardization, and when you have lights that are three minutes, three seconds, four seconds, five seconds, it's ridiculous, okay. So I don't know what to do anymore, okay.

So the bottom line is if you really care about safety, five seconds, six seconds, what's the difference? I wait two minutes at a traffic light and now you're cutting it back to three seconds? That is unAmerican, okay, and I could go on and on. And again, everything that I read about this program, Chicago, there was a Federal investigation corruption, they're making changes, allegations, supposedly, that the time was shortened.

Now, I present to you, Mr. Stephen Ruth has done his research and so on in terms of the different times and all of that. Can we -- what's wrong with another two seconds?

Now, there's another item in behavior. You know, when you are used to -- again, when I'm approaching a light, I'm not concerned about the traffic anymore, I'm trying to find out, is this light going to change? And either I rush through it or I stop. And by the way, if you do your research, when I went to this hearing --

(Beeper Sounded)

-- most of the people were making right turns. So when I slowed down, I slowed down to make a right turn to make it safe; you know, a picture is taken. So I hope that you do something about this program. Thank you very much.

Applause

P.O. GREGORY:

Thank you, sir. Okay, Stephen Ruth, and then Lynda Frego.

MR. RUTH:

Good evening, Ladies and Gentlemen. My name is Stephen Ruth and I rise in opposition to the Red Light Camera Program in New York State; more specifically, Suffolk County.

I stated a month ago how you had failed us as our Legislators and that you are our last line of defense against corruption and manipulation associated with the camera companies and local governments. The Red Light Camera Program has been plagued by bad publicity since its endorsement by Sheldon Silver. I do not think any of you Legislators read the contract between the

camera company and the County. As it stands right now, if the camera does not produce at least 25 tickets between the hours of 10 PM and 6 AM -- I mean between 10 AM and 6 PM, that the County owes the camera company \$17.25 per ticket, and also \$2,132 per camera that does not meet its quota who you have been saying all along there is no quota; that's a lie. You've been lying, you were lying again yesterday on TV saying that there was no quota. Never was there a discussion regarding safety, ever, nor was it in the contract. This means that the locations are not selected based on safety. Who would sign a contract like that? Suffolk County, a County that's \$2 billion in debt, that's who would sign that contract. A County \$2 billion in debt, used to making irresponsible decisions with our money, okay?

After shortening yellow lights, the County revenue stream dramatically increased, as did the number of collisions in these very same intersections. In doing my own investigation, I came across a story about a 16-year old boy named John Luke who was killed trying to cross the road where Miller Place Road intersects 25A. I did a study on that intersection and discovered that the yellow lights were so short that drivers weren't paying attention to safety, they were just speeding through the intersection trying to avoid a ticket. Unfortunately that probably cost young John Luke his life. I met with the boy's parents and grandparents; the boy had a real bond with his parents, grandparents and his friends. Because of this bond, nobody could believe that he would willingly walk in front of a moving car, they said he was way too smart for that.

The cameras can't make any money unless you sacrifice safety and shorten the yellow lights. The County was further able to cover up its negligence by hiding crash data and videos of crashes, saying that they're covered under the judicial system and not public information. AAA is still waiting for its crash data, but it's been requested. John Luke's family has still never seen a video of his accident, nor have any of the other families who lost people in front of these cameras.

The shortening of yellow lights has cost many people their lives, not just John Luke. The Red Light Camera Program is a scam, it's dangerous.

Applause

It is nothing more than a systematic fail of extortion at our expense. The people of Suffolk County have had enough! Okay? It's time to end this program immediately out of respect for the lives lost and out of respect for God! Remove the cameras, abandon the program! Lives have been lost! Respect the people who lost their lives.

P.O. GREGORY:

All right, your time's up. Thank you.

MR. RUTH:

Game over.

P.O. GREGORY:

Okay. Lynda Frego; and on deck, Robert Kessler.

MS. FREGO:

(Banged hand on podium) I believe in the United States Constitution. And as a veteran of the United States Army and the New York Army National Guard, and a Suffolk County resident, I put my life on the line for all of you people, and I'm highly disappointed in your service to Suffolk County.

Charges brought by the Red Light Camera Program have been deemed quasi-criminal in Suffolk County Traffic Court; and as such, my constitutional rights and everyone else's has been violated. The shortening of the yellow arrow at these lights has caused the death of at least ten people, ten

human beings. This program was instated for cash revenue and it has no regard for the lives or the safety of these human beings. We the people and our children are put in danger by these cameras daily. Any one of you Legislators who support this program should be ashamed of yourselves for putting revenue above the lives of human beings.

Applause

If you can put revenue above lives, maybe you shouldn't be in office and we the people can make that happen. If cancelling this program and taking down these cameras can save just one life, one child, isn't it worth it? This program is unconstitutional, unsafe and unconscionable. Thank you.

Applause

P.O. GREGORY:

Thank you. Robert Kessler; and then on deck, BJ Intini.

MR. KESSLER:

Good morning, Mr. Presiding Officer and Legislators. My name is Robert Kessler.

P.O. GREGORY:

Mr. Kessler, can you speak close to the mic? We can't hear you.

MR. KESSLER:

My name is Robert Kessler, I'm the President of the Yaphank Historical Society and I'm speaking on the Homan Gerard House in Yaphank. It's been on the -- it's number one on the County list for restoration and it's also on the National Register of Historic Places. It's been sitting idle for quite a while now. About three years ago the County did put up some money and did stabilization there, but since then it's just delayed, hasn't -- nothing's gotten done at all.

The Yaphank Historical Society has done a lot of work on the house over the last three years. We've done all of the stone work on the foundation, we've graded the entire place, the properties, we've put storm windows on the house to protect the windows, we've done a lot of clean-up. We're also -- we also have a local house mover on board to stabilize the chimney, which the base of the chimney in the basement is really bad. So he's going to stabilize it, then we can go down in the basement and work on this. All these things we are doing ourselves, we're not asking the County for anything for that.

We also applied for grant money from the Gardner Foundation for \$300,000. We also applied for a grant from the Gary Foundation for 78,000 for windows. We need money from the County. The County has allocated \$300,000 for Parks towards this project; we need the County to step up and appropriate this money. We have done all we possibly can. We need your help, we need you to step up and appropriate this money. Thank you.

P.O. GREGORY:

Thank you, sir. Okay, BJ Intini, and then John Covello.

MS. INTINI:

My name is BJ Intini, I am the President of the Farmingdale Historical Society and I am here about amending the Capital Budget, appropriating funds for the Bald Hill School House in Farmingville. The Bald Hill School House is, we believe, the oldest school house on its original foundation in Brookhaven Township. Fourteen years ago, a little over 14 years ago we were given a Capital Budget of 125,000 to restore the building, but at that time, and still, we were not allowed to use the

money for planning, only for execution. Three years ago we applied for a private grant and we received it and we were able to do the planning and that is the architect, the surveyor and the engineer. And at this time, those pieces of the puzzle have been completed, but the funding was taken away from us.

So we are asking that it be reinstated. If we have the \$125,000 for this budget, we believe that with private grants we can raise the rest of the money and we will be able to complete the project of restoring the building. Thank you.

P.O. GREGORY:

Thank you. John Covello; and then on deck, Stephen Ruth Sr; is that what that says?

MR. COVELLO:

Good morning. I'm here to speak about the red light cameras. I don't object to the program overall, but what I do object to is what I consider modifications of the lights and how it's really a dirty trick.

For many, many years -- I've lived here all my life -- the intersection of Route 25 and Mt. Sinai-Coram Road, the light would be green and then the light would turn red but the green arrow would remain. It had always been like, as long as I've lived there, I've lived there 22 years. Once the red light cameras came in, there was an addition to it, which I consider a dirty trick; it was a change to how the light worked. The light was green, it would turn red for maybe one or two seconds and then go to green arrow. There's absolutely no reason to do this except to nab someone and give them a ticket. There's no safety issue. You're not going to stop for a second, you wouldn't even have time to count off and come to a full stop before the arrow goes green.

I'm not speaking for myself, I'm speaking for my 78-year old mother-in-law who is not here today because she works as a lunch lady in the Longwood School District and this \$80 represents more than a day's pay to her. And it's not fair, this woman never had a ticket in her life.

Applause

She got maybe a parking ticket back in the 70s, that's it. She is the safest driver I know and she got nabbed at this. This is robbery; they're taking advantage of a poor widow and taking money out of her pocket for something that's not even at all a safety issue. She's been going through that intersection as long as she's lived with us and she had to get nabbed with that, and that's not right. It's not the program itself, it's the shortening of the yellows and it's adding these little --

Applause

Little dirty tricks to it and that's what I object to. Thank you for your time.

P.O. GREGORY:

Thank you, Mr Covello. Stephen Ruth Sr.?

MR. RUTH SR:

Yes, good morning. My name is Stephen Ruth Sr. Unlike the previous speakers, I have put in no preparation to this, speaking to you all. However, I do feel extremely strongly about the red light cameras. There's no question about what your job is, it's to represent the public, to do it in an ethical way, to do it in a way that you can be proud of and we can be proud of the people that we elected. Unfortunately, the contract that you've entered into with these camera companies is not done in an ethical way. The money generated is not clean money, it's dirty money; it's based on deaths and accidents and people getting hurt. This is not what our government should be. It's not

about money, it's about the people and what's good for them and what makes our country wonderful to live in. Please do your job, take the opportunity to relook at this contract and get out of it. Thank you.

Applause

P.O. GREGORY:

Okay. Thank you, sir. Chris Kempner; and then on deck, Adrienne Esposito.

MR. KEMPNER:

Good morning, Presiding Officer Gregory and members of the Legislature. My name is Chris Kempner and I am with the Town of Riverhead Community Development Agency, I am the Director. And I am here to support, on behalf of Riverhead Town, IR 1720 for the sale of County-owned Real Property pursuant to Section 72-h of the General Municipal Law, and this is for Suffolk County Tax No. 060065119.

Riverhead enthusiastically -- excuse me?

MS. MAHONEY:

Please speak into the mic?

MS. KEMPNER:

Okay. Can you hear me now? Thank you. Riverhead enthusiastically supports all County financial incentives to encourage affordable housing that meet the needs for our workforce housing. The target population for this project is low to moderate income, first-time home buyers who live or work in the Town of Riverhead. The maximum income that a household may earn and be eligible to apply is 80% of the Suffolk County median income adjusted by family size; this runs about 85,000 for Suffolk County and 80% would be about 67,000. In Riverhead our demographics are some of the poorest in the County, as you may already be aware. We are effectively the poorest town in Suffolk County; I believe technically Shelter Island may have a lower income level, but we know that there are a lot of uncounted numbers in Riverhead. Ten percent of our residents live below the poverty level, 15% live below the poverty level in the Riverhead hamlet, and 11% of all families in Riverhead live below the poverty level. So we desperately need these incentives for affordable housing.

And recently, our Community Development Block Grant was cut by the County by 30%, and that was what we were using to fix our mobile home parks which, as was mentioned before, Riverhead has the greatest number of mobile home parks in the County, and it's very important that we keep those units up-to-speed as affordable housing.

This particular 72-h transfer would be a partnership with the Habitat for Humanity/Suffolk County partnership, and we are taking an abandoned property that is in tax default and improving it so that families can live in it. It will prevent a deterioration of our neighborhood, and in some cases we've been able to lift up whole communities through this program, which is very important. The members of our community that typically qualify for workforce housing include young professionals, nurses, nurse's aides, police, teachers, entry-level public safety personnel, grocery clerk, secretaries, mechanics, accounting clerks, retail and restaurant employees and many other jobs that support your mission and many of the important businesses in Riverhead.

(Beeper sounded)

We would thank you for your favorable review of this transfer and we also thank you for all the other important contributions that you've made to Riverhead for its revitalization, including upgrades to its sewer which support these types of projects. Thank you very much.

P.O. GREGORY:

Thank you, Ms. Kempner. Adrienne Esposito; and then on deck, Andrew Balistreri.

MS. ESPOSITO:

Good morning, Members of the Legislature. I did not know it was bring your Legislator a pumpkin day, so I don't have any pumpkins. But my name is Adrienne Esposito, I'm the Executive Director of Citizens Campaign for the Environment. I, of course, am here to urge you to please vote yes on banning microbeads in Suffolk County, Resolution 1616.

You may recall, these are the tiny, microscopic, plastic beads that are found in common household, plastic products of facial scrubs and body scrubs and, yes, even toothpaste. Why should you ban them? Because they act as tiny, toxic sponges and they absorb pesticides and heavy metals and volatile inorganic chemicals. After they get into the water way, fish eat them, shellfish eat them and then they end up on our dinner plate. We do not believe that a clean face should mean dirty water.

I know there are bigger problems going on in the world, I get that. But you know what? Today this is the problem you can solve by a simple yes vote. Today is the day that you can solve a plastic pollution problem that has become insidious in our water ways simply by voting yes. You won't be the first County in New York State, two others have already beat that to the punch line -- Erie County as well as Chautaugua County have already banned plastic microbeads in health care products in New York State -- but you also won't be the last. Other counties are already moving the ban through the process; Albany County, Monroe County, Ulster County, and last week New York City introduced a ban on microbeads as well. So you can be number three today, you'll have to be happy with that.

We're asking you to join with all the other counties to ban microbeads. We want to really thank Suffolk County Legislator Kara Hahn for introducing the bill and fighting it out and sticking with the process. You may also need to know that for the first time, researchers found plastic microbeads in Long Island Sound. Researchers from the university of Connecticut, they looked for them, guess what, they found them. More and more you're going to hear about this in the South Shore waters, the Peconic waters and everywhere they look they will find these plastic beads. It's a plastic pollution problem that is easily solved. Many of the manufactures are already making a voluntary transition, you can help them make that transition, vote yes.

The bans that are already passed, by the way, have a six month implementation time, so yours is way more generous. So you don't need to feel bad, the products are already going to have to be transitioned in the next couple of months anyway. Thank you very much. We look forward to your yes vote today. Thank you.

P.O. GREGORY:

Thank you, Adrienne. Andrew Balistreri; and then on deck, James Furey.

MR. BALISTRERI:

Good morning, Presiding Officer Gregory and Members of the Legislature. My name is Andrew Balistreri and as I wrote on the card, I'm representing myself. The last time I put something on-line or spoke out, there was some retaliation against some other associations I belong to and family members, so it's me. If you want to have something to say, I'm here.

I'm here today to bring your attention, which has been done earlier, to the County's failure to negotiate with the Suffolk County Deputy Sheriffs PBA for the last five years. Our contract expired in 2010 and the County has dragged its feet on negotiations for a successful agreement.

The Deputy Sheriffs were saving the County approximately \$12 million a year while patrolling Sunrise Highway and the Long Island Expressway. We were moved from the highway while having a valid MOA. And why do I say a valid MOA? Well, it was signed like the others have been done in the past and the Supreme Court ruled twice that it was valid; however, the County is choosing to spend hundreds of thousands of dollars to appeal this. I guess you don't care about, really, the money.

Recently four officers from Suffolk County PD retired and money had to be transferred to cover their SCAT checks which totaled \$2 million. You're still withholding \$4 million for 250 Deputies. Any logic in this?

There have been significant cuts in overtime and staffing with Deputy Sheriffs, trying to better management and, yeah, we're doing better, but soon we'll be doing a lot with nobody. Meanwhile, overtime across the street in the PD in 2013 was \$30 million, in 2014 it went up to \$38 million, and this year I hear we've approaching \$50 million. Now, I'm not begrudging the Suffolk County Police Officers on what they make, give them what they want. I mean, you only gave them a 28% raise, binding arbitration around the State's averaging around three, three and a half percent. But you claim you're saving the County money. How? I have no idea.

Earlier the Legislature approved transferring 60 positions from the Suffolk County Police District budget to the General Fund, so now you're billing the residents of the five East End towns to fund the Police Department. Those residents already pay for their own Police Departments and their own services, and from what I gather they're happy with it. I haven't heard the two East End Legislators objecting to the additional taxes on their residents.

Also, in subsidizing the Police District, we're now transferring the funds from the Traffic & Violations Bureau in Hauppauge. And to the famous red light cameras, those fines are now going to subsidize the Police Department, and every ticket written by a Deputy Sheriff, State Trooper or anybody else in the five western towns is now financing the Police Department. I have no idea how long you can fiscally continue to do this in the County. You found the money to pay them, if you can find the money to pay them a 28% raise, I don't know why you can't find money for other County employees.

On a little personal note, the County Executive and at least one Legislator in here running for re-election, I'm sure there's going to be others, are circulating literature about reducing the County workforce by 1100 employees and holding the line on taxes. Perhaps you should look at your personal tax bill and see really if the tax rates have gone down, because if you're increasing the Police District taxes, you're increasing our taxes. You're increasing fines and fees, you're increasing our taxes. I would hope you would do the responsible thing.

Another note on literature that I find about the Legislators who are turning down their County cars to save the County money. A couple of years ago I looked into this and my Legislator was turning down his County car to save the County money and putting in vouchers for mileage and was paid over \$20,000 a year for driving his own car. Ladies and Gentlemen, I think there's like a balance that has to be raised here, and hopefully you'll do the right thing in the future.

(Beeper Sounded)

And incidentally, compare your salaries with that of the starting Deputy Sheriffs at \$30,000 a year, or \$14 and 37 and-a-half cents an hour. Thank you.

P.O. GREGORY:

Thank you. Mr. Furey?

MR. FUREY:

A lot of the people in this room might know me as James in Calverton. You've been on L&G many times, I brought this subject up. And I just want to give you a head's up. Since nobody in New York was doing anything, I went to the FBI and the Attorney General of the United States and the Justice Department.

My subject is about on Main Street in Riverhead, there is a Spanish market there and it's been in business for about ten years. There is a man across the street that has a business called Advanced Imaging. When his business is closed, he will not let anybody park on that side of the street. He's disrupting the man's business, he's disrupting sanity. If anybody's familiar with Archie Bunker, that's exactly what this man is. This has been going on for years and years and years and they're telling you something. On Christmas Day, on the third -- on 2013, he pulled a gun on me while I was parked on public property. I called the Riverhead Police. This is what I heard -- a 911 call is digital, you can all listen to it for yourself -- "*Was the man black or white?*" I said, "*What difference does that make?*" Again, the woman said, "*Is the man black or white that pulled the gun on you?*" I said, "*White*". "*We can't get there for at least two years.*" This is ridiculous.

And also I'll tell you, on Mondays, if you go by the Riverhead Court, you'll see that it's All-Spanish Day and it's all down the street, all out of the parking lot. I don't understand; only Spanish people in this town had to go there one day. I don't understand this. This man, his bigotry has been going on for years and years and years. All -- I've addressed everybody in the State and nobody does anything. Sooner or later he's going to kill somebody and everybody is going to say, *Gee, this is the first I heard about this*. So, you know, you guys, you've got a lot of problems going on.

This is a simple issue. I have a letter from the DOT that says there's no restrictions of parking there 24-hours a day/seven days a week/365 days a year. The only time we have the problem is when the man's business is closed. Last Monday he threatened me, he followed me into the deli. I was legally parked. I don't understand, and his business was closed. Why doesn't he go back to North Babylon where he lives and stop bothering people? When is this coming to an end?

And also, I want to address Donald Trump. I know you're not here, but in case you didn't go to 4th grade history, when Columbus came to America, he went to all the countries on Earth looking for somebody to help him. Coincidentally, he only found Spain to help him. He came here -- Columbus came here in three ships: The Nina, the Pinta and the Santa Maria; all Spanish Sailors. So when you're thinking about building this stupid wall on the border, save the money for poor people and stop wasting America's time with this nonsense and prejudices. Thank you.

P.O. GREGORY:

Okay, that's all the cards that I have. Is there anyone else -- oh, Alex. All right.

(*Laughter*)

MR. STRAUSS:

I've got to do what I've got to do.

P.O. GREGORY:

Are you going to tell me you're going to make America great again?

MR. STRAUSS:

Nah, I don't think so.

P.O. GREGORY:

All right. Anyone else? Okay.

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

MR. STRAUSS:

Alex Strauss, 184 Radio Avenue, Miller Place, New York. The last time I got up and spoke about red light cameras, I was told where did I get my information from. Where I get my information from, because I'm a retired electrician that installs those cameras. That's number one.

Number two, the yellow lights on the street light -- on the street -- oh, God, give me a second. The yellow lights on the --

AUDIENCE MEMBER:

Camera.

MR. STRAUSS:

No, the -- oh, Jesus.

AUDIENCE MEMBER:

The signal?

P.O. GREGORY:

That's all right, Al, it happens to the best of us.

MR. STRAUSS:

Yeah, I know.

P.O. GREGORY:

Intersection? Traffic signal?

MR. STRAUSS:

No, on the signal.

P.O. GREGORY:

Signal.

MR. STRAUSS:

The yellow lights on the signal, the timing on that is controlled by the New York State Department of Transportation. When the red light cameras are installed, they do not have anything to do with the yellow on the camera. Has nothing to do with yellow in the intersection at all. So they didn't reduce the time, because they don't touch that part. All they do is register a red, period, that's it, it registered red. If you went through the intersection and it's red, that's when you get a ticket. When you make a right-hand turn on red, if you don't come to a complete stop, you're going to get a ticket.

This is all easy stuff. It shouldn't -- this is not something you have to go to college for. You get to the intersection, you're going to make a right-hand turn, you stop. Then you make the right-hand turn, and none of the little lights will flash. If you go into an intersection and the light is red, you're going to get a ticket; if it's yellow, you're not going to get a ticket.

And like I said before and for the third time, the yellow lights are not controlled by the red light cameras, that's a fact. And I know what I'm talking about, because I installed them. So that's where I get my information from, for the person that thought I was a ding-dong. Otherwise, have a great day.

P.O. GREGORY:

All right. Thank you. We have another card for Ron Bracco.

MR. BRACCO:

Good morning, everyone. I'd like to say a few words about the red light cameras.

First of all, I'll never forget when I was a little kid many years ago, and my father used to tell me stories about coming out to Long Island from Brooklyn. They would come out in the 1940s and he said Long Island was the country. It was absolutely beautiful here. They used to vacation at Belmont State Lake. Have you ever seen the old -- you know, the old movies without the sound, and the family coming out to Long Island because it was a beautiful place to visit. They'd even tell me stories about moving out to Levittown, which used to be potato fields, and how beautiful it was to move from Brooklyn out to Levittown, because it was just so serene and so bucolic, and just a wonderful place to be out in the country and away from the city.

Well, now things are changing. The country has taken a turn for the worst, in my opinion, and I see no reason why Suffolk has to follow suit. We have open borders, we have an NSA that spies on people. We have an \$18 trillion debt in this country. The country is going down the tubes. Why does Suffolk County have to follow that direction? Why do we need to have the people of this County spying on the citizens of this County? There are cameras now. Everywhere you go, there are cameras. This used to be a free country. Now it is becoming incrementally a police state, because we have "Big Brother" watching everything we do, always looking out for our safety.

Well, I for one agree with Benjamin Franklin. I don't have his quote in front of me, but he said something like this: "I would rather have less safety and more freedom." There's a certain quote that goes along with that. He would rather have less safety and more freedom than more safety and less freedom.

I think this camera program is ridiculous. It's an eyesore that's a blight on our community and a blight on our County. How dare you put cameras up to spy on people in public places? You really have some nerve to even consider that in the first place. How about learning how to balance a budget? How about learning how to spend money and not wasting our money on things that aren't necessary? Spend the money as if it's your money, then you wouldn't have to put this program into -- in effect.

Yesterday I was driving down South Path heading south -- down Straight Path and I crossed Sunrise Highway. Going across Sunrise Highway, there were cameras all over the place, of course. One of them is right smack in front of a house. Could you imagine living in that house and having that light flash into your window all day long? Why don't we put it in front of every one of your houses, or those who voted for this program, who implemented this program? Let's put one of those cameras right in front of -- or one of those flashers right in front of your house. This little house in Copiague, they probably don't even know where to begin fighting this, but it's right smack in front of a residential house. Thank you very much.

P.O. GREGORY:

Thank you, sir.

*(*Applause*)*

Okay. I'll take a motion to close the public portion --

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

-- by Legislator Muratore, seconded by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen.

P.O. GREGORY:

Oh, behind you.

MR. RICHBERG:

Eighteen

P.O. GREGORY:

Okay. All right. Next, we will go to -- if you go to the Manila folder, I'm going to make a motion to take out of order ***Procedural Motion Number 25 of 2015, to appoint Clerk of the County Legislature.*** Do I have a second?

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. All right. Everyone have the Procedural Motion in front of them? I'm going to make motion to approve Procedural Motion -- ***Procedural Motion Number 25 of 2015, appoint Clerk of the Suffolk County Legislature.*** I make a motion to approve.

D.P.O. SCHNEIDERMAN:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. All right. You're the Clerk.

(*Applause*)

Good thing that wasn't close, you had to count your own vote.

(*Laughter*)

***(*Jason Richberg was Sworn in as Clerk of the Legislature by
Judith Pascale, Suffolk County Clerk*)***

MS. PASCALE:
Congratulations.

(*Applause*)

LEG. SPENCER:
DuWayne.

P.O. GREGORY:
Legislator Spencer.

LEG. SPENCER:
Mr. Presiding Officer, just a quick point of personal privilege. I wanted to just say that since Jason has been the Deputy Clerk, I've observed him at work and that he's professional, he's learned the job very well. But I really was impressed this summer where he took a very active role in working with the Page Program. And he really took that program, for at least the young -- the person that I had recommended, and turned it into a life-changing experience, where he made it something that was interesting, he made it educational. And I think that there was just a wide opinion that he made the internship a transformative program for a lot of those young people's lives. And I think it goes above and beyond just the usual work ethic, but it demonstrates his gift and his passion. We're very fortunate to have him and I'm very excited that he's our Clerk.

P.O. GREGORY:
Great.

LEG. SPENCER:
So thank you for that point of personal privilege.

P.O. GREGORY:
Great. Thank you. I agree 100%. All right. Back to the agenda. We don't have any reports or statements by the County Executive or any Commissioners. I will 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. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. Page 5 of the agenda, Tabled Resolutions: I.R. 1015 -- excuse me. **1615 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Smithtown for Affordable Housing purposes (SCTM No. 0800-034.00-01.00-004.000) (Co. Exec.)**. Do we have a motion?

LEG. CALARCO:
Motion.

P.O. GREGORY:
Motion to approve by Legislator Calarco.

LEG. MARTINEZ:

Second.

P.O. GREGORY:

Second? Second by Legislator Martinez. I'm sorry. Any other motion?

LEG. TROTTA:

On the motion.

P.O. GREGORY:

On the motion, Legislator Trotta.

LEG. TROTTA:

Is there someone here from the Housing Authority who's getting this that could speak on this?

P.O. GREGORY:

Anyone from the Town of Smithtown? Please identify yourself, sir.

MR. SANSEVERINO:

My name is Joe Sanseverino. I'm the Assistant Vice President at the Long Island Housing Partnership.

P.O. GREGORY:

Okay.

MR. SANSEVERINO:

I'm here today in support, obviously, of this resolution. The Town of Smithtown would be receiving this property, and they are planning to transfer that property over to the Long Island Housing Partnership for the development of affordable housing.

P.O. GREGORY:

Okay.

MR. SANSEVERINO:

And I'm happy to answer any questions you have.

LEG. TROTTA:

Can you give me the income criteria for this?

MR. SANSEVERINO:

The income criteria?

LEG. TROTTA:

Yeah.

MR. SANSEVERINO:

A person has to be -- have an income below 80% of the median income for the Nassau/Suffolk area based on the number of persons in their household. A family of four would be an income of 87,200.

LEG. TROTTA:

Do you know the --

MR. SANSEVERINO:

Anyone above that would not be able to. Yes.

LEG. TROTТА:

Do you know the taxes on this house?

MR. SANSEVERINO:

My understanding, the taxes are around \$9,000.

LEG. TROTТА:

They're \$17,000.

MR. SANSEVERINO:

That's not what we were told.

LEG. TROTТА:

Well, I checked and it was \$17,000. Can you tell me how much rehabilitation this house would require?

MR. SANSEVERINO:

I cannot tell you that yet, because we haven't gotten into that house yet. We didn't want to be in a situation where it has to be knocked down; we don't know yet.

LEG. TROTТА:

I'm missing how someone making \$85,000 can afford \$17,000 taxes and a renovation cost of probably \$200,000. Could you explain that to me?

MR. SANSEVERINO:

Sure. What we do is when we put together a development like this, we will acquire grants from the Federal and State governments to help subsidize the sales price. We have an ability to take a second mortgage on the property, a soft second if need be. There are ways of reducing the property cost down to a person so they can afford it. We do not put people in homes that they cannot afford.

LEG. TROTТА:

So you're going to get someone who makes 84, did you say, 87? What was the number?

MR. SANSEVERINO:

87,000, up to that.

LEG. TROTТА:

\$87,000 a year. You're going to get them grants. This is going to be one family. So let's go over the numbers here. What do you think it would cost to renovate that house? I looked at the house. Let's say you need -- you know, let's, for argument's sake, \$150,000.

MR. SANSEVERINO:

Okay.

LEG. TROTТА:

Okay? How are you going to get the \$150,000?

MR. SANSEVERINO:

Well, what happens is the person would be eligible for a mortgage. They would go out to a lender, we would help them get a mortgage through a lender. A person at \$87,000 probably can afford a

mortgage close to three times that amount, maybe, so they can afford a substantial amount of money as far as a mortgage goes. We'd have to look at their debt and everything else, but you wind up with a situation where if I have a house at \$150,000, let's say, I can get \$40,000 in State funds to reduce that down to 110 now. So now I'm looking at a mortgage at 110. A person puts down \$5,000, so we're in the \$105,000 range for a mortgage.

LEG. TROTТА:

Okay, with 17,000, great. Now how many families are going to live in this house?

MR. SANSEVERINO:

One.

LEG. TROTТА:

Okay. Now, if there was a house in another neighborhood that was less money, how many people could -- so you're going to satisfy one family, when if you could buy a house somewhere else and it only needed \$20,000 -- so, if you're using your argument, you're saying that you're going to spend \$105,000 for a house that has \$17,000 a year taxes when you could put three or four families who are lined up, obviously, to get affordable housing. So you're going to jeopardize two or three other families who might otherwise live in an affordable house by putting someone in this house, with a resale value, probably, if the County were to sell it, of \$300,000.

MR. SANSEVERINO:

First of all, I'm not jeopardizing anybody else. This is a program that we do throughout the County, okay?

LEG. TROTТА:

So there's no only one family waiting for a house in this program?

MR. SANSEVERINO:

Well, there's more, there's more than one family waiting throughout the County. But the idea is to establish housing throughout the County, not just in certain communities.

LEG. TROTТА:

At the expense of other people?

MR. SANSEVERINO:

It's not at the expense of other people.

LEG. TROTТА:

Wait a minute. We just discussed that this is going to cost well over \$150,000. And if there were three other houses that only needed \$20,000 worth of work, because there's houses everywhere, those three other people -- there's obviously not unlimited funds here, there's not infinite funds.

MR. SANSEVERINO:

First of all -- first of all, the \$100,000 is coming in the form of a mortgage from a bank. If we have other housing opportunities in other areas, we apply the same approach. We'd just be able to reach maybe a lower income person in that case. There are different ways of approaching this. You're taking a situation and turning it into something that it's not.

LEG. TROTТА:

The house has \$17,000 a year taxes.

MR. SANSEVERINO:

You keep saying that, okay, and I'll take your word for it.

LEG. TROTTA:

I called the Tax Assessor.

MR. SANSEVERINO:

But from what I was told, it was 9,000. We can still make that work.

LEG. TROTTA:

Okay. And then they have to pay heat and they have to pay electric.

MR. SANSEVERINO:

That's correct.

LEG. TROTTA:

I mean, are we subsidizing that, too?

MR. SANSEVERINO:

No.

LEG. TROTTA:

Okay. So, you know, I'm a pretty smart guy with numbers. It doesn't work out. The numbers don't work with \$17,000 a year taxes and \$87,000 a year salary, with maintenance on a house and having to fix it up, and a variety of other things. I don't want a plan to fail.

MR. SANSEVERINO:

The reality is we don't either, and we don't have that situation.

LEG. TROTTA:

Where do you get your money from? What is this? Does the County give you money?

MR. SANSEVERINO:

In this particular case? No. The County is providing the property. We get lenders, banks.

LEG. TROTTA:

You get no financial support from the County, no grants?

MR. SANSEVERINO:

Not for this particular house.

LEG. TROTTA:

I'm not talking about this house, I'm talking about in general.

MR. SANSEVERINO:

In general?

LEG. TROTTA:

Yeah.

MR. SANSEVERINO:

No. They don't support us as far as administrative costs or anything like that, no.

LEG. TROTТА:

Okay. So the argument is this house -- the County is, you know, as you heard, \$2 billion in debt. This is a \$300,000 asset. You know, if the County were to give you -- if we were to sell it for 200,000 and donate \$100,000 to your organization, do you think that you could better serve the number of people waiting than this?

MR. SANSEVERINO:

I think you're reducing everything down to money. There's also an issue here of a program that is providing affordable housing throughout Suffolk County, not just particular communities. Most of the Legislators here have had affordable housing in their district, so --

LEG. TROTТА:

It's nothing to do with affordable housing, it's about doing it right, and it's about doing it where the person could afford to live there.

MR. SANSEVERINO:

And I'm telling you, when we do it, we put a person in there that can afford that house.

LEG. TROTТА:

At eighty --

MR. SANSEVERINO:

We do not put people in there that cannot afford a home. There are people that have -- that get credit, they have good credit, that have employment opportunities.

LEG. TROTТА:

If there's two -- is there two salaries in the house? Can one make 87 and one make, you know, 50?

MR. SANSEVERINO:

No. Total salary is 87,000 on that particular house.

LEG. TROTТА:

And what happens next year if they make 95, is that -- are they bumped out or --

MR. SANSEVERINO:

No. We encourage them to make more money. But once you're in as an affordable homeownership, and every program throughout the County, once you're in, if you make more money, that's fine.

LEG. TROTТА:

I would have no problem with this if the house had \$9,000 a year taxes, but it doesn't. I mean, I pay taxes, I know what it costs to run a house and it does not add up to me. And the last thing I want to do is put someone in a house that can't afford it.

MR. SANSEVERINO:

Well, we're on the same page. We're not going to put anybody in a house that cannot afford it.

LEG. TROTТА:

The house has a built-in pool in it.

MR. SANSEVERINO:

Right.

LEG. TROTТА:

You know, it's worth probably 500,000. My argument is let's sell it and put five people in houses. It's not logical to me.

MR. SANSEVERINO:

Well, I'm not sure you can do that, but okay.

LEG. TROTТА:

All right. Thanks.

P.O. GREGORY:

All right. Legislator Browning.

LEG. BROWNING:

Having a district where we have quite a few homes, we've worked with the Housing Partnership and Habitat, first-time home buyer programs are wonderful. I would suggest possibly, if we do table this, I think last session, we transferred, I think, eight properties over for homeless Veterans, we could do the same with this one. Let's take that one, transfer it over to the homeless Veterans. It goes to a nonprofit organization, they don't have to pay taxes, so we wouldn't have to worry about the \$17,000 in taxes. So, if the Legislator would like, I would support a tabling motion and maybe let's work on doing that.

LEG. TROTТА:

If there were homeless Veterans that we could put in there, I'd be more than happy to do that. However, again, if we could sell the house for \$300,000 and house twice as many homeless Veterans in two other, three other houses, what buy from that, clearly, that would make more sense.

LEG. BROWNING:

Well, I always say we have to do -- we shouldn't be doing -- targeting certain communities over and over again, because I looked at my district -- let me finish. Shirley, Mastic and Mastic Beach alone, after the last meeting, I looked at how many properties -- I got from the Tax Assessor the information, how many properties, just in the Shirley, Mastic and Mastic Beach district, where nonprofits, the properties are off the tax rolls, there was a total of 30, now it's going to be 31. We averaged about a quarter million dollars in property taxes that are now being redistributed.

So this is one piece of property in Smithtown that could be used for homeless Veterans and take it off the tax rolls. And I don't think that's going to hurt the Smithtown residents as much as it's hurting the residents in the William Floyd School District.

LEG. TROTТА:

I couldn't agree with you more.

LEG. BROWNING:

So let's do that.

LEG. TROTТА:

However, there are houses in Smithtown with \$5,000 a year taxes and --

LEG. BROWNING:

But, however, our Veterans, our homeless Veterans, like I heard at the last meeting, open up our arms, and it shouldn't be about the money and how much money we're going to make on that home, let's talk about what we can do for our homeless Veterans. And aren't they worth living in a

nice community in Smithtown?

LEG. TROTTA:

Absolutely.

LEG. BROWNING:

Absolutely. So let's give --

LEG. TROTTA:

I have more homeless Veterans living in my district than anybody at this table.

LEG. BROWNING:

I beg to differ.

LEG. TROTTA:

Well, I have the Northport V.A. in my district and they have a huge homeless shelter there.

LEG. BROWNING:

They're not necessarily homeless in the V.A., and I --

LEG. TROTTA:

Oh, no. There is a homeless, where I've gone there.

LEG. BROWNING:

And I have the Veterans Place in Yaphank, so I beg to differ. However, maybe we should consider that. If you'd like to table it, I would certainly support a tabling motion if you want to work with the homeless Veterans organizations and transfer it over to them.

LEG. TROTTA:

I'm not going to table it. I'm not going to vote for it.

P.O. GREGORY:

Okay. That's all the speakers we have, right? Anyone else want to speak? Okay. We have a motion to approve. All in favor? Opposed? Abstentions?

LEG. TROTTA:

Opposed.

LEG. BARRAGA:

Opposed.

LEG. MURATORE:

Opposed.

MR. RICHBERG:

Fifteen.

P.O. GREGORY:

To approve.

INTRODUCTORY RESOLUTIONS

BUDGET & FINANCE

P.O. GREGORY:

Okay. Page 6, Budget and Finance: ***I.R. 1709 - Extending existing one percent sales and compensating use tax for the period beginning December 1, 2015, and ending November 30, 2017, pursuant to authority of Section 1210 of Article 29 of the Tax Law of the State of New York (Co. Exec.)***. I make a motion to approve.

LEG. D'AMARO:

Second.

P.O. GREGORY:

Second. Was that Legislator D'Amaro? Who was that?

LEG. D'AMARO:

Yes.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

ECONOMIC DEVELOPMENT

P.O. GREGORY:

I.R. 1728 - Allocating and appropriating funds (Phase XIII) in connection with the Downtown Revitalization Program (CP 6412) (Co. Exec.).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. Is there a second? I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1728A, same motion, same second on the bond. Roll call.

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

LEG. CALARCO:

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. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1737 - Authorizing a lease amendment with Sheltair Westhampton, LLC at Francis S. Gabreski Airport (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, seconded by Legislator Krupski. Anyone on the motion?

LEG. TROTTA:

On the motion.

P.O. GREGORY:

On the motion -- was that Legislator Trotta?

LEG. TROTTA:

Did this go out to bid? I don't know.

D.P.O. SCHNEIDERMAN:

No. The question was did it go out to bid? It was not competitively bid, no.

LEG. TROTTA:

Is there anybody to answer why it wasn't competitively bid?

MR. CEGLIO:

Good morning. Anthony Ceglio, the Airport Manager at Gabreski Airport. The answer to your question was the existing lease was with Malloy Air East. It began in 1979; it didn't expire until 2019. The company that we're looking to amend the lease with, SheltAir Aviation, had an existing lease. They bought out Malloy Air East and they're requesting an amendment, in addition with improvements to the facility.

If there's any take-ways from this lease amendment, I think the big ones are it's going to increase revenue to the County over the four-year period that that lease would have expired by about a million dollars. It's also going to allow the airport to operate without a subsidy from the County for the first time ever since the County has owned the airport since 1970.

Additional facts, a couple of good take-aways: Thirty-three new construction jobs, 28 permanent jobs, regional economic impact of 13 million, and 289 jobs over a five-year period.

LEG. TROTTA:

How long was SheltAir's lease for?

MR. CEGLIO:

SheltAir's lease began in 2008, it was a 40-year lease, goes until 2038.

LEG. TROTTA:

Forty year lease?

MR. CEGLIO:

Excuse me, 40-year lease, goes to 2048. The change in the lease, this lease amendment will add two years to that existing lease, it will go to 2050, but will also require them to include \$6.6 million of improvements to the airport.

LEG. TROTTA:

All right. So let me get this straight. SheltAir's got most of it, their lease goes to 2038. This company goes out of business or gets bought out by SheltAir, you just want to extend it to the same thing?

MR. CEGLIO:

Exactly.

LEG. TROTTA:

All right. Thanks.

P.O. GREGORY:

Okay. Anyone else?

D.P.O. SCHNEIDERMAN:

Just, you know, on that point. So this was a little bit unusual how this was progressed. There was a -- the Malloy lease was assigned to Shelt. They had the right to do that. They took over a lease that had about four or five years left. The County in this is ending the Malloy lease early, four or five years early, and giving a new lease on the current Shelt properties and the Malloy properties with some minor modifications, which is a 25-year lease, right, 25 plus two fives or --

MR. CEGLIO:

That's correct.

D.P.O. SCHNEIDERMAN:

So the question about competitive bidding, had we continued with the Malloy lease in its current state, it would have run out in four or five years. It's a below-market lease. That would have allowed an opportunity for competitive bidding. This is terminating that early with the current vendor and allowing a new 25-year lease. It was something negotiated by the administration with SheltAir and has a lot of benefits, but that's one that it doesn't have the competitive process. It's certainly something it lacks.

There is, by the way, a 14-acre process -- parcel that is being competitively looked at for an additional FBO. And I don't know if, Anthony, you wanted to mention that at all.

MR. CEGLIO:

I could bring it up. Because SheltAir took over the only other remaining fixed-base operator or service company at the airport, the County recognized that there would only be one. Competition is always good at an airport, so there is available land at the airport. We put out a Request For Proposal about four months ago. Thirty-five companies were solicited, two companies responded, and we made a selection for a second FBO on about 14 acres. We're in negotiations for a lease now.

P.O. GREGORY:

Okay. I have a couple. Legislator Krupski.

LEG. KRUPSKI:

Thank you. Is this -- is this new lease arrangement, is it transferable? Can they -- can the lessee transfer it out to some other company?

MR. CEGLIO:

Same as what happened with the SheltAir and Malloy, yes, with approval of the County.

D.P.O. SCHNEIDERMAN:

Just to distinguish that, the new lease with approval of the County. The old Malloy lease was transferable, I believe, without approval of the County.

MR. CEGLIO:

The transfer -- in other words, one company can buy out another company and -- which is what happened in this case. To amend the lease is required to get approval by the County.

D.P.O. SCHNEIDERMAN:

I thought now we even require assignments to go through the County.

MR. CEGLIO:

I'd have to verify that, Legislator Schneiderman, but I believe you're correct.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. I just want to ask you the rent history here. So when you combine the two leases, has there been an increase or a decrease in rent, or has it stayed the same?

MR. CEGLIO:

There's actually been an increase. The original Malloy Air East lease rented out for about \$6,800 an acre. The current SheltAir lease is 15,100 an acre. The amended lease is actually going to go up to \$17,000 an acre.

LEG. D'AMARO:

So that's for -- and how does the 17,000 per acre compare with the existing SheltAir lease?

MR. CEGLIO:

It's more. As I mentioned, it's --

LEG. D'AMARO:

So they accepted an increase?

MR. CEGLIO:

They accepted an increase.

LEG. D'AMARO:

Is there also a percent rent here based on gross receipts?

MR. CEGLIO:

Yes, there's a gross receipts fee, starts out at 5%. It's actually something that's a little innovative with fixed-base operators really across the country.

LEG. D'AMARO:

Yeah.

MR. CEGLIO:

It's a sliding scale increase based on the amount of gross receipts that they receive, starting out at 5%, going up to 8%.

LEG. D'AMARO:

After they break through the 17,000.

MR. CEGLIO:

Actually --

LEG. D'AMARO:

It's not a flat percent rent from dollar one?

MR. CEGLIO:

No.

LEG. D'AMARO:

It has to -- it would be in excess of the rent that they're -- the fixed rent.

MR. CEGLIO:

Well, actually, it's two parts of the rent. There's a ground rent at \$17,000 an acre, and then there's a gross receipts fee. So everything that's sold by SheltAir, all their services, all -- fuel is a different story, but parking, catering, that kind of thing, they reach a certain dollar value. It starts out -- I think from zero to the certain dollar value is 5%. You go over that dollar value, that increases to 6%, 7%, and any --

LEG. D'AMARO:

So irrespective of the rent, the fixed rent that's being paid, they're going to pay a sliding scale of 5 to 8% on all gross receipts?

MR. CEGLIO:

All the gross receipts, and that's irrespective of the land rent.

LEG. D'AMARO:

Okay. All right. Thank you. That's a good deal.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

EDUCATION AND INFORMATION TECHNOLOGY

P.O. GREGORY:

Okay. All right. **1712 - Amending Resolution No. 811-2014, to further facilitate opening data to the public (Calarco).** Legislator Calarco?

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion to approve by Legislator Calarco.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

ENVIRONMENT, PLANNING & AGRICULTURE

P.O. GREGORY:

I.R. 1642 - A Local Law to amend County regulation of nonnative invasive plant species (Hahn). Motion by Legislator Hahn.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1708 - Amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program, and appropriating funds in connection with elimination of the EPCAL Point Source Discharge to the Peconic Estuary within the Town of Riverhead (CP 8710.150). (Co. Exec.)

LEG. KRUPSKI:

So moved.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1716 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, UW AM Metro, Inc. Property Town of Riverhead (SCTM No. 0600-125.00-02.00-001.000). (Krupski)

LEG. KRUPSKI:

Motion to table.

P.O. GREGORY:

Motion to table by Legislator Krupski.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1717 - Making a SEORA determination in connection with the proposed Improvements To Suffolk County Sewer District No. 1 - Port Jefferson (CP 8169), Town of Brookhaven, Village of Port Jefferson (Pres. Off.). Motion by Legislator Hahn?

LEG. HAHN:

Yes.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1735 - Amending Resolution No. 1088-2014 to include the Suffolk County in-kind services match funds for the Tidal Wetland Restoration Project at Indian Island County Park. (Co. Exec.)

LEG. KRUPSKI:

So moved.

P.O. GREGORY:

Motion by Legislator Krupski.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore.

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

This is a project that's been around for quite a while, and I've asked Parks and DPW to keep us informed about how and when its final shape is going to take, because there's been a lot of discussion over how the spoil is going to be moved, either left on site or -- kept on site, or whether there's going to be a bridge or culverts. It's going to dramatically affect the cost of the -- and the scope of the wetland restoration, so I've asked them to keep us -- keep us in the loop on these things.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1735 - Amending resolution -- I'm sorry, I just did that.

I.R. 1738 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Beta Property - Forge River Watershed - Town of Brookhaven (SCTM No. 0200-750.00-06.00-015.000). (Co. Exec.)

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning.

LEG. HAHN:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

P.O. GREGORY:

I.R. 1643 - A Local Law to amend Resolution No. 560-2015, A Local Law to regulate "Board Up" businesses in Suffolk County (Browning). Motion by Legislator Browning.

LEG. BROWNING:

Yup.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore. Anybody on the motion? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1644 - Creating a School Employment Resource Tour ("SERT") Pilot Program for high school and college seniors (Anker). Motion by Legislator Anker. Second?

LEG. CALARCO:

Second.

D.P.O. SCHNEIDERMAN:

I'll second.

P.O. GREGORY:

Second by Legislator Schneiderman. On the motion, Legislator Anker.

LEG. ANKER:

So this resolution is the School Employment Resource Tour, and, basically, we're going to be working with our Labor Department, and particularly the One Stop Job Center. And what has

happened is that, you know, Suffolk County has this amazing resource and it will help people find jobs. And I'd like every senior in our high school to visit this center.

You know, we have this issue of our kids leaving Long Island because they can't find jobs, they can't find places to stay. We are paying for this, this is where our taxpayer dollar is going to, so why not make the most of it? So I would like to see every senior, just like the kids that visit the Vanderbilt Museum. We have tens of thousands of children visiting that museum as part of an educational tour. You know, Suffolk County is investing in the museum. Why can't we do that same thing for the One Stop Job Center?

So we do have a school district, Rocky Point School District, who's very interested. But, again, we need to move forward with this and prioritize this so our kids -- whether our kids are -- need a summer job, whether they're going to graduate and work right way, or if they're going to go to college for two to four or longer, they need to know that we have resources, so that's why I created this resolution.

P.O. GREGORY:

Okay. Legislator Kennedy.

LEG. KENNEDY:

I just want to reconfirm with Robert, there's no fiscal impact to this?

MR. LIPP:

Correct.

P.O. GREGORY:

Legislator Spencer.

LEG. SPENCER:

I wanted to add my support to this resolution. And looking at it, as a father of a high school senior right now, and also some of the issues we were discussing that we're all aware of with the fact that our young -- our young people have a difficult time coming back to Long Island, and the cost of living is so high and -- but we see that we have a lot of incubators, we have a lot of start-ups, we have a lot of resources that are here. And one of the things, I was astounded last year. I had a job fair where there were literally dozens of jobs that were out there that were unfilled because of the companies having certain requirements and the workforce not knowing what those requirements were with regards to special certificates of education that were provided. And programs like this will help our seniors, while they're still in school, be able to know what certifications that they need and what resources are out there and guide them in the right direction. It addresses the economic issue, it addresses the brain drain.

And I just want to congratulate my colleague, Sarah, the Chair of our Education Committee, this is brilliant. And I ask to be a cosponsor on this resolution, and I will be supporting it fully. Thank you.

LEG. ANKER:

Thank you. I just wanted to comment with that. You know, so we're inviting Rocky Point to participate, and they were able to see some of the opportunities and resources available there. But what they brought up, the point was that, okay, so the kids will get information about this. Well, it's the parents that will also benefit. Say a parent needs a job, there's just so many people that do not know the center is there for them at no additional charge, no charge to go in there. You can create your resume, and they have people to show you how to do that. They can show you how to do the latest software. You know, every year Microsoft Word changes and all these computer programs change.

And what's also nice, too, is that they have a clothing center that provides suits for those people who can't afford it. So, again, we're doing everything we can in providing this resource, but people need to know about it.

P.O. GREGORY:

Okay. Legislator McCaffrey.

LEG. MC CAFFREY:

Thank you. I support all these things that we're doing --

(Feedback on Microphone)

Is that me? Okay. I support all these things. I think it's a great program. I think our Department of Labor and our Commissioner does a great job of getting this out there. My concern is the need to have to create a resolution to direct them to do things that they're already doing, and that is -- I just see these are the kinds of things that we're in government and we probably should be doing. I have no problem doing whatever we need to do to promote the work they're doing, letting Rocky Point School District know, become aware of the resources that we have. We should be doing that, we are doing that. I'm just opposed to a resolution that mandates a department to do something that they're already doing.

LEG. ANKER:

Okay. So they're not already doing this. They are not doing this particular program. This program specializes on the high school senior to create tours. So there's no specific tour for that school group on a field trip to go and visit the center. So here we have an opportunity, at no additional cost to the taxpayer, to help our kids and even maybe their parents get a job to help our economy. And you're not supporting that?

LEG. MC CAFFREY:

No. I can tell you, I was at the Government Operations Committee and somebody from the department came and testified, and they said specifically that they are already doing that.

LEG. ANKER:

No, not this program. This program is new. There's a -- you know, there's more focus on the graduating senior. What the Labor Department focuses on are people that are in greater need, you know, do they need suits, do they need, you know, basic training. This program will focus on everybody, on every economic level. And, also, it provides awareness, because even the school administrators did not know that this program was there.

LEG. MC CAFFREY:

Well, maybe someone from the department didn't know that either, because they testified to the fact that they're already doing it. You know, maybe we didn't get the specifics. What actually is it going to be doing differently than what they said that they were doing?

LEG. ANKER:

Okay. So right now, anyone can walk in there and they can take a tour, anyone. You can go over in Hauppauge and take a tour. This one will focus specifically on school field trips. Did you ask them specifically if they have a school field trip that's developed a program where they can bring 20 kids in there, they can create a presentation, they can then bring them through the entire complex, did you ask them that specifically?

LEG. MC CAFFREY:

No. We -- they just testified to what was proposed to them, and they said that that is what they are already doing, and they would be happy to expand their program. And even if it is beyond what they're doing now, they said, "Whatever you'd like us to do, just ask us, we'll be happy to" -- "we'll be happy to start that program."

LEG. ANKER:

So, again, I understand your concern, but why do we create resolutions? I know, if we can talk about this, we could probably spend hours. Why do we spend the time to create resolutions? Because we want to prioritize our resources that we have here in this government. And if you don't feel that getting our kids and even their parents jobs, well, that's your personal opinion. But I think it's our highest priority. If you go out there right now and you survey, I think you'll find that this is a very important issue. And by creating a resolution and directing that department to do that specific job, then we're prioritizing the issue, and this is a huge issue.

LEG. MC CAFFREY:

I take offense to your assertion that I don't care about young people and their parents getting jobs.

LEG. ANKER:

So why are you doing -- why are you doing this?

LEG. MC CAFFREY:

Because -- let me finish. All I said is all -- the only information I had on the subject was what was presented to me at the hearing, where there was a representative and they said, "We will do whatever is asked of us. We are already in the process of developing this program." But if you want to pass a resolution to make sure that they do what they already said that they're going to do, I just see that as duplicative.

LEG. ANKER:

So, basically, what they're saying is that they have -- they have the ability to go and you can take a tour. And I'll say this again. You can go and take a tour, but they don't have it specialized for field trips from school districts, the 72 school districts in our County to have these done. It's sort of like saying the Vanderbilt Museum, you can go and you can tour Vanderbilt Museum any time you want, but try bringing in 30, you know, kids at one point. They -- that takes a program, that takes time and that takes effort, and by creating the SERT Program, that's what we're doing.

LEG. MC CAFFREY:

Did we need a resolution to authorize the Vanderbilt Museum to take school trips in?

LEG. ANKER:

I don't know. We'll have to find out about that if you want information.

LEG. MC CAFFREY:

I'm pretty sure we didn't. I'm saying they're happy to do it, they welcome it. Whatever program you want to do, they want to participate in, and would be happy to support --

LEG. ANKER:

Okay.

LEG. MC CAFFREY:

-- whatever they need to do to be able to do that. My concern is of a resolution demand it be done.

P.O. GREGORY:

Okay.

LEG. ANKER:

Okay. So I have -- I have someone from the department who'd be happy to answer your questions. Hi, Stacey.

MS. LESKO:

Hi. How are you? I'm here from the Labor Department, I run the Youth Program there. And currently, our Youth Program, we mostly focus on I think what you'd say most in need young people, where we're working with economically disadvantaged young people, young people that have dropped out of high school, that perhaps aren't college-bound. So this would focus on a new group of kids that we're not currently focusing on and it wouldn't cost anything. So we're willing to do whatever we need to do.

P.O. GREGORY:

Okay. All right. We have a motion to approve. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1700 - Appropriating funds in connection with the Countywide Licensing Program for the Department of Labor, Licensing and Consumer Affairs (CP 1819) (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:

Okay. ***I.R. 1700A***, bond resolution, same motion, same second. Roll call.

(Roll Called by Jason Richberg, Clerk of the Legislature)

LEG. CALARCO:

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. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

MR. RICHBERG:

Eighteen -- Schneiderman.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. I'd like to recognize Legislator Calarco for the purposes of taking a motion out of order.

LEG. CALARCO:

Yeah. I'd like to make a motion to take ***I.R. 1743*** out of order.

P.O. GREGORY:

I'll second. On Page 10. Okay. Everyone there? It's Ways and Means.

LEG. CALARCO:

The last page.

P.O. GREGORY:

Last page.

MR. NOLAN:

Do we have a second on that?

P.O. GREGORY:

Okay. We have a second, I second it.

MR. NOLAN:

To take it out of order.

P.O. GREGORY:

Just to take it out of order. Everyone see it? Okay. All in favor? Opposed? Abstentions?
To take out of order.

LEG. CALARCO:

Motion to approve.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Motion to approve by Legislator Calarco, second by Legislator Hahn. I'm sorry. I'm sorry, hold on. I'm getting ahead of myself. ***I.R. 1743 - Authorizing an action against manufacturers of prescription opiates (Calarco)***. Motion to approve by Legislator Calarco, second by Legislator Hahn.

D.P.O. SCHNEIDERMAN:

On the motion.

P.O. GREGORY:

On the motion, Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Maybe to the sponsor, if we can get some more detail in terms of what type of action we're going to be taking and why.

LEG. CALARCO:

Sure. So earlier this year, we approved a resolution to do a feasibility study, and we directed our County Attorney's Office to take a look at this. They responded with a report where they felt that we had a very good potential action under State Law to bring against the pharmaceutical companies for the way they have marketed prescription drugs over the past few years.

We are in the middle of battling a heroin epidemic, which, quite honestly, is rooted in opiate overdose -- opiate addiction. A lot of these stories that you hear is very common. It's the kid who hurt his knee playing football, who gets a prescription to pills. It's the guy who hurt his back

working that gets a prescription, and before you know it, they become addicted, because these prescription drugs are extremely addictive, and they are types of drugs that you build tolerances to, which force you to take more and more of them and more stronger prescriptions of them. And the pharmaceutical companies have basically gone out there and marketed these things as safe, as nonaddictive, and as products that you can use for long-term chronic pain management, and it's clearly not the case.

And what we've seen happen over the years now is that we had a shooting in my district, in Medford, where we had five people killed on Father's Day in an attempt to rob a pharmacy for pharmaceuticals for these opiate medications, and that's prompted the State to do the I-STOP Program. And the I-STOP Program has done a great job in terms of taking the prescription drugs off of the black market, but all it's done is driven people faster to heroin. And heroin is just an overrunning epidemic in our County and across the country, and this is an effort to hold those pharmaceutical companies accountable for their actions.

What this will do, the County Attorney's Office feels that we have a good action to take. We did a study earlier with a committee, and the committee recommended going out to an outside consultant to do the work. So they have already put out an RFQ. They've selected a potential law firm to represent the County. That law firm will take it on a contingency basis. They will do the full analysis in terms of the cost that we've incurred, both from the perspective of paying for opiate medications that we probably shouldn't have that have caused addictions, as well as the cost to the County of cleaning up that mess afterwards, and paying for the rehab, and treatment, and the Narcan, and all the other societal effects of the overdoses.

So that is what this is doing. It is all on contingencies of the law firm when it gets, if they are successful.

D.P.O. SCHNEIDERMAN:

Did -- you know, since this is a nationwide problem, you know, are there other counties that will be joining in a class action type of suit, or this is just --

LEG. CALARCO:

We are not doing a class action suit on this. It is something we are looking to do under State Law. The County Attorney's Office felt we had a better standing under State Law than under Federal Law. There are other locations in the country that have already commenced actions, the City of Chicago, two counties in California. Santa Clara and Orange Counties have both brought actions. So there are other municipalities across the country that have already commenced actions or are certainly looking at it. It is certainly something that I think a lot of municipalities are finding to be an issue. And quite honestly, when we brought it to Dennis Brown and he came back, and we've had many conversations, you know, we likened it to -- very similar to the way the tobacco lawsuits went.

D.P.O. SCHNEIDERMAN:

All right. Thank you.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

Thank you. I guess my questions are to the sponsor, potentially to Counsel, and then potentially also to our County Attorney.

So we know how serious an issue substance abuse is. We know how devastating heroin addiction is and opiate addiction in general. Each of us has seen that devastation in our own district offices, far too much of it. And I believe to some extent you're right, that prescription opiates certainly have the potential to, and have in many instances contributed to heroin addiction. But I'm wondering, with respect to this resolution and with respect to holding prescription drug manufacturers accountable for all of those things, if our -- if our concern is somewhat misplaced. And the reason I ask -- the reason I say that is because we have doctors who are prescribing legal medication that has certainly helped many, many people deal with, you know, the pain associated with, you know, chronic illness or with, you know, post-surgical situations.

So to try and hold drug companies that manufacture legally -- you know, legal drugs accountable for the misuse of those drugs is interesting to me. And I'm wondering from a legal perspective, you know, why we believe that's, first of all, possible, and from your perspective as the sponsor of this bill, why you believe it's appropriate, and whether -- and how you feel about -- you know, certainly, we try to hold doctors accountable for misprescribing or overprescribing medication, and the I-STOP Program in New York State, I think, went a long way towards controlling the overprescription of opiates -- opioids. So I just -- I threw a couple of things out there.

LEG. CALARCO:

I guess the answer to that is we're not holding the pharmaceutical companies accountable for the misuse of the product, we're holding the pharmaceutical companies for their misrepresentation of the product. They have represented the product to the doctors, who rely upon them for the information on how to use these products, as safe, as nonaddictive, as things -- no, no, let me finish. As things that you use for chronic pain, while disregarding the fact that these medications are addictive, disregarding -- yes, that's exactly what's happening.

And let's face it, you now, what has happened, we are the only country in the world that hands out these types of medications for anything other than end-of-life care. And it's clear it's the pharmaceutical companies who have pushed these products in order to get them into the market to be able to make money off of them. And they're disregarding the fact that they are addictive, they're disregarding the fact that if you use these for chronic pain management, that eventually the one product is going to become too -- not effective enough, because you build up a tolerance and you're going to move up to the next strongest product.

I was just talking to a woman over the weekend and she had -- you know, she had a back injury, and she had, you know, received a prescription for Vicodin, I think it was. And she said she had taken them and that it didn't really sit well with her, so she decided she was going to stop taking them and she went into violent withdrawals. She got violently ill, which is exactly what happens when you try to withdraw from opiate -- from heroin, you get ill, you have withdrawal symptoms. And she went through those withdrawal symptoms on this product, and that's what we're talking about. It's not a misuse from the perspective of the doctors intentionally misprescribing the product, although we have that problem, and I-STOP has gone a long way towards that. It's a misrepresentation of the product in the first instance, and that's the point of law that the County Attorney's Office believes that we have a case under.

(*Applause from Member of the Audience*)

LEG. CILMI:

So do you believe -- do you believe that -- and I'm only -- I'm asking these -- these aren't leading -- meant to be leading questions. I'm not necessarily opposed to your resolution. I'm trying to gain an understanding of what we're trying to do here and related to other things. So are the drug companies required by the FDA to state that they're potentially addictive and --

LEG. CALARCO:

Yeah, yeah. I mean, if you ever watch TV at night, you watch those commercials for all of those drugs, and they go through the whole like long list of potential issues that come out of it. No. They have a responsibility to come clean with all the effects, and side effects, you know, the positives and the negatives of their products.

LEG. CILMI:

So is it our -- is it our position that the FDA's requirements are --

LEG. CALARCO:

It is my position that they're misrepresenting all of the potential effects of their product.

LEG. CILMI:

Okay. But isn't it the FDA's responsibility to look at that?

LEG. CALARCO:

You know, it's their responsibility to do a lot of things, but they don't necessarily do it always as well as they should.

LEG. CILMI:

I agree completely.

LEG. CALARCO:

And, certainly, the pharmaceutical companies have got their -- you know, they have their ways of getting into things and making their products seem -- you know, they push them and they rely on one obscure study, as opposed to all of the actual information that's out there to, you know, make it their case, and that's what they've based it on.

LEG. CILMI:

So, in your view --

LEG. CALARCO:

They've not only -- they have progressively pushed more and more potent drugs. It was only a couple of years ago that they came out with something that was even more -- you know, more potent than Hydrocodone and Oxycontin, and all those things, they were pushing them all at once. It's only just earlier this year that they got permission to now market these products to 12-year-old children. Let's face it, they are -- first they started by making pain management be an -- be the primary issue instead of dealing with whatever was causing the pain, and then they got -- they got permission to market these drugs for pain.

LEG. CILMI:

Well, they were given permission. They didn't get permission, they were given permission --

LEG. CALARCO:

Yeah, they went out and got permission.

LEG. CILMI:

By our Federal Government.

LEG. CALARCO:

Hey, listen, they don't always get it right. I think you said that as much as anybody else.

LEG. CILMI:

I do. So would it be your position, then, that prescription opioids should be -- should be banned completely?

LEG. CALARCO:

No. It's my position that they should be marketed with full information and full knowledge, and the doctors need to be made fully aware of what it is that they're being given.

LEG. CILMI:

Okay. So you're not necessarily against the use of and the marketing, per se, the sale of opioids.

LEG. CALARCO:

There are undoubtedly -- I'm sure the medical profession will say there are undoubtedly situations and circumstances where these products are appropriate for use. Most of the world uses them for end-of-life care, when someone's suffering severe pain at the end of their life and to make them comfortable before they pass. Most countries don't hand these things out when you get your tonsils out.

LEG. CILMI:

Right. So you're not -- you're not opposed to the prescription of these -- of these drugs or to the sale of these drugs, per se, you believe, and this is what this resolution is trying to get at here, you believe that they're falsely marketed?

LEG. CALARCO:

I believe they're falsely marketed, and I believe we've been paying for the consequences of that false marketing.

LEG. CILMI:

Okay. If I could, allow me to ask our esteemed Doctor, who's on -- if he could sort of speak to this issue from his perspective as a physician.

LEG. SPENCER:

Sure. This is a major issue of focus within the New York State Medical Society, and one we're seeing, that there is a rising heroin epidemic that we all know of, and that's the shift that we're seeing. Now with I-STOP in place, it's harder to get prescription drugs, and so people are shifting to heroin. But in 1996, when Oxycodone was marketed, it was marketed to doctors as an alternative for, in the past, medications that were felt to be addictive. This was marketed as specifically as being not addictive. And then in 2009, in U.S. Court, there were three heads of major pharmaceutical companies that pleaded guilty that they knew that it was addicting and they did it anyway. But they saw their sales go from 3 million in 1996 to 240 million by 2010, so they made -- they paid a -- they paid a fine, but then continued to market it, because it was cheaper for them to pay the fine.

So one of the things that happened was that a lot of physicians were sued in the late 1990s, early 2000s, because we were accused of not treating pain adequately. And pain actually became a fifth vital sign, and doctors started to overprescribe, and felt that, well, this is an alternative. We still didn't know at that particular point that the evidence that we had been given and the research that said that this is a nonaddicting alternative, and so there was just irreparable damage that occurred. But the market grew so big to where now in the United States, we consume 85% of the narcotics worldwide in this country alone, and a lot of it's believed to be because of Oxycodone, which is the same as -- it's similar to Hydrocodone. There's all those classes that descend from morphine.

So there has been a huge blame on the medical community. We think that we're doing our part, including now the State Legislature is demanding mandatory CME for all physicians that pass the State, and, you know, we have some concerns with that. But, in any case, the physicians now, if I write a prescription after I take out your tonsils, I have to check the database as far as I-STOP. I'll probably have to do a mandated three-hour CME training every two years. But still, the pharmaceutical company continue to market because of just earth-shattering profits, so this is a --

LEG. CILMI:

So they're marketing, though, largely to physicians. You have to --

LEG. SPENCER:

No, just to both, to the public also.

LEG. CILMI:

But it's -- the physician needs to prescribe the medication in order for the public to legally get it.

LEG. SPENCER:

This is true, but what happens a lot of times is that physicians -- someone will come in and say, "I'm in pain and you're a doctor, and you're supposed to help me, and if you don't help me, I'm going to sue you," you know, you're not -- so I think that physicians are sometimes in a position where they try to educate, but there's such a misleading atmosphere out there commercially that a lot of physicians do feel that they are kind of bullied, where they may prescribe more than they feel comfortable with.

LEG. CILMI:

So you believe that physicians are being compelled by their clients, by their patients to prescribe medication that they feel uncomfortable prescribing?

LEG. SPENCER:

Physicians are compelled to relieve pain and suffering and feel responsible for that. And a lot of times, in a hotly contested debate, where someone is saying that they're in pain, which is a very subjective expression, and that you have the ability to help me, and I can say, you know, "We're concerned about addiction, we don't want you" -- "you don't need to have 90, I'm going to give you 15 of these," and then three days later they call back. And the idea is that a lot of patients will receive a feeling of satisfaction and euphoria. But when you call me up and say, "You took out my tonsils and I'm in pain, and you're responsible for it, and you're abandoning me, what are you going to do?" So, at that particular point, I may give you ten more, but then three -- so a lot of --

LEG. CILMI:

So do you think -- I'm sorry to cut you off.

LEG. SPENCER:

Sure.

LEG. CILMI:

But I'm just trying to get to the heart of my -- so do you believe the medical community in general agrees that the pharmaceutical companies are being less than forthright or possibly less than honest when they market these products?

LEG. SPENCER:

They've made a calculated risk that because the profits are so high, that so far, any penalties that they have faced have paled in comparison to the profit.

LEG. CILMI:

Right. But do you believe the medical community in general believes that? Is that -- obviously, it's your belief, but do you believe that that belief is shared by the majority of the medical community?

LEG. SPENCER:

I think as President of the Medical Society, I am not just speaking of what my own belief, but just what the -- I'm representing --

LEG. CILMI:

Okay.

LEG. SPENCER:

-- most physicians in Suffolk County.

LEG. CILMI:

Fair enough.

LEG. SPENCER:

I think Leslie Kennedy could probably speak as a health care professional. I don't know if you have any similar sort of experience that you could add.

LEG. CILMI:

Well, there's not -- I'm not -- with all due respect to --

LEG. SPENCER:

Okay.

LEG. CILMI:

-- Legislator Kennedy, I'm not really asking her the question. I get all of -- I mean, obviously, I see what's going on in my community and everyone else's community here. Obviously, prescription drugs are a huge problem and a huge contributor to more serious problems. And to the extent that we can get at that, I say let's get at it, you know.

Let me ask, I guess, to the sponsor, and maybe to Counsel, from a legal perspective, how we see this sort of progressing.

LEG. CALARCO:

So we did two resolutions already. We passed a resolution that directed the County Attorney to do a feasibility study. They came back with a response that said they felt we had a potential action under State Law for mismarketing of the product and the impacts on us. We did a second resolution that created a committee to try to determine the impact that has been felt by the County on this. They had actually come up with some dollars and cents in terms of what it's cost us. They had done their work and they came back and basically said they felt that in order to do a really thorough vetting, that we need to bring in a consultant, someone to do an outside analysis of the potential fiscal cost.

The way the County Attorney's Office preferred to go was to actually go out and seek legal counsel, outside counsel who will take this on as a contingency. That outside counsel will be responsible for bringing in the professionals that will do that, that full analysis of the fiscal impact. They'll come up with what they believe is the cost to the County over the years of this marketing and come up with what we think is an appropriate action to go after them for. And then from there, they will, you know, do their due diligence before they commence an actual legal lawsuit and the law firm will bring a suit. As I said, it's all based on a contingency, so that that law firm is doing this basically on their own part until such time that we have a settlement.

LEG. CILMI:

Is this -- this bill that we're voting on today, does this authorize the action, or is there some report to us prior to --

LEG. CALARCO:

This authorizes the County Attorney's Office to contract with that law firm and to commence an action. I believe I'm representing that correctly, am I not, Counsel?

MR. NOLAN:

I think the County Attorney would want it characterized as basically they've already decided who the counsel is after putting out the Request For Qualifications, and that this is really just authorizing them to initiate the action.

LEG. CILMI:

Okay. Could I -- through the Chair, could I ask the County Attorney's Office to join us at the podium?

P.O. GREGORY:

Mr. Braun.

MR. BRAUN:

Yes, thank you. Thank you.

LEG. CILMI:

Bob, could you just share a thumbnail sketch of the issue from your legal perspective, and what happens next after this?

MR. BRAUN:

I believe, from our perspective, if this is approved, we will give the go-ahead to the outside counsel, who we would retain for the County, to begin the process of determining, as Legislator Calarco says, what our damages have been, if any, and -- although we believe there are damages, and how to frame a lawsuit, and then once all that is done, to serve a summons and complaint.

LEG. CILMI:

Okay. So this authorizes them to serve that complaint?

MR. BRAUN:

Yes.

LEG. CILMI:

And the --

MR. BRAUN:

Excuse me. Of course, if their analysis, if their due diligence shows that there really isn't anything that we can go after here, they would report that to us and we would, of course, report it back to you.

LEG. CILMI:

Right. And in that case, there's no cost to the County whatsoever?

MR. BRAUN:

Correct.

LEG. CILMI:

And the respondents, if I'm using that term as a nonlawyer, if I'm using that term correctly, the respondents in this complaint would be potentially whom?

MR. BRAUN:

The pharmaceutical companies that manufacture the drugs that have been identified as the cause of the problem. Defendants I think is the word you would use.

LEG. CILMI:

Defendants, okay. All right. Thank you.

MR. BRAUN:

Okay.

P.O. GREGORY:

Okay. I have a list here. Legislator Stern.

LEG. STERN:

No, my questions were asked and answered. Thanks.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

I think it's another legal question, if we could.

MR. BRAUN:

Sure.

LEG. KRUPSKI:

Thank you. So the question is you're going to go through your due diligence and see how an action can be brought, and then there's going to be, I think, a contingency on whoever -- whoever does the legal work for the County is going to take a certain percentage of the settlement, if there's a settlement, is that --

MR. BRAUN:

Yes.

LEG. KRUPSKI:

Okay. So who's going to set the terms of that contract with whoever's going to do the work for the County, and who's going to determine the percentage of that settlement?

MR. BRAUN:

Generally, it's something that we would do, whether it was in a negligence case where the County were the plaintiff or this sort of case. It would be something within the customary guidelines. I honestly don't know what's been discussed with the counsel who's named in this resolution.

LEG. KRUPSKI:

Does this -- would that -- if it got to that point where we're going to follow this up with an action against whoever, the manufactures or the marketing people, or whatever we're going to do, would this -- would that contract come back through the Legislature for approval, or is this action here saying, "You go ahead and you handle all the details," and it's just going to move forward without our -- without any discussion here?

LEG. BROWNING:

No. I think this authorizes the County Attorney to engage that outside counsel to have them do the necessary legal and factual research, and to frame a complaint and to serve it. And although I don't know what the terms of the contingent fee relationship may be, I can see if I can call back to the office and find out, but I believe there's no further authorization that we would require.

LEG. KRUPSKI:

Thank you.

MR. NOLAN:

Legislator Krupski, I would just add that I believe the way it's structured is the earlier the case, let's say the case is disposed early, the percentage the lawyers would get would be less. And as you get deeper into discovery and trial, then the percentage of the recovery for the law firm would go up. But I don't think it ever exceeds, you know, a third or, you know, something like that, which is a standard contingency fee. But if they settled early on, the percentage they would be entitled to of the recovery would be less. So it's kind of like on a sliding scale.

LEG. KRUPSKI:

Thank you.

MR. BRAUN:

Thank you, George.

P.O. GREGORY:

Okay. Legislator Spencer.

LEG. SPENCER:

I think that this is a great bill, because it also helps to address the significant burden that's placed on us because of this. And it not only spills over into the fact that we know that we don't have enough treatment resources that that burden falls on us, but we also know that because of the illegal drug trade, a lot of issues with regards to gangs and gun violence. So we have significant public safety cost that falls on the taxpayer as a result of this. So even if we're looking at this from a compensatory point of view, not even punitive, but it does appear that there was some coverup and some willing knowledge that the pharmaceutical companies had, and that's placed a burden on all the residents of Suffolk County that we see in a massive drug epidemic.

If we look at it compared to like the tobacco settlement money, where we knew that that was a situation where the public was misled, and we saw significant amounts of money that were used to fund educational programs, and we were able to do a lot of good there. So I think that this is something that other states, other counties are looking at.

I think that what we're asking is for corporate responsibility, that we are now facing years and years of burden to our budgets. This is a very smart move, in my opinion, and so I hope that we can support this.

P.O. GREGORY:

Legislator Anker.

LEG. ANKER:

So I just wanted to put on record how truly disappointing it is to have our FDA approve these toxic chemicals, is really what they are, for our children, especially for our children.

You know, I'm looking at some of the research. 2010, Purdue Pharma had formulated Oxycontin, that's reformulated Oxycontin to make it more difficult to abuse. However, the FDA recently approved the opiates for children 11 to 16, and the reason why was because they let Purdue do the study. So here we have government letting the pharmaceutical companies decide what's safe for us. And we all know we have -- we're having problems, we have an epidemic.

So I have a question, a legal question. Can we get our -- can we get our County Attorney back up? And again, you know, I've been working on liquid nicotine. Now they have caffeinated water, it looks exactly like the water we drink. And now I was informed by a group of Girl Scouts, who are working to promote energy drinks and understanding how bad they are for us, they have caffeinated peanut butter. You know, where is the FDA in this? They're supposed to protect us. They're not doing it, so now we have to. So my question for Legal is -- a couple of questions. Can we partner with Nassau County to help reduce our legal expenses?

MR. BRAUN:

Well, again, we don't anticipate having out-of-pocket expenses on this bill unless there's a recovery. And so if we were to pursue damages for both counties, I would guess that the damages would be higher, the third of what's recovered would be higher, and what we'd be left with would be the same share that we started out with. So I'm not sure that under this contingent fee structure we would really save anything by partnering with another county.

LEG. ANKER:

Okay. And the other question I have, how do you hold the FDA responsible legally?

MR. BRAUN:

I'm not sure that that's something that we've looked at, how to hold a Federal agency responsible for the consequences of its regulatory regimen, but I suppose it's something we could look at.

LEG. ANKER:

So I guess we don't have to create a resolution for this. But perhaps you can go and check with the Health Department and see if there is something that can be done.

MR. BRAUN:

We can do that, sure.

LEG. ANKER:

Thank you.

MR. BRAUN:

Okay.

P.O. GREGORY:

Okay. Legislator Barraga.

LEG. BARRAGA:

I certainly understand Mr. Calarco's bill. But I think if you went to any pharmaceutical company, any of the larger ones, and you spoke to the top management, they would tell you they certainly believe in full and complete disclosure. They've instructed all their agencies, and all their departments, and everybody that works for them to talk about the benefits and the so-called negatives associated, the side effects associated with the bill. But what happens, as you go through the marketing chain of a pharmaceutical company and you go down to the medical service rep, and it's the medical service representatives who are mainly seeing physicians. Now one may think that physicians are always attending seminars. Well, they're not, they're very busy people. And often

they turn to a medical service rep to get the benefits and negatives associated with a particular drug. And the medical service rep will tell you he or she has about three minutes, if he's lucky, to speak to that physician. And when they're in there, they're talking about the benefits of their particular product versus a competitor. They're not going to spend any time, very little time talking about the side effects associated with their drug, because they want that physician to what? Prescribe their drug. That's the way the industry works.

I about spent 13 years in the industry, I know what I'm talking about, and it really hasn't changed. It's much more technical today from a computer perspective, but the reality is you take a specialist, you're lucky you get two or three minutes, if he gives you or she gives you and time at all. And when you're in there, you don't have to talk about the side effects associated with your product, you're talking about the benefits, how it's going to help his patients, and you hope he now is going to prescribe your drug versus someone else. And yet every drug, take a look at a package insert. There are loads of side effects associated with every drug, but they're never really discussed with a physician. You're in there to push your particular product, because that's how you're evaluated.

Someone at some point in time is going to give you a salary increase or a bonus, or whatever it is. Like any other private sector, you have to produce. I mean, you have a limited amount of time, that's what you're going to do. So I fully understand your bill, but the day-to-day, you know, whether you're a pediatrician or a specialist, or whatever may be, you know, you got two or three minutes for the pharmaceutical guy, and then you're only saying it because you probably know him, he's been hanging around here for four or five years, it's part of his territory. When he comes in, he's going to give you the quick pitch, and he's not going to tell you about all of the negatives associated with his drug, because he wants you to prescribe his drug.

P.O. GREGORY:

Okay. We have a motion and a second.

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. I.R. -- back to Page 7 in Health.

LEG. CALARCO:

Thank you, everyone.

HEALTH

P.O. GREGORY:

I.R. 1661 - A Local Law to prohibit the sale of personal care products containing microbeads (Hahn). Motion by Legislator Hahn.

LEG. HAHN:

Motion, yes.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

*(*Applause*)*

MS. ESPOSITO:

Thank you.

P.O. GREGORY:

Let's try to squeeze in one or two more. ***I.R. 1685 - Amending the 2015 Adopted Operating Budget to re-allocate County funding from PSCH/Pederson Krag Center to New Horizon Counseling Center to provide Mental Health Clinic Services to Adults and Children in Suffolk County (Co. Exec.).*** I'll make a motion.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1686 - Amending the 2015 Adopted Operating Budget to re-allocate funding from the New York State Office of Mental Health for transformed Business Model Programs in Suffolk County (Co. Exec.). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

PARKS & RECREATION

P.O. GREGORY:

Okay. ***I.R. 1734 - Authorizing use of Indian Island County Park by Jay Asports --***

D.P.O. SCHNEIDERMAN:

Jayasports.

P.O. GREGORY:

Jayasports -- excuse me -- for its Indian Island Trail Runs fundraiser (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. MURATORE:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

PUBLIC SAFETY

P.O. GREGORY:

I.R. 1662 - Appropriating funds in connection with improvements to the County Correctional Facility C - 141 - Riverhead (CP 3014) (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. Same motion, same second on ***I.R. 1662A***, bond resolution. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yup.

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:

(Not Present).

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Hahn? Seventeen. (Not Present: Legislator Hahn)

P.O. GREGORY:

I.R. 1692 - Amending Resolution No. 119-2015, establishing a School Traffic Zone Safety Commission (Anker). Motion by Legislator Anker, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Not Present: Legislator Hahn)

P.O. GREGORY:

I.R. 1711 - Directing the Suffolk County Police Department to study the feasibility of establishing an online preliminary Police Report System (Cilmi). Motion by Legislator Cilmi.

LEG. MURATORE:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Vote amended to eighteen)

P.O. GREGORY:

J.R. 1750 - Accepting and appropriating a grant providing 75% support, in the amount of \$321,325, from the United States Department of Homeland Security, and amending the 2015 Capital Budget and Program in connection with the purchase of marine equipment (CP 3513) (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. 1750A, same motion, same second. Roll call.

(Roll Called by Mr. Richberg, 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. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1663 - Appropriating funds in connection with improvements to County Center C-001, Riverhead (CP 1643) (Co. Exec.). Motion by Legislator Krupski, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1663A, bond resolution, same motion, same second. Roll call.

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

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Okay, yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. *I.R. 1664 - Appropriating funds in connection with Improvements to the Vector Control Buildings (CP 5520) (Co. Exec.).*

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore. On the motion?

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

Legislator Krupski.

LEG. KRUPSKI:

There's no question that the work there is needed, and we got a description there from Commissioner Anderson about the -- you know, the specific nature of the work. But we also -- there's also a CN retiring a bond on money for Vector Control. Why would we retire that bond and then borrow more money?

P.O. GREGORY:

Robert?

MR. LIPP:

I believe these are -- sorry about that. I believe these are two separate.

(Feedback on Microphone)

I believe these are two separate specific -- I believe those are two separate specific separated items that one does not apply to the other. They couldn't issue the bond --

MR. NOLAN:

You've got to talk into the mic, Robert.

LEG. KRUPSKI:

So you're saying -- you're saying that the bond that was originally authorized could not be used to complete the work that's being proposed?

MR. LIPP:

Correct. It's for something different. The old bond can't be used. It expired to just doing a capital closeout on it, okay, which means to some extent we'll receive some revenue in the budget from it.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1664A***, a bond resolution, same motion, same second. Roll call.

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

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:

Okay. All right. That's it for our agenda for now. We do have a special presentation. We wanted to present a proclamation to our most recent Clerk.

MR. LAUBE:

Former.

P.O. GREGORY:

The former -- yes, former Clerk, Tim Laube. I'll meet you up at the podium.

And we will have a Budget Operating Working Group in the conference room immediately after the break. Hold on.

LEG. MC CAFFREY:

And I could add the losing pitcher in the Legislature versus Executive's softball.

*(*Laughter*)*

MR. LAUBE:

There were a lot of unearned runs in the game, though, to be fair.

LEG. MC CAFFREY:

I agree. I had a few of those.

P.O. GREGORY:

So it's my pleasure to stand before my colleagues and present several proclamations. We have an all 18 proclamation that everyone signed to present to Tim for his -- for his diligent service in the County Legislature as the Clerk. We also have a proclamation in recognition of your efforts as well from the County Executive. He wanted me to hand it to you personally as well. Congratulations. We miss you. Hope all is well.

*(*Applause and Standing Ovation*)*

MR. LAUBE:

I like the view from up here. You know, I'm going to be back in January to talk about those legal ads, but that's for another day.

I want to thank all you guys, and not just today's Legislators, but past Legislators, and, of course, Bill Lindsay, who if it wasn't for him, I never would have come to work for the Legislature.

This is a great place. Wherever I go from here, I don't think I'll ever work at a place like this, and I mean that in a positive way now.

*(*Laughter*)*

It's exciting, it's always different, and it's the -- well, it's the center of the Suffolk County universe, and Suffolk County is a big place. I said this a million times, it was bigger than -- if it was a state, it would be bigger than eleven other states. So it's a big fantastic place and it's a big county.

And today I was in Garden City driving through Western Suffolk, and the rest of the day I'll be on Shelter Island. It's just a big fantastic place, and to be here in the center of it was just a great place to be, and watch it all unfold for the last ten years. And I want to thank you all for having me. Thank you. And I know it's lunch time, so have at it.

(*Applause*)

(*Photograph was Taken*)

P.O. GREGORY:

Okay, folks. We stand adjourned until 2:30 -- recessed, recessed.

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

(*The meeting was reconvened at 2:37 P.M. *)

P.O. GREGORY:

Okay. Good afternoon, Mr. Clerk.

MR. RICHBERG:

Good afternoon, Mr. Presiding Officer

P.O. GREGORY:

Can you please take the roll call?

MR. RICHBERG:

Sure.

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

LEG. SPENCER:

Here.

LEG. D'AMARO:

Here.

LEG. STERN:

(Not Present).

LEG. McCAFFREY:

Here.

LEG. TROTTA:

Here.

LEG. KENNEDY:

Here.

LEG. BARRAGA:

Here.

LEG. CILMI:

Here.

LEG. MARTINEZ:

Here.

LEG. LINDSAY:

(Not Present).

LEG. CALARCO:

Present.

LEG. ANKER:

Here.

LEG. HAHN:

(Not Present).

LEG. MURATORE:

Present.

LEG. BROWNING:

(Not Present).

LEG. KRUPSKI:

Here.

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

Here.

LEG. BROWNING:

Here.

LEG. HAHN:

Here.

MR. RICHBERG:

Sixteen.

LEG. LINDSAY:

Here.

LEG. STERN:

Here.

MR. RICHBERG:

Eighteen.

Public Hearings

D.P.O. SCHNEIDERMAN:

Okay, we'll go to the Public Hearings. The first one is a Procedural Motion 20 - Approval of --

MR. NOLAN:

No, no.

D.P.O. SCHNEIDERMAN:

No?

LEG. CILMI:

On the top.

D.P.O. SCHNEIDERMAN:

We're going to start with the **Operating Budget Public Hearing**, so let me see if we have any cards; we do. All right, the first speaker is Craig Brennan from the Long Island Association for AIDS Care. So each speaker will be allotted three minutes, please identify yourself for our record. It says the time on the wall, that will let you know how much time you have remaining.

MR. BRENNAN:

Thanks. Good afternoon. My name is Craig Brennan, I'm from the Long Island Association for AIDS Care, and I just want to talk a little bit about our Suffolk County initiative.

Suffolk County has the second highest number of reported HIV cases and the highest number of reported AIDS cases in New York State. Since 2012, LIAAC's Suffolk-funded initiative has enabled 227 Suffolk County college students to learn their HIV status, 113% of the initiative's projected number of HIV tests. For every person that tests HIV negative and is provided prevention services by the Suffolk County initiative, the CDC estimates that \$355,000 is saved in the course of providing lifetime HIV treatment.

According to New York State Department of Health's most recent data, Suffolk County ranks third in the State for the most reported cases of gonorrhea and chlamydia. And in 2014, LIAAC screened 143 individuals for gonorrhea and chlamydia; 15% of these tests were completed by our Suffolk County initiative.

Approximately 21% of Suffolk County adults, that's 18 years and over, admitted to binge drinking, 3% higher than the national average, and our Suffolk County initiative offers a behavioral modification workshop called Basics. The intervention teaches participants to be aware of their drinking patterns and the dangers associated with excessive alcohol intake.

Since 2012, LIAAC's Bilingual HIV Education Information and Referral Hotline has triaged 13,000 calls and completed 477 client in-takes. And funding from Suffolk County also enables us to do rapid HIV testing, screening for gonorrhea and chlamydia, prevention education and evidence-based intervention workshops. And the operation of Suffolk County's only bilingual HIV Education Information Referral Hotline. And in addition to that, for the 2015 year we had had 7% SCI positivity rate for the year. So our efforts are, you know, geared to trying to keep that positivity rate down. Any questions?

LEG. D'AMARO:

I have a question.

D.P.O. SCHNEIDERMAN:

Craig there's one question.

MR. BRENNAN:

Sure.

D.P.O. SCHNEIDERMAN:

Legislator D'Amaro?

LEG. D'AMARO:

Hi. Good afternoon.

MR. BRENNAN:

Hi. How are you?

LEG. D'AMARO:

Good. I just wanted to ask you, what was the amount of funding that you received from the County?

MR. BRENNAN:

I'm a first-line supervisor, I don't know the amount of funding that we get. I can get that information back to you, though.

LEG. D'AMARO:

I can get it.

MR. BRENNAN:

Okay.

LEG. D'AMARO:

What -- I just was curious, was there a recommended budget cut?

MR. BRENNAN:

Again, that -- I'm the first-line supervisor, I don't know the fundings, I just wanted to talk about my program.

LEG. D'AMARO:

So you're saying whatever we did in the past, to continue doing.

MR. BRENNAN:

Please, yes.

LEG. D'AMARO:

Right. Were you requesting increased funding from Suffolk County?

MR. BRENNAN:

Increased funding is always nice, if we could get it. But, you know, we're just hoping to keep our program going.

LEG. D'AMARO:

All right. But you don't have dollar amounts and you don't know if the County Executive's budget cut your funding or recommended to cut your funding for 2016?

MR. BRENNAN:

That I don't know. But again, I could get you that information.

LEG. D'AMARO:

Do you know what percentage of your budget is funded through the County?

MR. BRENNAN:

No, I don't know the budget.

LEG. D'AMARO:

Does your organization do fund-raising to help fund its budget?

MR. BRENNAN:

Again, I'm not sure. I'm not sure about anything financial.

LEG. D'AMARO:

Uh-huh.

MR. BRENNAN:

Again, I know I'm being redundant, but I'm the first-line supervisor --

LEG. D'AMARO:

It's okay, yeah.

MR. BRENNAN:

-- and I only speak to how my program works.

LEG. D'AMARO:

Fair enough. Thank you.

MR. BRENNAN:

You're welcome.

LEG. D'AMARO:

Thank you, sir.

D.P.O. SCHNEIDERMAN:

Okay. Next up is Nicole Beherns on The Retreat.

MS. BEHERNS:

Good afternoon, everyone. My name is Nicole Beherns and I'm a former client of The Retreat, Board Member and former President of The Retreat.

I just wanted to start off by saying domestic violence is now recognized as being a most pervasive human rights violation in the world. Fifteen years ago I was in this very complex getting an order of protection against my husband who had pulled a gun out on me and our three-year old daughter after years of abuse. The Retreat had received the police report and sent a legal advocate to the court to find me, unbeknownst to me. This day was truly one of the lowest points in my life; I felt so alone, incredibly helpless, I was in total shock. The advocate stayed with me day-after-day as I navigated through the court system. I am here to tell you that without these services from The Retreat, I would most likely still be with my abuser, or dead; not a shocking outcome, just a common one. My daughter would have grown up to either become an abuser herself or a victim and the cycle would have continued, but instead I was given the chance to have the life I deserved, a life

without fear, a life full of possibilities, all because the people at The Retreat not only made me feel like I deserved it, but helped me to achieve it, and I never felt alone again.

On one day in the year, generally in September, New York State does a census of all of the shelters and programs in the State, and it's like a snapshot of what goes on in those shelters for that 24-hours. In one 24-hour period, 4,084 victims were served in that one day; 1,242 children and 988 adults. A thousand forty-one hotline calls were answered in that one day, 604 unmet requests for services also happened on that day; the biggest cause of not being able to assist these 604 individuals was due to reduced government funding. Just last month alone, The Retreat handled 470 in one month, 470 hotline calls. These statistics are frightening. However, the most frightening thing to me is for all the people who never pick up the phone, who don't reach out to us, that is what scares me the most.

The Retreat is in jeopardy of losing close to 50,000 in funding. We are decreasing support when the number of women, children and men who need us continue to grow. How do you tell someone so desperate for help that they must wait, when in the exact moment they need hope they are turned away? If funding is cut, you will have sent a strong message to victims and an even stronger message to their abusers, a message that we don't believe this is an epidemic in our communities.

(Beeper Sounded)

That we, too, will help keep this a dark secret, and even more disturbing, keep the shame alive.

D.P.O. SCHNEIDERMAN:

Thank you, Nicole. Any --

MS. BEHERNS:

I'll leave you with, *Every society is judged by how it treats its least fortunate amongst them. I want to be a part of a society that rises.* Thank you.

D.P.O. SCHNEIDERMAN:

Let's see, there may be questions, Nicole, so just stay there.

MS. BEHERNS:

Sure.

D.P.O. SCHNEIDERMAN:

Legislator D'Amaro?

LEG. D'AMARO:

Good afternoon.

MS. BEHERNS:

Good afternoon.

LEG. D'AMARO:

So I can appreciate the work that The Retreat does, and thank you for that. And I agree with everything that you said and, you know, commend the organization for focusing on something that truly needs to be focused on, but let's talk a little bit about dollars and cents. What's your organization's overall budget and what percentage of that budget is provided by the County?

MS. BEHERNS:

Our budget is currently about 3.7 million. I have my Director here with me who can answer all your questions.

LEG. D'AMARO:

Uh-huh.

MS. BEHERNS:

From the County --

MS. LOMBRI:

Two hundred and sixty thousand of that.

MS. BEHERNS:

Two hundred and sixty is County money.

MS. LOMBRI:

Yes.

MS. BEHERNS:

Two hundred and sixty thousand is County money.

LEG. D'AMARO:

And what other sources of funding do you have for the balance?

MS. BEHERNS:

We do fund-raisers, about a million in our own fund-raisers, private contributions and, again, you know, events that we do, so every year it's a struggle.

LEG. D'AMARO:

And then you get State aid, primarily?

MS. BEHERNS:

Do we get State or County?

MS. LOMBRI:

We get both State --

LEG. D'AMARO:

Why don't you come up?

MS. BEHERNS:

Yeah.

MS. LOMBRI:

Hi. I'm Karen Lombri from The Retreat --

LEG. D'AMARO:

Hi.

MS. LOMBRI:

-- and I'm a Program Director here. Our funding is -- we have diverse sources of funding. We have funding for our core services which are the services that Suffolk County does fund as well.

LEG. D'AMARO:

Uh-huh.

MS. LOMBRI:

As well as ancillary preventative programs. A big chunk of our monies we do have through Federal funding for the Ancillary Preventative Program that's not associated with our core services, the counseling, the hotline and the legal advocacy services.

LEG. D'AMARO:

But the County, the 260,000 supplied by Suffolk County is for core services.

MS. LOMBRI:

For direct core services for victims of domestic violence.

LEG. D'AMARO:

Okay. And how long have you been with the organization?

MS. LOMBRI:

Four years.

LEG. D'AMARO:

Do you know if there was a time when The Retreat did not receive County funding?

MS. LOMBRI:

In my -- in the recent history there's been no time that we did not receive.

LEG. D'AMARO:

No, I wouldn't expect in the last four years, but going back more than that.

MS. LOMBRI:

Not that I'm -- I know we've been reduced but we've never been zeroed out of the County budget.

LEG. D'AMARO:

And is that what happened in the recommended budget this time?

MS. LOMBRI:

It was not, we were reduced by \$50,000.

LEG. D'AMARO:

Oh, 50,000, she did mention that.

MS. LOMBRI:

Forty-nine and change, 49,820.

LEG. D'AMARO:

Okay. All right, well -- so what would be the overall impact of the loss of that revenue?

MS. LOMBRI:

Honestly, it's our direct client services. Could I back up a quick second for this?

LEG. D'AMARO:

Sure.

MS. LOMBRI:

We actually, before the proposed budget came out, our Executive Director had written a letter requesting some additional monies from the County, if possible, because we've seen the increase in demand for services where we've had to implement a wait list for our counseling services and a first-time wait list for our legal advocacy services.

LEG. D'AMARO:

Right.

MS. LOMBRI:

So we have women who -- and their families who are contacting us saying that they need to escape, they need to get out, they need support and we're having to tell them to wait. And when you have somebody who's finally reached that point when they're saying they need to leave, you know it's serious, and if they stay, the violence can only escalate. So when we're saying. *We can't serve you right now because we don't have the staffing to do it --*

LEG. D'AMARO:

Uh-huh.

MS. LOMBRI:

-- it's really a public health crisis.

LEG. D'AMARO:

But you're finding that problem even before losing the 50,000.

MS. LOMBRI:

So this is compounding it.

LEG. D'AMARO:

Right, so that's happening now.

MS. LOMBRI:

We've just started implementing a wait list for legal advocacy because we can't --

LEG. D'AMARO:

How much funding would you need in order to avoid having to tell anyone they need to wait?

MS. LOMBRI:

In terms of -- I would honestly say -- I mean, because we look to -- we diversify our funding, so we're not going to just come to Suffolk County for this. We started to say earlier, we have State funding --

LEG. D'AMARO:

Right.

MS. LOMBRI:

-- and we do have Federal funding and we go to private foundations. Honestly, on top of what we were seeing -- what we -- from what we received from the County last year, we were asking for 50,000; probably another \$50,000 or so would help to level us out for the numbers that we reached last year for not having to tell anybody to leave.

LEG. D'AMARO:

And those numbers are increasing annually?

MS. LOMBRI:

Yes.

LEG. D'AMARO:

The folks that you're helping and providing services to.

MS. LOMBRI:

Yes. And I think that a lot of it --

LEG. D'AMARO:

Those numbers are going up?

MS. LOMBRI:

I'm sorry, I won't speak over you.

LEG. D'AMARO:

No, that's okay. Go right ahead.

MS. LOMBRI:

They're increasing and I think a lot of it has to do with the national attention that's being brought to domestic violence. A lot of people who were once feeling ashamed about what was going on in their households, I feel like they're hearing other people speak up, seeing this does happen to other people and they're finally getting the courage, as well as knowing the work that we've done in the past. So I think it's a little bit about the national level of attention, as well as the consistent work that we've been doing and a lot of word of mouth from people.

LEG. D'AMARO:

It shows you that educating the public really pays off.

MS. LOMBRI:

It does.

LEG. D'AMARO:

And people are encouraged to come forward and seek help before something really tragic happens.

MS. LOMBRI:

Absolutely. And I think in terms of The Retreat, we not only provide the direct core services --

LEG. D'AMARO:

Right.

MS. LOMBRI:

-- we also really work to do preventative work. We have our Suffolk County Fatherhood Initiative whose funding is to really work with men who have not committed domestic violence and make -- these are men who are at risk because of certain circumstances in their lives, and we work with them through case management, through education, through support --

LEG. D'AMARO:

Right.

MS. LOMBRI:

-- to make sure that they never get to that level of frustration and not even being able to handle their emotions to move forward and committing domestic violence.

LEG. D'AMARO:

The County's proposed to cut 50,000.

MS. LOMBRI:

Correct.

LEG. D'AMARO:

The County Executive has proposed to cut 50.

MS. LOMBRI:

Yes.

LEG. D'AMARO:

The Legislature is currently taking a look at all those numbers.

MS. LOMBRI:

Uh-huh.

LEG. D'AMARO:

Has any other funding source proposed a cut for next year?

MS. LOMBRI:

In terms of -- the funding sources that we have that are our State sources right now, we received funding over the -- they gave us three-year grants, five-year grants, and at this point they're going to be -- they should be level funding. So we're not going to be getting more, but to our understanding, at this point we're not going to be getting less.

LEG. D'AMARO:

You'll cross that bridge when the three and five years expire.

MS. LOMBRI:

Yes.

LEG. D'AMARO:

Right.

MS. LOMBRI:

And just the Fatherhood Initiative that I just mentioned, we only just found out yesterday that we were -- or last week that we were refunded for another five years, so that could have gone.

LEG. D'AMARO:

We are in very difficult financial times --

MS. LOMBRI:

Understandable.

LEG. D'AMARO:

-- right now, dealing with the County budget, and it's happening at all levels of government. But we do have -- myself and many of my colleagues are now looking at the budget and considering requests. And I can assure you, I'm sure we'll consider your request, but I cannot tell you sitting here today that we can restore any portion of that.

MS. LOMBRI:

No, we understand that, but we thought we wanted -- we wanted to make sure that our voice was heard.

LEG. D'AMARO:

Sure.

MS. LOMBRI:

And that you could hear about the work, not just from myself; I'm in administration, but somebody who is --

LEG. D'AMARO:

It's not reflective of whether or not we support what the organization does, it's just a reflection of our financial reality that we're living in right now, it's very difficult.

MS. LOMBRI:

A tough spot, I understand.

LEG. D'AMARO:

All right. Well, I appreciate that. Thank you.

D.P.O. SCHNEIDERMAN:

Karen, don't go anywhere yet. I actually have you as one of the speakers, so you are next, you were one away. But while you're up there, I mean, you do have three minutes; is there anything else that you had wanted to say during your three minutes that weren't answered in those answers to the questions?

MS. LOMBRI:

I think the most important part about this is because you hear about The Retreat, like I mentioned that we just received a different grant and that we're being able to expand some of the services that we offer. But the important part to hear is this, is that the core services, the services that directly impact victims of domestic violence -- our shelter, our legal advocacy, our counseling -- those are the services that are most needed for somebody to escape violence and that's what's being cut. And while we value the prevention work that we do out in the community, it has its place but it does not replace the work that we do for the victims, because we're really talking now here about people's lives, families, and we want to make sure that we can fully support those who are in that predicament and looking to leave and need to leave because it's a life or death situation. Thank you.

D.P.O. SCHNEIDERMAN:

So these cuts will directly affect how many women you'll be able to shelter at the shelter?

MS. LOMBRI:

Well, in terms of -- it's going to -- our shelter is an 18-bed shelter, so it's going to impact the staffing in support of the services that they can receive at the shelter, like our legal advocacy, like our counseling and in terms of emergency access to services through our hotline. So we'll still be able to serve -- it's an 18-bed shelter, but the supportive services, the counseling, the advocacy and education will be gone, will be reduced.

D.P.O. SCHNEIDERMAN:

Okay. Thank you, Karen. Anybody else, any other questions?

MS. LOMBRI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay, the last card I have on the Operating Budget is Amy Cerullo, also speaking on The Retreat.

MS. CERULLO:

I would like to start by saying that without The Retreat I would, for a fact, not be standing here. I was desolate, I was afraid, and The Retreat not only gave me the hope, but the ability to have a hotline day or not and it was my saving grace. I attended counseling with them every single week for two years, and this is what eventually gave me the strength to leave.

The legal advocates came to court with me every single time and held my hand while I was forced to face my abuser in court. They guided me in a world that I had no experience. I can say a hundred percent that without The Retreat, my children would not have had a Santa, they would not have had a Thanksgiving and, most importantly, they wouldn't have a healthy Mom that got the help to save them from being exposed to domestic violence. And it's because of The Retreat that I, once again, have become successful, and you can't break the cycle alone.

There's a proposed cut of \$49,820 to The Retreat that will impact their core services, and that includes every single service that I received; legal advocacy, counseling, hotline and emergency shelter, and there's a growing demand for service. The Retreat will need to reduce staff and institute waiting lists for counseling and legal advocacy services if these cuts all take effect. And I can assure you that if I had to wait for these services, my children would have been in a volatile situation for a much longer period of time.

I had no way out and they gave me the rope and they gave me the tools and the ability to get back up on my feet. Please do not cut these funds because out there's another woman that is just like me that needs these funds and needs the help. Thank you.

D.P.O. SCHNEIDERMAN:

Any questions? All right, thank you, Amy.

All right, that's the last card I have on the Operating Budget Hearing. Is there anyone who else who didn't fill out a card and wishes to be heard on the Operating Budget Program? Okay. Is there a motion?

LEG. SPENCER:

Motion to close.

D.P.O. SCHNEIDERMAN:

Okay, motion to close by Legislator Spencer. Second by Legislator McCaffrey. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

D.P.O. SCHNEIDERMAN:

All right, next ***Public Hearing is on Procedural Motion No. 20-2015 - Authorizing public hearing for approval of Ferry License for Beachcomber Freight Service, LLC, d/b/a Coastline Freight (Presiding Officer Gregory)***. I have no cards. Is there anyone who wishes to be heard on this Public Hearing? Okay. Seeing none, is this one we have to keep open, George?

MR. NOLAN:

Keep it open, yeah.

D.P.O. SCHNEIDERMAN:

Okay, I'll make a motion to recess.

LEG. D'AMARO:

Second.

D.P.O. SCHNEIDERMAN:

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

MR. RICHBERG:

Eighteen.

D.P.O. SCHNEIDERMAN:

Okay, 1564, a Local Law establishing -- I'm sorry.

No, ***(Public Hearing on) Procedural Motion No. 21-2015 - Authorizing public hearing for approval of rates for Beachcomber Freight Service, LLC, d/b/a Coastline Freight (Presiding Officer Gregory)***. I have no cards. Anybody wishes to be heard on this? Okay, I'll make a motion to recess, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? It's recessed.

MR. RICHBERG:

Eighteen.

D.P.O. SCHNEIDERMAN:

(Public Hearing on IR) 1564-15 - Adopting Local Law No. -2015, A Local Law establishing a Drug Stewardship Program for Suffolk County (Hahn).

LEG. HAHN:

Do we have any cards?

D.P.O. SCHNEIDERMAN:

I'm looking.

LEG. HAHN:

Okay.

D.P.O. SCHNEIDERMAN:

No, I don't see any. Is there anyone who wishes to be heard on this? To the sponsor, Legislator Hahn?

LEG. HAHN:

I'm going to make a motion to recess at this time.

LEG. CALARCO:

Second.

D.P.O. SCHNEIDERMAN:

Okay, there's a motion to recess. Second by?

LEG. D'AMARO:

Second.

D.P.O. SCHNEIDERMAN:

By Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

D.P.O. SCHNEIDERMAN:

Okay, 1564 is recessed.

(Public Hearing on IR) 1605-15 - Adopting Local Law No. -2015, A Local Law to increase awareness of dry cleaning chemical use (Hahn). I do have one card, Beth Fiteni. Beth, if you'll step forward.

MS. FITENI:

Hello, and thank you to the Legislature for holding this hearing. My name is Beth Fiteni from Green Inside and Out, a company that educates consumers on sustainable and healthy products, including greener dry cleaning methods. I'm here to urge support for Resolution 1605, the goal of which is to increase awareness of dry cleaning methods through a product notice for consumers which reduces confusion in the marketplace.

The legislation basically requires dry cleaners using alternatives to Perc to do what Perc cleaners have been doing for years under State law, which is to inform the public about their method via a visible sign. It is similar to how companies inform people about ingredients in food, body care products and other products used in the home. The public should have the right to know what is being used on their clothing, since they do bring the cleaned clothing home inside their house and they put it on their body, they wear it. And it's also -- the signage is also educational for people to learn more about the different options.

Again, this is not a direct cost to the companies because the signs are provided by the Suffolk County Health Department. We are not, at this point yet, talking about banning any solvents, recognizing that many businesses have invested large sums of money in their equipment. However, on that point, I would add that wet cleaning, which is considered one of the least toxic methods, is not only an adjunct service in some cases, but also for three cleaners on Long Island -- including one in Oyster Bay, one in Shirley and one in Farmingville -- it is their only method that they use.

So again, thank you. And I urge you -- urge the Legislature to pass Resolution 1605 which will help consumers to make more informed decisions. Thank you.

LEG. HAHN:

Thank you, Beth.

D.P.O. SCHNEIDERMAN:

Okay, I believe we have a question for you. Legislator Stern?

MS. FITENI:

Sure.

LEG. STERN:

Yeah, thank you. Hello.

MS. FITENI:

Hi.

LEG. STERN:

You had said that we're not calling for a ban or there's been no implementation of a ban. I'm wondering if there are other areas, other jurisdictions across the country that are considering bans or who have implemented bans.

MS. FITENI:

Yes. So the State of California has called for a ban on all Perc dry cleaners by the year 2023, and I believe -- I left my paper on my seat, but I think it was by the year 2020 -- the EPA has called for no more new dry cleaners to be put in residential buildings, like in cities, situations where there's a dry cleaner under apartments.

LEG. STERN:

So there is a jurisdiction. Do you know if there are any other jurisdictions that are, at this point, contemplating that type of a ban?

MS. FITENI:

Not that I know of. I had heard New Jersey was thinking about it a few years ago, but --

LEG. HAHN:

That actually is kind of coming.

*(*Laughter*)*

MS. FITENI:

It may be in the works.

LEG. STERN:

So --

MS. FITENI:

In a County near you.

LEG. STERN:

-- many times when we're talking about harmful chemicals and toxic substances, we talk about some of the specifics and what the impacts might be. So I'm wondering if, just very briefly, you can speak to some of the harmful effects on both us as people as well as perhaps some of the adverse impacts on our environment.

MS. FITENI:

Sure. So the primary cleaning solvent that is used is Perchloroethylene and it is considered a likely human carcinogen by the EPA and various other agencies and it's treated as hazardous waste. It's been known to have caused liver damage and kidney damage, so it's, you know, affecting the organs that reduce toxins in the body. And in workers they found a higher level of esophageal cancer in the esophagus, because of breathing it. Although I would say, you know, the modern machines do basically maintain the chemical for the most part, but it's still transferred in and out of the machine and that's where exposure may occur.

And as far as I know, there haven't been many studies -- I wish there were more studies -- there haven't been many indicating if there is a direct link to cancer from wearing dry-cleaned clothing, but I wouldn't be surprised if there is an effect because it seems to linger in certain fabrics more

than others, like wool tends to absorb it a lot.

LEG. STERN:

And did you say that the jurisdiction that is implementing a ban is California; is that what you said?

MS. FITENI:

Yes, I think it started in San Francisco.

LEG. STERN:

Okay. Many times also when we're considering what, if anything, to do about harmful substances, we also focus part of our discussion on viable alternatives. And so in California, let's say, that is going through this experience right now, what type of viable alternatives are they utilizing at this point?

MS. FITENI:

Sure. Well, I had written a paper back in the Spring that identified six, and there may be more; I don't know if it's totally comprehensive, I did the best I could. But wet cleaning seems to be the best alternative, it's basically a detergent in a specialized machine; there's also liquid carbon dioxide, there's a facility in New York City that uses that called Green Apple Cleaners; there's another solvent called Green Earth which is basically liquid siloxane; there's another one called Rynex; another one called K-4; and then hydrocarbon which is the closest thing to Perc, so that one's a little bit iffy. That's the one I was saying at the last hearing, they call themselves organic because it's technically an organic chemical because it contains carbon, but it's not organic in the way we think of an organic apple. So there are a few alternatives and they sort of range in there, so to speak, greenness and healthiness.

LEG. STERN:

Okay. And those alternatives are all a part of what would be this educational chart that would be displayed so that we as consumers would have an idea as to what is the safest to the most harmful and at least make an informed decision.

MS. FITENI:

Right.

LEG. HAHN:

Yes. The idea is -- and not to debate the bill but just to quickly tell you. The idea is so that when a consumer is at their dry cleaner, they know on a scale of environmental safety or greenness and the health safety and greenness scale, you know, where that cleaner falls in the range on those two categories. And so that's the intent.

MS. FITENI:

Yeah, I forgot to answer the part about the environment. It is found in Superfund sites across Long Island, about a dozen of them that I'm aware of, that I could find on the toxic substances, you know, the Federal government list.

LEG. STERN:

Thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Beth.

MS. FITENI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay, that's the only card I have on this public hearing. Is there anyone else who wanted to be heard? Seeing none; to the sponsor, Legislator Hahn?

LEG. HAHN:

So we met with the Health Department. There are still some tweaks that have to happen, so I do need to recess this public hearing another time, I'm sorry. Thank you.

D.P.O. SCHNEIDERMAN:

Okay. So motion to recess by the sponsor --

LEG. HAHN:

Yes, motion to recess.

D.P.O. SCHNEIDERMAN:

Second by -- I will second the recess motion. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: Legislator Lindsay).

D.P.O. SCHNEIDERMAN:

Okay. ***(Public Hearing on) IR 1657-15 - Adopting Local Law No. -2015, A Local Law to clarify affordable housing requirements at developments connecting to a County sewer district (Calarco).*** I have no cards on this. Is there anyone who wishes to be heard on this public hearing? Legislator Calarco, this is your bill.

LEG. CALARCO:

I'm still working on it. Motion to recess.

D.P.O. SCHNEIDERMAN:

Motion to recess by the sponsor. I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen (Not Present: Legislators Hahn & Lindsay).

D.P.O. SCHNEIDERMAN:

(Public Hearing on) IR 1660-15 - Adopting Local Law No. -2015, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility (County Executive). I have a number of cards -- just two. Nanci Dallaire is first, followed by Nancy Marr.

MS. DALLAIRE:

Thank you. I'm just a taxpayer who's objected to this sale for years now. And rather than the mild words of this resolution that this County facility ceased its skilled nursing and adult day health care operations and surrendered its licenses in 2013, it should read that the County forced John J. Foley to surrender and cease its operations. Remember, we did not go gently into that goodnight and we cannot so easily forget the lost legacy of Mr. John J. Foley or those for whom this establishment intended to protect.

The County Executive chose to forfeit those valuable licenses and declare the facility surplus to the needs of the County, but now that same County Executive claims that Mr. Rozenberg's Skilled Nursing Facility is in the best interest of the County. Well, will Mr. Rozenberg's facility have designated beds for AIDS patients like John J. Foley once provided?

This Legislature now believes that this \$20 million steel is acceptable for such a valuable asset? I find it hard to believe that this County could not find any other practical or financially-feasible option for the use of the facility, especially knowing that Mr. Rozenberg intends to work with local shareholders, including but not limited to Brookhaven Hospital, and form partnerships to explore any other health services that may be offered at the facility. Remember, John J. Foley was a not-for-profit created to serve our community, not to profit for the County. The County may claim to have exhaustively explored options, but I believe the County should have partnered with Easter Seals or some other local institution before surrendering this County asset to any private operator. Why couldn't the County operate a practical place for veterans who come home suffering from Post-Traumatic Stress Disorder or traumatic brain injuries. I believe the County could have utilized this state-of-the-art facility for a dialysis center, or even a much-needed rehab center, but I cannot believe the County seriously explored any of these viable options.

As far as the adult day health care, that once successful program suffered due to the negligence of this County and now the County has the audacity to authorize making all applications necessary to obtain approval for town and County building permits for this private owner? My County will not only obtain these permits, but any changes in zoning, waivers, variances, Certificate of Occupancy and any other approvals necessary for the use of the facility by this private operator? This very same County that was never willing to put forth that much effort on behalf of John J. Foley will now ensure that Mr. Rozenberg has everything he needs to succeed? No one else finds these actions questionable? I find them appalling and shame on you all for allowing this injustice to prevail.

D.P.O. SCHNEIDERMAN:

Okay, thank you. Any questions? Thank you, Nanci. And now we have Nancy Marr.

MS. MARR:

Thank you. I'm speaking for the League of Women Voters and I appreciate the opportunity to speak again at the public hearing about the Foley Center. I was very glad to see that there will be a public hearing on November 17th for Resolution 1802, and I thank Mrs. Browning for putting that in, regarding a sale to Brookhaven Hospital.

Looking at the need for adequate health care and employment for our County, we urge you to make a sale to Brookhaven Hospital rather than Mr. Rozenberg. Brookhaven will hire locally, purchase supplies locally and choose its programs based on the needs of the locality, not Queens County. We know the excellent reputation of the hospital and feel that we would gain more as a County than we would lose by selling it at a slightly lower cost to an entity that has yet to obtain a State license. Thank you.

D.P.O. SCHNEIDERMAN:

Any questions? Okay, that's all the cards I have on this. Anyone else who wishes to be heard on this public hearing? Okay. Katie, are you standing for a reason?

LEG. BROWNING:

Can I make a motion to recess?

MS. HORST:

We're just asking that you recess this.

LEG. BROWNING:

Motion to recess.

D.P.O. SCHNEIDERMAN:

Okay. So there is a motion to recess by Legislator Browning.

LEG. CALARCO:

I'll second.

D.P.O. SCHNEIDERMAN:

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

MR. RICHBERG:

Eighteen.

D.P.O. SCHNEIDERMAN:

Okay, ***Public Hearing on IR 1691-15 - Adopting Local Law No. -2015, A Local Law to strengthen the Code of Ethics (Trotta)***. I have no cards on this public hearing. Is there anyone who wishes to be heard? Ma'am, you can step forward, come to the podium. Please identify yourself for our records.

MS. PEPENELLA:

I did fill out a card. I filled out a card out front on this, but I'll fill out a second one if necessary. I don't know what happened, but I did fill out a card out front, so I apologize.

D.P.O. SCHNEIDERMAN:

I found it, it was out of order in the stack. You're Judy Pepenella.

MS. PEPENELLA:

Pepenella.

D.P.O. SCHNEIDERMAN:

I gotcha.

MS. PEPENELLA:

Thank you. Again, my name is Judy Pepenella, I am a resident of Patchogue Village. I'm also the founding board member of Conservative Society for Action, and I'm here today to speak for my family, for over 6,000 members of our organization, and for thousands of other conservative-valued individuals throughout Suffolk County. We stand united with our desire that our County be run by individuals who are morally and ethically bound in their decisions and objectives by the laws of Suffolk County.

We are in full support of 1691 resolution regarding ethics, which it's a funny, touchy word in politics. We support the adoption of a law or a strengthening of the law that will support ethics and ensure that County employees and officers will not take any official action on matters that effect persons, all organizations from whom they have accepted political contributions of any type, personal and campaign. The trust of the citizens and the voters are being put to the test when officials and candidates take donations from special interest groups or individuals. And we're not referring to small contributions, the 10 and \$15 donations that come from the people in your community. We're talking of those 30, 40, 50,000, upwards of a million and more dollar donations, from one or several political organizations or lobbyists. These donations appear to be and by the end results of the votes that occur after the election, the determining factor in decisions of our elected representatives. Pay-to-play culture must end. It has to start with you guys to make it end. The decision of our elected can have no longer -- or can no longer be swayed by political donations. Please stand united on this resolution 1691. And please note, this statement goes to all political parties; I don't care if you're Republican, Democrat, blanks or whatever. If you're concerned with this conversation, you probably have already crossed the line. Thank you very much. Any questions?

D.P.O. SCHNEIDERMAN:

Any questions?

P.O. GREGORY:

I do. I'm sorry, what's your name again?

MS. PEPENELLA:

Judy Pepenella, I'm with the Conservative Society for Action and a resident of Patchogue Village.

P.O. GREGORY:

Okay. Judy?

MS. PEPENELLA:

Yes.

P.O. GREGORY:

Okay. So this bill would require or restrict a member -- individuals or members of organizations, whether it be unions or contract agencies, from making donations to candidates for public office in Suffolk County, right?

MS. PEPENELLA:

Actually, no. What it would do is restrict you from being able to accept those donations and voting on contracts that would apply to those lobbyists and/or groups.

P.O. GREGORY:

Right, right, right. Okay. And you -- and I guess your opinion, or your position is that because individuals receive contributions, that there is some untoward motives because of that?

MS. PEPENELLA:

If you look at statistical facts and statistical data of people that have received certain donations, rather large sums of money, and then the contracts that follow, it kind of tends to lean to the concept of *We have a problem here, Houston, we need to fix this*. I'm not saying you, I'm pointing to you particularly because we're talking.

P.O. GREGORY:

Right.

MS. PEPENELLA:

But you want to go out and accept -- I'm going to say I have a contracting company. I pour concrete, you're going to be building something and you're going to need concrete and you're going to need backfill, so my company makes a donation to you because we believe that you're going to bring the right voice to the table for my constituents, the people in my area. Now, we are going to have a contract coming up. I put in a bid, you can't vote on that bid because you received money from our organization to support you. That's base -- it's basically -- I'm not saying you can't accept the donation, but understand, there's always -- come on, this is politics, folks, we're not a bunch of bimboes. There are strings attached to things and it always finds some way to get in the back door, whether it's a contract, a person being hired, appointed positions.

P.O. GREGORY:

So I would ask --

MS. PEPENELLA:

And awareness.

P.O. GREGORY:

And I know you didn't draft the bill, I'm just asking you from your -- you know, from your perspective as a resident of Suffolk County. How do you see this playing out? Because speaking specifically about unions, the Administration, they negotiate the contracts, the Legislature votes on the contracts after the particular union members ratify whatever the terms are. So who would -- I'm just trying to think through my mind, how would that process go, right? You have 18 members, say 11 of them take money from a contribution, small or large, and we're restricted by the number -- the amount of donation, I think it's roughly maybe \$2200. So if we have 18 members, 11 took money, so only seven of us would be able to vote on a contract?

MS. PEPENELLA:

It also relies on --

P.O. GREGORY:

I'm just trying to --

MS. PEPENELLA:

-- campaign reform, finance reform, there's a part of it that is involved with it. Additionally and more importantly --

P.O. GREGORY:

Well, I think --

MS. PEPENELLA:

None of us grew up, walked into this circle yesterday.

P.O. GREGORY:

Right.

MS. PEPENELLA:

We've all seen this go on for years. I'm not an elected official, but I'm a committeeman, so therefore I am considered an elected official.

P.O. GREGORY:

Uh-huh.

MS. PEPENELLA:

But I don't come to you as that elected official. I'm coming to you as a citizen and a leader of an organization --

P.O. GREGORY:

Right.

MS. PEPENELLA:

-- where people are screaming. Why can you take this donation and you can get super pacs, you can get benevolent associations, a lot of different ways money can come in --

P.O. GREGORY:

Right. I mean, that's probably more on the --

MS. PEPENELLA:

-- besides individual donations. It's a form of respect. You know that this person is going to want to do business. You know guys, I really appreciate what you're saying, but let's be realistic. And then

when you come right down to brass tax, when you have to get that much money to fight for a position, I believe each and every one of you, we don't have to agree, each and every one of you are being voted in by the people in your district, that means they want you to represent them. But when you have a position with a salary of 185,000, let's just say 200,000 not counting stipends, let's make it an even number. Why do you need all that money for an election?

P.O. GREGORY:

Yeah.

MS. PEPENELLA:

It's a double-edged knife, the conversation that I'm putting on the table.

P.O. GREGORY:

Right. I think what some of you think is happening is not -- we don't get stipends or anything of that nature. We certainly don't --

MS. PEPENELLA:

I just rounded it to 2,000 to be polite. Other bodies of Legislature do get that, I don't have the full handle.

P.O. GREGORY:

Right.

MS. PEPENELLA:

I think it's between 175 and 185 was what I was --

P.O. GREGORY:

I don't know.

LEG. HAHN:

No.

MS. PEPENELLA:

What I was last informed, I'm not saying and holding it to stone, but, okay, let's say \$100,000, let's make it a lower number.

P.O. GREGORY:

Okay.

MS. PEPENELLA:

A hundred thousand dollars; why do you need all these monies in your donation coffer, your campaign fund, when you really need to speak with the people in your district? Those are the ones that are supposed to elect you, not the guys that are going to get contracts and deals out there.

P.O. GREGORY:

But what I take, what I will take from your comments is that you believe there should be some type of campaign finance reform; I think many people agree with that. I don't think this particular bill, from what I know of it, does not get you even where you would like the system to be, a more transparent, open and responsible process. But thank you anyway, thank you for entertaining my questions.

MS. PEPENELLA:

With all due respect, you're not going to be able to get to the end of the race until you start taking

steps towards it. And if this is a step towards it, then let's take a step, but take it without party lines. Because this isn't a party issue, this is an ethics issue. And to get there, you've got to walk all the way there. So thank you.

P.O. GREGORY:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Anyone else? Lou, do you have a question?

MS. PEPENELLA:

Sorry.

D.P.O. SCHNEIDERMAN:

Go ahead.

LEG. D'AMARO:

I agree wholeheartedly with you. I've always said that the only way you're going to get true, representative democracy is by taking the money out of the politics, so I think conceptually we're on the same page. This bill says the person that cannot benefit by my vote or by my action, as a public servant, is someone who has made a contribution during the preceding 48 months, right?

MS. PEPENELLA:

I'm looking at the bill, the copy in front of me.

LEG. D'AMARO:

Okay. Well, basically it says no public servant shall use his position or take any action in a manner which he or she knows or has reason to know --

MS. PEPENELLA:

Yes.

LEG. D'AMARO:

-- will result in a financial benefit to any person, former employee or association for whom the public servant or the public servant's campaign committee has received a contribution; right?

MS. PEPENELLA:

Yes. I just had to find the sentence.

LEG. D'AMARO:

But it doesn't stop that person or association from spending money on that person.

MS. PEPENELLA:

Then let's add a little bit more to it to make it stronger.

LEG. D'AMARO:

So, no, I'm just trying to have a little dialogue here because I --

MS. PEPENELLA:

It's still a step.

LEG. D'AMARO:

I know that --

MS. PEPENELLA:

That's all I'm saying, step towards the goal.

LEG. D'AMARO:

I know, but let me finish. Let me finish. So my point is that years ago, in this Legislature, we did try to have some reform. One idea that was floated was public financing of campaigns, so that you level the playing field. It's a fair race, there's no -- we've also done legislation to prohibit municipal unions from donating to Legislators' campaigns, we've done that; it didn't pass, but it had a lot of support at the time.

The point I'm making -- and I think what the Presiding Officer, the point he's making -- is that if we're going to do this, it has to be comprehensive. Because if you prohibit us from voting on something, on a contract, let's say, where a donation was made to me a year ago, so I can't vote on that, but it doesn't prevent that organization from spending anything, spending funds in my campaign, they just can't donate it to me. So the only part -- I'm agreeing with you conceptually, but I think that campaign finance reform is the type of issue that has to be -- I don't think you can do it piecemeal, I think it's ineffective. I think it has to be done more comprehensive. That's my only point that I wanted to make today.

MS. PEPENELLA:

I completely agree with what you're saying on many of the issues. Simply, the fact that it was already brought to the table and it hadn't passed, it's a shame that it hadn't passed.

LEG. D'AMARO:

I agree.

MS. PEPENELLA:

And we're not of the same party, I agree with you a hundred percent.

LEG. D'AMARO:

Right.

MS. PEPENELLA:

But still and all, I mean, I don't -- if this doesn't go far enough, then sit down across the board and do something. The citizens of this County deserve that right.

LEG. D'AMARO:

Right.

MS. PEPENELLA:

That you all drop your parties and do what's correct.

LEG. D'AMARO:

Right, but the problem is that even if we act, there are so many other ways for groups, organizations, individuals, firms and unions to impact a race. That unless it's completely comprehensive where it really levels that playing field and truly takes the influence of money out of the system so that elected representatives are not voting based on contributions, they're voting based on the will of the people they represent, if it's not comprehensively done, you're not going to solve the problem. That's -- I don't want to get into a whole campaign finance debate, but that has always been a major obstacle to enacting reform, because you actually start to touch on issues about people have a constitutional right to make donations. So it's a very -- you know --

MS. PEPENELLA:

I don't know if that's technically the right term.

LEG. D'AMARO:

Oh, it's technically the right term.

MS. PEPENELLA:

Freedom of speech, I understand that. But --

LEG. D'AMARO:

Well, you just have to read the United States Supreme Court decisions --

MS. PEPENELLA:

Yes.

LEG. D'AMARO:

-- that have come out recently. So my point to you is that I think conceptually I completely agree with you, and I've struggled with how do you take the money out of politics, how do you take the money out of having inappropriate influence in a Legislative process or in any process, any government official; it doesn't have to be an elected official, it could be anybody. It has to be done comprehensively, otherwise you're not solving the problem. But I will consider this bill.

MS. PEPENELLA:

I'm going to give you my business card. I would welcome a conversation with you. I'm currently at home, so I'm not able to work right now, but it's an opportunity, please. That's my card.

LEG. D'AMARO:

Okay. Thank you, Mr. Deputy Presiding Officer.

MS. PEPENELLA:

That's my private cell, that is also my private e-mail. I welcome a conversation on this and to see if something can be done on this. Thank you very much, everybody.

LEG. D'AMARO:

I'll call you in four weeks and one day.

MS. PEPENELLA:

Well, I understand, you're a little busy.

*(*Laughter*)*

I don't care if it's four weeks and one day, because then --

LEG. D'AMARO:

I don't either.

D.P.O. SCHNEIDERMAN:

All right. Are there any other questions? Ms. Pepenella, thank you very much --

MS. PEPENELLA:

Thank you very much.

D.P.O. SCHNEIDERMAN:

-- for speaking. Is there anyone else who wishes to be heard on this public hearing? Seeing none, Legislator Trotta, what is your --

LEG. TROTTA:

Recess and reassess the bill and work with Legislator D'Amaro to change it.

D.P.O. SCHNEIDERMAN:

Okay.

LEG. TROTTA:

Motion to recess.

D.P.O. SCHNEIDERMAN:

There is a motion to recess by the sponsor. Is there a second?

P.O. GREGORY:

I'll second.

LEG. McCAFFREY:

Second.

D.P.O. SCHNEIDERMAN:

All right, second by the Presiding Officer. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: Legislator Krupski).

D.P.O. SCHNEIDERMAN:

I guess we'll be seeing a lot of these hearings today again next time, huh?

All right, **(Public Hearing on IR) 1713-15 - Adopting Local Law No. -2015, A Local Law to regulate smoking at multiple dwelling buildings (Martinez)**. I have no cards. Is there anyone who wishes to be heard? Seeing none, Legislator Martinez, as the sponsor, is making a motion to close. I will second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: Legislator Krupski).

D.P.O. SCHNEIDERMAN:

Okay, **(Public Hearing on IR) 1745-15 - Adopting Local Law No. -2015, A Local Law to establish a Sustainable Energy Loan Program (Schneiderman)**. I have a number of cards on this. Our first speaker is John Culbertson. John is followed by Aaron Kraus.

MR. CULBERTSON:

Good afternoon. Again, my name is John Culbertson, I'm the President of a Suffolk County-based company called IPLAN Access. We are an infrastructure planning organization that system integrates commercial buildings, energy conservation measures. These technologies consist of battery storage, fiberoptics to the desktop and HVAC building management systems. We are also an Energized New York PACE Finance partner. These energy conservation measures usually have one thing in common and that is that they have high capital costs and various returns on investments. Oftentimes these measures are not implemented due to lack of the financing tools that can help the building owner or the business owner that utilizes these buildings.

PACE financing is geared to address these challenges, specifically for energy and renewable projects. There are many benefits of PACE, including no money down, longer loan terms and fixed low interest rates to name a few. The main difference for many business owners is that the building is the collateral and not the business or the business owner themselves. We see PACE as a benefit to the business community as well as to all the stakeholders in the building trades. PACE creates jobs while simultaneously benefiting the environment and increasing the values of these new energy efficiency buildings.

As far as Suffolk County goes, if PACE is properly marketed, it can provide Suffolk County a competitive edge in retaining businesses in Suffolk County as well as attracting new businesses for the County. So I just came here to step up my support for PACE. There's a bunch of folks here that have the same feelings. If there's any questions, I can answer them, or Mark Thielking can probably answer them a lot better than me.

D.P.O. SCHNEIDERMAN:

Okay, we'll go to questions. I just want to point out here, there are a number of cards. There are some people coming about five or six cards from now who are from the Energy Improvement Corporation who can answer a lot of the technical questions. So if you want to hold off, that's fine. Okay. Anyone else? All right, thank you. Okay, Aaron Kraus.

MR. KRAUS:

Good afternoon. Thank you. My name is Aaron Kraus, I'm Deputy Director of Policy and Electricity Markets for Solar City. We are one of the largest solar developers in North America. We are publicly traded with over 13,000 employees with over 150 employees at our Hauppauge location serving Suffolk County.

We have billions of dollars of private capital that we deploy to do solar projects around the country. Right now we serve residential customers, hundreds of thousands of them right now, and large commercial, Fortune 500, Wal-Mart's, schools, things like that. A segment of the market that we're looking at to up our services is small and medium businesses; PACE enables us to actually offer our services to this very large segment. We would really love to come into Suffolk County and offer this service; we need the County to opt in to the program for us to be able to do that. A lot of states around the country have PACE programs, a lot of Counties in New York have already opted in to the New York program. For Suffolk County to opt in would, again, enable us to, you know, possibly increase our employment base and increase our business presence here in Suffolk County.

So, again, Solar City, we encourage you to opt in to the program and thank you for your time. Any questions?

D.P.O. SCHNEIDERMAN:

Okay. Any questions? Okay, thank you. All right, Sarah Oral, followed by Steve Abramson.

MS. ORAL:

Good afternoon. My name is Sarah Oral and I'm the current Long Island Coordinator for Climate Smart Communities. As part of the Climate Smart Communities Program, my firm and I have been providing free support and technical assistance to municipalities across Long Island and have helped create and execute several local climate action plans, including the one accepted by the Legislature in June of this year.

Many of the initiatives presented in Long Island's various Climate Action Plans should result in financial benefits in addition to expected environmental benefits. These actions include the integration of building management systems that offer property owners the ability to analyze and control the energy consumption in their building stock, the installation of energy-efficient boilers,

windows and air-conditioning systems, as well as renewable energy installations such as solar photovoltaics, solar hot water, geothermal energy and wind power generation. These measures have the potential to save property owners in Suffolk County millions of dollars each year in energy costs.

In addition to helping communities reach their greenhouse gas reduction goals, energy-efficient buildings and those with renewable energy installations attract desirable tenants that will pay premium rents, and at the same time property owners save money that can be reinvested in their businesses and the local economy. Furthermore, energy efficiency upgrades often require skilled, green collar workers which helps drive workforce development.

Often, the only barrier to installing these technologies is funding. The PACE Financing Program would provide low interest loans to property owners throughout Suffolk County and the ten towns and numerous villages located within its borders, thus addressing this hurdle. The process is fairly simple; the property owner opts to pay for energy improvements by authorizing Suffolk County to add a special assessment on the property tax bill for that purpose, and depending on the types of improvements installed, the annual utility savings may even cover the tax assessments.

I encourage the County to join the EIC and make PACE financing available to property owners throughout Suffolk County and help keep Suffolk County ahead of the curve when it comes to fostering energy efficiency initiatives. Thank you.

D.P.O. SCHNEIDERMAN:

Any questions? All right. Next up is Steve Abramson, followed by Bill Feldmann.

MR. ABRAMSON:

Good afternoon, everyone. I'm Steve Abramson, I'm a member of the Water Mill Citizens Advisory Committee to the Town of Southampton and I come here to wholeheartedly endorse PACE funding and hope that you will approve the bill that has been brought forward by Jay Schneiderman.

There's no question but that we have a very high rate of electricity in this area of the world; it's one of the highest in the country. This is a way for businesses to be able to freeze their electric costs, indeed to perhaps reduce them and have them fixed for a long period of time, and this will enable you to hold some businesses in the County that you might not otherwise hold.

I became involved in this in 2007 when LIPA was trying to put through an above-ground transmission line between Southampton and Bridgehampton, and so distributed generation of energy is a means by which we could avoid a future transmission line. But it's also an important imperative for the environment, because we will reduce our carbon footprint enormously this way.

and I would just like to plant a thought in your mind that while this particular approach right now involves only the commercial aspects of PACE, following behind this can be residential which would be very impactful in our area of Long Island. And then further down the road, if PACE financing is in place, we have problems with our bays, our waters, our inland lakes, we can use this PACE financing for septic financing down the line, for replacements, and that will improve our environment tremendously. So think about that; if you start off with this commercial piece, later on it can become residential, and then you can also use it not just for solar and geothermal, but also for replacing leaking septic systems which are poisoning the environment.

So I hope you will endorse it. It's not going to cost the County money to do this and that's an important factor, I'm sure, to your decision. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Mr. Abramson. All right, Bill Feldmann, followed by Carlo Lanza.

MR. FELDMANN:

Good afternoon. Thank you for this opportunity. My name is Bill Feldmann, I'm with Long Island Solar Energy Industries Association. And I just want to say congratulations to the vote on the microbeads, I hear it was unanimous. Good job.

As far as the PACE financing goes, it is another item that we can use to grow jobs on Long Island. Already legislation and policy decisions that were made have grown the workforce on Long Island tremendously, so there's quite a bit of employment and good paying employment that's going on. And this is another piece of policy making that can increase it and I encourage you to go ahead with it. It's environmental, it's job growth and it's helping people fix their costs, so this is another piece.

And also, be aware that soon we expect the Governor to sign a bill on the elimination of sales tax for geothermal equipment. So look for that, and I would encourage Suffolk County to opt in on that as well. Because when you combine solar with geothermal heating and cooling, you eliminate combustion in the building. No -- you know, no fossil fuel combustion in the building. It's safer for the people in the building and it's better all around. Any questions?

D.P.O. SCHNEIDERMAN:

All right, thank you. Carlo Lanza followed by Mark Thielking. Mark is the guy from the Energy Improvement Corporation and I think he's, when it comes to technical questions, probably best suited. This is the speaker before, this is Carlo Lanza.

MR. LANZA:

Hello. My name is Carlo Lanza, I am the current Chairman of LISEIA which is the Long Island Solar Energy Industries Association, also the owner of Harvest Power LLC, a local solar company based in Suffolk County, in Bay Shore, employing over 50 Long Islanders. I came here today to advocate the passage of 1745. We've heard a lot of commentary and, not to be redundant, I will just tell you a little bit about my experience in working with businesses over the past eight years.

We have numerous meetings with business owners talking to them about their business, what's important to them, their plans on Long Island, and the message is clear, they need to fix and/or reduce their operating costs on their businesses. We talk to many businesses that do not proceed with the solar photovoltaic projects that we speak to them about because of the lack of access of low cost capital. A lot of these businesses are weighing decisions of where they're going to be five and ten and 15 years from now and entertaining options of moving their businesses off of Long Island or do they stay, and if they do, how are they going to fix their costs. Many of them speak, and we know we're a somewhat local economy here, but in general a lot of the businesses we speak to are now struggling against a national economy and even a global economy with the products and services that they offer, and all of them are fixated on this cost reduction mechanism.

Passage of IR 1745 will help many businesses stay here. Also, it has been mentioned before that it should be a way to attract new businesses on Long Island that are weighing decisions of whether to come into the area. It's also been stated that New York, and Long Island specifically, have one of highest energy costs in the country and it puts certain companies at a major disadvantage to -- with their products and services that they offer with the cost of electricity. Introduction of this low cost capital could help them make these energy improvements, increase the value of their buildings and also reduce their operating costs and sustain jobs on Long Island, and that's pretty much it. Thank you.

D.P.O. SCHNEIDERMAN:

Questions? I have one question. Just on the last thing you said, increase the value of their buildings; that makes me think that some town property tax assessor is going to come along and kind of undo the benefit by increasing the assessed evaluation. So was that something you're looking at, to prevent the towns from --

MR. LANZA:

Yeah, I don't --

D.P.O. SCHNEIDERMAN:

-- counting this toward the value? Exempting it, basically.

MR. LANZA:

Yes. So currently there is a -- you know, governed by local rule, of course. Currently there is a law enacted by the State allowing the local municipalities to abate increase of any taxes on these systems for a period of 15 years. A lot of the municipalities have stated that they will, you know, stay with that an even longer period of time, but at least for a predictable period of time. And to our knowledge, most of the municipalities, major municipalities are going along with that 15-year exemption.

D.P.O. SCHNEIDERMAN:

Okay, thank you. Okay, next up is Mark Thielking from the Energy Improvement Corporation, followed by Michael Bailis.

MR. THIELKING:

Good afternoon. I'm Mark Thielking, I'm the Executive Director of the Energy Improvement Corporation. We're a New York State, not-for-profit local development corporation tasked with assisting our municipal members in the implementation of the Sustainable Energy Loan Program, as described in the Local Law in front of you. This program is authorized by Article 5-L of the General Municipal Law but has to be enacted locally through a Local Law process, and that's why we're here today.

EIC, as we call it, is controlled by our local members, so when you pass this Local Law and you become a member of EIC, you control this program. We're essentially activating and running this program in behalf of our municipal members. We now include 25 municipal governments around the state. We have 20 additional counties and cities around the state that are in the same process that you're in right now. It's really taking off and the reason is -- three reasons, mainly: The economic development concerns around New York State's high energy costs are driving jobs away; the second is around job training, creating new jobs in new areas that account for the loss of jobs in construction and other areas; and third, the environmental areas. So it really is a primary importance, that's why the State Legislature passed Article 5-L in the first place, to allow this law to be activated locally at the County and city level.

So I'm really here to answer questions and to provide more technical assistance. We are a public authority of New York State, so we're technically not really able to lobby for a law to be passed, but we are here to advise and to help get the program implemented as really envisioned by the New York State Legislature when the law was passed in the first place.

I have presented to Legislator Krupski's committee back in June, I have that presentation here, if you would like to take a look at it. I also have other materials here, FAQs and other items if that's of value, I can hand it out. And finally, I'm just really excited to be here. I grew up on the border Nassau and Suffolk and I have a strong -- I live in Westchester now, but I have a strong feeling for Suffolk and I wish this program much success. So I am available for questions.

D.P.O. SCHNEIDERMAN:

Okay, Mark, there actually are a number of questions. I'm going to start with Legislator Krupski.

LEG. KRUPSKI:

Thank you. So we pass this law, what is the mechanics for you setting this program up? What's your role, what's the County's role?

MR. THIELKING:

So the Energy Improvement Corporation is a local development corporation. We have the capital structure, the reserves, all the security components in place. What the County's role is is really just three components; to add the tax bill charge to the town Levy or the village levy, and it's under the County portion of the tax line; the second is to collect and enforce that charge, which of course is held to the local level but, in essence, if that process fails, the County then is responsible for the third component which is, again, making Energy Improvement Corporation, our creditors, whole during the collection and enforcement process. So it's just like any other water and sewer and other improvements; the County's responsibility really is to collect, enforce and to submit those charges as required by any other public benefit.

LEG. KRUPSKI:

Now, is this something -- you know, you have a business sign up for this. Is this something where they have a good year and they say they want to make the investment and they want to pay it off early; is this something they can pay off early?

LEG. KRUPSKI:

You cannot prepay taxes in New York State, so this would be on the chart, on the bill for the term of the financing. So what we encourage our property owners to do is just to make sure that the term of the financing is not too long, it's not too short. At the same time, we do extend long-term so that we can finance longer term investments, like solar, for example.

LEG. KRUPSKI:

And what's the interest rate on something like this?

MR. THIELKING:

Currently the rates range between 4% and 5 and three-quarters depending on the term; and again, we can do a 6-year term, a 9-year term. The capital is relatively cheap, especially for the type of individuals and entities that are looking for this type of capital.

LEG. KRUPSKI:

And what is the role that you play with the utility? Because obviously they're partners here.

MR. THIELKING:

So under New York State's Statute, Article 5-L which allows this public entity to be created in the first place, we are required to run the process of the upgrade through either a utility program or NYSERDA. So any feasibility study that proposes work on that project must either go through, again, NYSERDA or the local utility.

Currently we have a program with Con Edison we're operating in Westchester County where they are allowing us to train their contractors; at the same time, they understand how the program works. We also use their facilities around incentives, and also the qualifications also have to be run through NYSERDA or the utility.

So each project is, again, qualified and processed through either a utility program or NYSERDA program.

LEG. KRUPSKI:

And finally, why not residential now, why are you starting with commercial? Is there a bigger market there, or is it an easier market to work with and then you're going to phase into residential? And do we have to -- would we have to reauthorize something so that you could -- residential could take advantage of this program?

MR. THIELKING:

To answer your last question first, we do not have to reauthorize, it's really a decision of the membership. So our members guide this company. We are a local development corporation controlled by the Counties, the cities, the states, so if they decide to move to residential, we could do that. The hesitation, though, really stems from the fact that the existing mortgage holder on the property often has questions and concerns, and given that the residential market is controlled by Fanny Mae/Freddie Mac, they have hesitated on giving consent, essentially, on these type of projects. So it's a discussion that has to be done really at the membership level for us to expand it beyond, because those hesitations are significant. Just for perspective, under the commercial side, which is operational, we require existing lender consent on this financing.

LEG. KRUPSKI:

Wouldn't that be easily accomplished if there was no mortgage, then, on a residential or commercial property?

MR. THIELKING:

Correct, yep. So this is a slice of the market that we could, theoretically, expand to.

LEG. KRUPSKI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Next is Legislator Cilmi.

LEG. CILMI:

How are you? So one of my questions was who is the Energy Improvement Corp, and you've already described that pretty well, so it's a public authority in the State of New York.

MR. THIELKING:

Correct.

LEG. CILMI:

So the likelihood of you disappearing at some point, you know, after we engage in this arrangement, is slim to none.

MR. THIELKING:

We have a -- we have strong support from the State. We have large funding streams that are meant to expand the firm across the State. Slim to none, I would say. We also -- the intent of the program is not to have any costs for our members, so we earn revenue off of the financings that we provide, so that's really the long-term horizon of the Energy Improvement Corporation.

LEG. CILMI:

Just from a theoretical point of view, what would happen if somehow the authority -- you know, we began this relationship and made these loans and then the authority disappeared?

MR. THIELKING:

Very likely another authority would step in. Whether it's a New York State NYSERDA authority or -- you know, that's been contemplated at the State level. What's unique about us is that we're directly controlled by our local members as opposed to most other State authorities are controlled by the Governor.

LEG. CILMI:

What do you mean, defined *controlled by*.

MR. THIELKING:

Our board, our 9-C board is made of County Executives, Chief Financial Officers of the cities and counties and other municipalities of our membership. We also require that every member attend the annual meeting to vote on matters of the corporation -- like, for example, if we were to expend to residential -- so that's a requirement of membership. The shareholders, in essence, are the Counties, the cities of the State, so there's --

LEG. CILMI:

So every -- how does membership on the board work, then?

MR. THIELKING:

Every year three seats roll off.

LEG. CILMI:

But who constitutes the membership? Is it a limited number -- well, obviously it's limited, but is it fewer than the total number of County Executives in the State as an example, or does every County Executive in the State belong to the board?

MR. THIELKING:

If -- so only 25 municipalities have joined Energy Improvement Corporation, it really just launched about two years ago. So of those 25 municipalities, each of those County Executives or Chief Financial Officers are eligible to join the board at the annual meeting which is held in the Spring. Three seats rotate off every year, so there are new -- essentially the membership would vote in three new board members every year. We have board meetings every quarter, and those board meetings, again, deal with the matters of the corporation and the board makes decisions, this municipal board makes decisions as to how our operations work. I'm the Executive Director, we have a staff of ten that run the corporation, the day-to-day of the corporation.

LEG. CILMI:

So as more counties opt in, does the size of the board grow then?

MR. THIELKING:

The bylaws are set, but, of course, the membership could decide to grow the board, certainly.

LEG. CILMI:

Okay. But right now it's set to a certain number of members --

MR. THIELKING:

Correct.

LEG. CILMI:

And so theoretically, as you said, say Suffolk County joins this program, at the end of the year, conceivably three members would be -- would leave the board and Suffolk County -- the Suffolk County Executive would be given a seat at that table.

MR. THIELKING:

It could be voted in that way, yes. And in fact, there's a little nuance that I should explain as well. Three of the seats are reserved for the counties and cities that have the largest financings outstanding, and since the County -- this County in particular has a very large potential of projects, that might be the seat that you are asked to fill.

LEG. CILMI:

Right. So the County is not providing any financing here at all.

MR. THIELKING:

No.

LEG. CILMI:

The County is not providing any administrative support here at all, except, you know, only to the extent that we have to actually enter into this program with you.

MR. THIELKING:

And you do have to add the tax bill charge to the property --

LEG. CILMI:

Right.

MR. THIELKING:

-- tax bill which then is administered through two townships.

LEG. CILMI:

Right, so the towns actually have to -- we have to authorize it, but the towns would actually put it on there, I guess.

MR. THIELKING:

I think the way it works, it certainly works in other counties, is that under the County portion of the bill, you would add this as a line and then that County portion goes on the Town bills, irrespective of whether there's one line or ten lines.

LEG. CILMI:

Right.

MR. THIELKING:

So that's just the normal course of business.

LEG. CILMI:

Okay. And so XYZ corporation -- the County opts in, XYZ corporation installs some equipment on this -- you know, using this program. So they take a loan out, they're paying it back on their tax bill and XYZ corporation moves or goes bankrupt; what then?

MR. THIELKING:

Well, typically there's a mortgage holder on that property if it goes bankrupt and that mortgage holder would be paying any property taxes on that property, exclusive of this. And remember, under New York State Tax Law, you can't separate out different charges from the bill, you have to pay your entire bill at once. So it's very typically that the mortgage holder -- and that's why we ask for consent. The mortgage holder would be paying that tax in their foreclosure process, because they're going to foreclose on that building, they're going to sell it off and then that new owner will then start paying that tax, because the building is permanently improved. That's the whole concept

here, is that you're improving that building to the point where you have lower entry costs, it becomes more valuable and there's a permanent improvement.

If the property doesn't have a mortgage on it, then the County would then start their foreclosure process, and in that case the process would go along. Again, as the County forecloses on that property, they would be paying those payments, in essence, to every other in behalf enterprise. So if it's water taxes, school taxes, and inclusive of our tax, you'd be making that obligation whole up until the point where you foreclose and then you pay yourself back through the interest and penalties that you are obligated to.

LEG. CILMI:

Okay. So if the corporation ceases to pay its taxes or the owner of the building, the property ceases to pay his or her taxes, you are going to look to the County, just as the school districts do --

MR. THIELKING:

Correct.

LEG. CILMI:

-- to make you whole.

MR. THIELKING:

Right.

LEG. CILMI:

Until such time as the County takes deed to that property for non-payment of taxes, and then at that point what happens?

MR. THIELKING:

Well, at that point, I'm assuming the deed is sold to a new owner to recoup essentially what the County was owed.

LEG. CILMI:

Right.

MR. THIELKING:

And at that point, then the new owner will start paying the taxes.

I should mention, there is one distinction between us and the school districts and water districts, that we have a permanent loss fund funded already by Federal dollars as well as State dollars, that protects you if there's a permanent loss. So in the case where you do sell that property but it happens to be worth less than what you have paid out in those charges over the year of foreclosure and {inrem}, we would reimburse you. So there really is no chance for a loss. The timeliness issue is there, but from the standpoint of comparing us to a school district or water district, our reserves would make you whole if there is a loss on that sale during the title sale. And that's, again, funded through reserves as well, where every financing we do we add to those reserves.

LEG. CILMI:

And are there any limiting criteria in terms of the eligibility for the program?

MR. THIELKING:

Many of them.

LEG. CILMI:

Many of them. Okay, I don't want you to get into all of them.

MR. THIELKING:

In those FAQs it's there, but I just want to mention two components. One, we definitely have to check to make sure that that property can carry that extra tax charge. So if they're delinquent on their taxes already, we're not financing it. If they've had a bankruptcy in the last seven years, we're not financing it. If they are delinquent on their mortgage payments, we're not financing it. The other component, though, or the other overarching issue is that we do require that the predicted energy savings are greater than the tax charge. So if there is a solar installation going on the roof, we need to see that the economics from that solar installation are greater on an annual basis than the tax charge.

LEG. CILMI:

What about the size of the installation or the size of the business/property?

MR. THIELKING:

Sure. So we're required under the statute not to finance more than 10% of the appraised value of the property, so that's a limiting factor in some cases. We're also limiting ourselves in that if there is already indebtedness of 80% loan-to-value, we can't finance any more. So if there's an 80% LTV or if there's a property tax value issue, we cannot finance more value. But other than that, there is no stated limit beyond we need to see the economics of the project make sense.

LEG. CILMI:

Okay. All right, thank you very much.

MR. THIELKING:

Sure.

D.P.O. SCHNEIDERMAN:

All right. Next is Legislator Lindsay.

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

LEG. LINDSAY:

Good afternoon, sir. Thank you. A lot of my questions are already answered, so I just have a few here. Being that it's part of the property tax bill would make it tax deductible, correct?

MR. THIELKING:

It's a matter of debate. We defer that to a tax expert. The reason why is that this is technically a fee for service, and technically fee for services are not tax deductible. So if you're paying a water usury fee on a tax bill, you're not supposed to deduct that from your income tax. Many people argue with that point, but this is a technically fee for service, and so however the tax attorney would view that, that's how they would treat it, as a property tax deduction.

LEG. LINDSAY:

Okay. And on the interest rate that is charged, assuming that's the 4 to 5 3/4%, that's based on credit worthiness of the risk?

MR. THIELKING:

No, it's actually based on the term. So, if it's a five-year term, it will be around 4%; if it's a 20-year term, it will be around 5 3/4. And it really is based on the marketplace. You know, if interest rates, if the Fed raises rates tomorrow, we're going to see higher rates. But we're in a very low rate environment right now and this is what we can produce. And the other component to this is that our -- we have committed capital of about \$78 million from Bank of America, as well as First Niagara

Bank, and that's their price to us, adding on our fees, so that we're not costing you anything. That's the net-net of it.

LEG. LINDSAY:

Okay. And then we heard -- it might not have been you, it might have been one of the other speakers mention that the same concept could be used with septic systems. I'm assuming the same principle, you would go upgrade your septic system, redo your septic system, and the same principles would apply?

MR. THIELKING:

I appreciate Mr. Abramson's enthusiasm on the model. It's -- we're only authorized to implement under Article 5-L of the New York State Statute, which only is related to energy improvements to buildings, so that's energy efficiency, renewable energy. Certainly, the concept of a public benefit of water quality related to septic improvements could be implemented. In fact, the former -- one of the former Board Members was the Chairman of the Environmental Facilities Corporation, who finances water and sewer projects, and he has -- he has suggested that this could be another type of public benefit that could be created that way, probably not through us, though, because we're really narrowly defined to implement Article 5-L of the General Municipal Law through our structure. But, clearly, it can be leveraged, this concept can be leveraged, but probably through a different entity.

LEG. LINDSAY:

Okay. Thank you.

MR. THIELKING:

Okay.

D.P.O. SCHNEIDERMAN:

Legislator Trotta.

LEG. TROTТА:

I just want to simplify this whole thing. You work for some kind of agency, the State agency?

MR. THIELKING:

It's not an agency of the State. We're regulated by the State, but we're actually an entity of you, you know. So a local development corporation is controlled by local government to promote a public benefit in behalf of the government.

LEG. TROTТА:

Are you doing work with Suffolk County now?

MR. THIELKING:

No, because you're not a member yet.

LEG. TROTТА:

How many other counties are there?

MR. THIELKING:

We have five other counties, five additional cities, and about -- and in Westchester County, a lien authority, tax lien authority is held at the township level, so we have a number of towns and one village.

LEG. TROTTA:

You mentioned the Bank of America is loaning you money or something?

MR. THIELKING:

Yes.

LEG. TROTTA:

So -- and you want us to tax the residents here?

MR. THIELKING:

Well, it's an opt-in program. So if a resident decides to improve their building for energy efficiency, you know, reduce their costs or -- and put solar on the roof, they would be opting in to having that tax charge put on the property based on the requirements of the program.

LEG. TROTTA:

So not every resident is going to be taxed.

MR. THIELKING:

No, no. This is -- it's purely opt-in. So the model is that if a property owner has an issue with high usage rates on electricity, they can affect themselves by reducing the -- or improving the efficiency of that building, and they can use this finance tool to help finance it.

LEG. TROTTA:

So what is the benefit of them just not going to the bank direct and bypassing you?

MR. THIELKING:

Well, I'll give you an example of some of the projects that we've completed. One is a 125-unit affordable housing project, that their capital is really being reserved for their mission, and their mission is to serve the adult population that they want to effectuate. And so they're using this capital, it's about a \$300,000 project, to improve their living conditions, at the same time reduce their costs. And this project, it's actually a five-year financing, they're reducing their costs so much that there's excess cash flow of \$50,000 a year to be put towards that mission. They wanted to keep their capital lines for their mission, so they're using this program -- this one's in the City of New Rochelle -- to, again, improve this building very dramatically.

Similarly, we had a -- one of our first projects was a project in Orange County, it was a farm, and, again, they're expanding their dairy operation to support their high-end cheese business, and this high-end cheese business is capital constraint. And so for them to go to their mortgage holder for additional capital, it was being reserved for their business. Their energy improvements, though, with this system covers 100% of their costs, their electricity costs, and now they're hedged. There's no more -- like if electricity prices rise, they know what their costs are for the next five -- six years is this financing. And so they use this capital for the expansion of their business. So it's a -- it's multiple uses for this, but the bottom line is that it's an enabling tool for the property's -- property owner's stocks to be improved.

LEG. TROTTA:

But if the property owner could get a better rate outside of you --

MR. THIELKING:

Oh.

LEG. TROTTA:

-- there's no benefit to go to you.

MR. THIELKING:

In fact, you know, just -- we've helped 240 projects so far, of which 50 are active in our current pipeline of finance projects. But we've helped 100 projects move forward with clean energy projects without our financing. That's the another benefit to this program, is that, you know, we are into making sure that the social norm of at least looking at solar and looking at efficiency in your building is a part of the program. So whether they finance with us or not, we're almost agnostic, because our mission is to make sure that the idea of clean energy happens in the community that's our membership.

LEG. TROTTA:

And how many employees are there in the organization that you work for?

MR. THIELKING:

Ten.

LEG. TROTTA:

Throughout the 24 municipalities, that you --

MR. THIELKING:

Yes, yup.

LEG. TROTTA:

So you have 50 that -- yourself, so it's very -- the ones you finance is actually a very small number.

MR. THIELKING:

We are -- we have a small number of financed projects that we just started last year, but we have a very robust pipeline, and it's only growing.

LEG. TROTTA:

So it would be very -- I mean, based upon what you were just saying, you know, there would only be for the next couple of years maybe two or three companies that would actually get financing from you.

MR. THIELKING:

It's certainly possible, but given the enthusiasm of the industry so far, I would suspect Suffolk County would be a more active place than normal, especially given the solar potential here. You know, Suffolk County is labeled as New York State's number one solar resource county.

LEG. TROTTA:

Are you -- you're doing no work here now?

MR. THIELKING:

We can't, so we're not authorized, because you're not a member yet, but we're eager to.

LEG. TROTTA:

Does the County have to give you money to join in with this? Do we have to --

MR. THIELKING:

No.

LEG. TROTTA:

So we just sign up, and then if -- we're not on the hook for anything.

MR. THIELKING:

Correct. Well, except for adding the tax bill charge to the property, making sure that it's collected and enforced. And if there is a delinquency, you are remitting those, those payments to us during the collection and enforcement period.

LEG. TROTTA:

So it's only -- you know, let's say you sign up tomorrow and three people sign up next year, we're only going to affect three people's tax bills who wanted their tax bills affected?

MR. THIELKING:

Correct. That's right.

LEG. TROTTA:

And those are only the people that can't get financing somewhere else, you make it a little easier for them to get it.

MR. THIELKING:

Or they may choose to take this financing because it's permanent. I mean, this is a key element, this is permanent financing. So if they have a short-term horizon, maybe they are a short-term building owner and they flip buildings, but this is a permanent improvement and that building is more valuable. This is a -- again, it marries the permanence of the improvement, very similarly to how water and sewer improvements are permanent finance. It's a very similar concept.

LEG. TROTTA:

Based upon what you just said earlier about, you know, the criteria, it can't be the 80% loan-to-value related, and the down payment, I mean you have a narrow band of who you'll be dealing with, who'll you'll be financing.

MR. THIELKING:

It's -- I think, you know, the entities that we're seeing are truly community benefit type entities. Like we just financed a community house in the City of Rye, it's the center of their community. They have concerts there, they have, you know, all sorts of incredible things, and it's a 150-year-old building. So it may be in a sense that we're not financing the very risky properties, and that's probably a good thing, but at the same time, there are buildings out there that need this type of financing, need this type of improvements to make them more self-sustaining. So I think you're half right.

LEG. TROTTA:

And they brought those -- they financed it through you?

MR. THIELKING:

Correct, yup.

LEG. TROTTA:

And what was their reasoning for -- it was cheaper for them to finance it through you?

MR. THIELKING:

Well, it's interesting. So their mortgage bank could have done it, but they gave us consent, because they viewed that the underlying collateral that they have on this property has been improved. So they actually encouraged them to do it that way, because now this entity is much more self-sustaining. They're saving -- I think it's about \$8,000 a year on their energy bills, and they viewed it as a win/win.

LEG. TROTTA:

How much was the system?

MR. THIELKING:

It's 11 measures they put in. This is an efficiency project. They replaced their boiler for a gas boiler. They did air sealing in the building.

LEG. TROTTA:

How much?

MR. THIELKING:

It was \$300,000.

D.P.O. SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you. This does seem like a good project, but I have a question. Suffolk County has to basically eat the payments. If someone goes bankrupt or forecloses, we have to we have to pay you; is that -- is that what you're saying?

MR. THIELKING:

Well, it's not quite that way, because the County is the only one that has lien authority --

LEG. KENNEDY:

Yes.

MR. THIELKING:

-- in this. So during the period of a bankruptcy, say, where there is no mortgage on the property, there would be no taxes paid on that property, any taxes. And in that case, the County's responsibility is to pay the school districts and the water districts. It's an obligation, because you're the only one that can enforce that lien. So during that period, yes, but then you're made whole.

LEG. KENNEDY:

Yes.

MR. THIELKING:

You're made whole when the property is sold.

LEG. KENNEDY:

Okay. But we have to wait four years because -- before we can take a property.

MR. THIELKING:

Correct.

LEG. KENNEDY:

So we would be doing the equivalent of having to bond out like we do for Tax Anticipation Notes, for Revenue Anticipation Notes --

MR. THIELKING:

Yes.

LEG. KENNEDY:

-- for four years. That's the part that frightens me about this.

D.P.O. SCHNEIDERMAN:

Actually, that --

LEG. KENNEDY:

That's the only part that frightens me about this.

D.P.O. SCHNEIDERMAN:

The commercial part is not a four-year wait, it's just one year, one year.

LEG. KENNEDY:

Commercial is one year?

D.P.O. SCHNEIDERMAN:

Residential is three, I believe, yeah. Residential is three and commercial is one.

LEG. LINDSAY:

Bank foreclosure is --

LEG. KENNEDY:

Okay.

LEG. LINDSAY:

Bank foreclosure is four years.

LEG. KENNEDY:

Okay. All right.

MR. THIELKING:

Okay.

D.P.O. SCHNEIDERMAN:

Okay. Any other questions? All right. Thank you, Mark.

MR. THIELKING:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Our next speaker is Michael Bailis, followed by -- I think it's Ronnie Mand -- I'm not sure, Mandler.

MR. BAILIS:

Good afternoon. My name is Mike Bailis. I'm co-owner of Sunation Solar Systems of Oakdale. We've been operating as a solar contractor in Suffolk County for 13 years. We have -- we employ about 70 people right now, mostly Suffolk County residents. We install residential, municipal and commercial solar systems all across the PSE&G territory. I'm here today, of course, to encourage Suffolk County to opt into this program, again, otherwise known as PACE funding.

With the exception of a small segment of the population, the choice to go solar is predominantly a financial one. This has been looking at the bottom line, are looking to reduce operating costs, especially because of the high cost of power, to reduce that. It's not easy to do that because of the

high up-front expenses like solar and other improvements.

The key to a solar deployment has always been about funding and financing. So unlike some of the other people that have spoken here, I'd like to actually demonstrate to you financially how this impacts an individual businessman and how easy a decision it is. Let's assume that a business owner has the opportunity to install a 200,000 watt solar system for approximately \$470,000. This system would qualify for rebates from NYSERDA for 74,000, so, essentially, 396,000 for an installation. The client receives tax benefits from the Federal Government that will amount to over \$238,000 on the present tax credit program. However, they still need to come up with this \$396,000. With PACE funding available, they'll be able to get this money, assuming they do qualify, and roughly have a monthly payment in the vicinity of about \$2,400, again, depending on whether it's a short or long-term note.

This system would save this particular client approximately \$3,400 a month. There would be a positive cash flow to this client of \$1,000 a month or \$12,000 a year. That's significant. This is the kind of money that can be reinvested in their business, hire more people, and ultimately more taxes to everyone involved. In addition, of course, to this money over time, it would probably accrue to over 300,000 during the term. There's, of course, the additional tax benefits that provides an additional 238,000 to their bottom line, resulting in a very easy decision to go solar.

However, it's even more important to opt into this program now, because in about a year or so, the Federal Tax Credit Program changes and makes the decision a little bit more difficult. Again, let me demonstrate. The tax program changes on January 1st, 2017, and that \$238,000 goes down to \$171,000. This mechanism, of course, provides, again, still positive cash flow across the way.

We, obviously, are concerned also about residential, and if the Federal Tax Credit Program goes off --

D.P.O. SCHNEIDERMAN:

Mike, you have to wrap up.

MR. BAILIS:

-- of course, we have to focus on that.

D.P.O. SCHNEIDERMAN:

That's your time. Legislator Krupski has a question, and then the Presiding Officer.

LEG. KRUPSKI:

I would like to hear your comments about the residential program. However, I do have a question first. Who sizes the system for the -- you know, for the applicant, for the business owner?

MR. BAILIS:

The system is designed by the solar contractor, but we obviously have to follow certain guidelines through NYSERDA. The system is supposed to be designed within about no more than 10% more than their annual usage, and we have to follow that guideline by PSE&G requirements, as well as NYSERDA.

LEG. KRUPSKI:

And how many years annual usage do they look at?

MR. BAILIS:

They look at the past 12 months as a guideline.

LEG. KRUPSKI:

But suppose you say -- say I have a business and I'm making widgets, but I'm going to either have a partner or a family member come in with me and we're going to make different widgets, so we need twice the -- we're going to have -- we're going to expand our business. So is that something you could factor into your program or not?

MR. BAILIS:

Potentially. However, there's usually -- in most businesses, there's a limitation. Typically, the roof size is limited, and it's rare that we can produce 100% of the power anyway. So even if they decide to expand, it really won't make any difference. We're going to be able to max out the roof and that's about it.

LEG. KRUPSKI:

You don't do ground now?

MR. BAILIS:

Can be done, and that might be an effective method. And there's nothing to say that they can't add more to the system at a later date. There's no requirement that says, "Okay, we're going to install this much and we have to look down the road." So we have many clients over the years that say come on back and add some more modules, put a bigger system up, so that's always a possibility. And I would encourage your client that there's good success with solar, that if they have an increased demand, put up a carport, just like you have outside. You know, perfect, perfect scenario.

LEG. KRUPSKI:

And what about the residential side?

MR. BAILIS:

Residential, again, this to me, and I was -- I'm sorry I didn't have enough time to mention it, but this is probably as important, if not more important, predominantly because the Federal Tax Credit Program, when we hit 2017, completely disappears. The critical homeowner decision today is all, again, about saving cash flow. You know, if they put a solar system up and it saves them 50, 60, 70, \$80, it's a little bit better for them every month. The PACE Program is ideal, and it's been demonstrated in other areas of the country like California, where it's very effective.

And I understand that there are issues with Fannie Mae and SONYMA. These are issues that can be resolved.

LEG. KRUPSKI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. Presiding Officer Gregory.

P.O. GREGORY:

Hi, Mike. It's good to see you.

MR. BAILIS:

DuWayne.

P.O. GREGORY:

So I want to ask if you would agree with this question. It seems like, I mean, this is a home run, right? The business or potentially in the future maybe residents can benefit from this program. Obviously, as a local business itself who installs these systems, you'll benefit, possibly creating new

jobs. Have you done an estimate on how many businesses potentially in Suffolk County will take advantage of a program like this?

MR. BAILIS:

Oh, great question. In my personal estimation, there are thousands of potential opportunities. You know, every day I look at Google Earth and I say, "Look at all those rooftops." They just need an opportunity to be talked to and giving them a program that makes financial sense. It just takes time, and this program provides us with the mechanism to go out there and go after them and, again, building jobs. I mean, we're adding more people every -- every month, we're adding another -- more installers. We hope to be over 100 people next year. We're optimistic and bullish that something will get done, not just with this funding program, but with tax credits and such. This is a long-term process for us. We hope to have a couple of hundred employees in a couple of years.

P.O. GREGORY:

Great, great. Thank you for coming down today.

D.P.O. SCHNEIDERMAN:

All right. Thank you. Okay. Next speaker is Ronnie from Best Energy Power, and followed by Frank Tassone.

MR. MANDLER:

Good afternoon. My name is Ronnie Mandler and I'm the CEO of Best Energy Power. We are a solar installer. We are known mainly in the five boroughs of New York City. We have the biggest market share. We do Westchester only. We do Westchester, too, I'm sorry. We actually just finished a round of green space in Westchester. We won the Solarize Westchester round one, and now we won round two of the Solarize Westchester. And I can tell you how it really helps to bring more business to make the right decision when they see PACE financing.

Any kind of a building owner is making his decision what to do with his cash flow either in the business or other development. When he sees that he can get the financing for PACE in a very low collateral that he cannot get from any other bank, and that's to answer the gentleman over here, that increased the amount of business. So it's definitely increased. We believe that without PACE financing, the couple of businesses that we have done in Westchester wouldn't have done the solar. We see what we have in the pipeline, and the potential to increase more than what they have, it's is kind of growing. Like Mark said, it's just the beginning, it's enormous.

So I would like to endorse and I would like to compliment whatever they do, because there's nothing in the market like that to help business to do renewable energy, meaning solar. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you, Ronnie. Okay. Next up is Frank Tassone, followed by Peter Fontaine.

MR. TASSONE:

Good afternoon, Presiding Officer Gregory, Deputy Presiding Officer Schneiderman and the Members of the Legislature. The speakers before me hit all the main points, so I'll keep this as brief as possible.

I'm here on behalf of Supervisor Ed Romaine to respectfully request the Legislature to approve I.R. 1745 that would permit the County to participate in the Energy Improvement Corporation, which, as you know, is a nonprofit qualified energy development corporation that will encourage commercial development of renewable energy projects and energy efficiency projects. This program is going to provide low-cost power, low-cost financing, long-term financing as well for commercial properties that are looking to make clean energy improvements, including energy efficiency retrofitting,

upgrades to buildings, and renewable energy installations, including solar, wind energy technology and geothermal, with the ultimate goal of lowering costs, lowering energy usage, and reducing greenhouse gas emissions. This will also provide an economic boost to our skilled green jobs workforce, which is very important.

Considering that the Town has very large commercial buildings throughout the Town and is already -- has approved a significant number of commercial projects, there is the potential that many of them would take advantage of this low-cost financing. As it was stated earlier, there's no cost to the County to participate, and there's no cost to be a member. And anything that we can do to increase our renewable energy portfolio is something that we strongly encourage. And I have a letter here on behalf of the Supervisor to submit as part of the record.

D.P.O. SCHNEIDERMAN:

Any questions? Okay. Seeing none, thank you, Mr. Tassone. Next up is Peter Fountaine, followed by David Reardon.

MR. FOUNTAINE:

Good afternoon. My name is Peter Fountaine. I am the Senior Environmental Analyst for the Town of Brookhaven. I've been asked by the Town on behalf of its residents, Supervisor Romaine and the Department of Planning and Environmental Protection to speak in support of I.R. 1745, to establish a Sustainable Energy Loan Program.

Property Assess Clean Energy, or PACE, is a means of financing energy efficient upgrades or renewable energy installations for buildings. Examples of upgrades range from adding more attic insulation to installing rooftop solar panels. For the Town of Brookhaven, PACE can play an important role in reducing local greenhouse gas emissions, promoting energy efficiency improvements, making the shift to renewable sources of energy more affordable, and reducing energy costs for residents and businesses. The funds would be available through the Energy Improvement Corp, a nonprofit organization funded by the State and Federal grants that would encourage business owners to make repairs and improvements to aging commercial buildings. This can be as simple as installing more efficient heating systems and LED lighting.

Under the program, up to 100% of upgrade costs would be covered by low interest loans. The owner would then pay back the loan at a low interest rate, which will be added to their tax bill. The Town supports this initiative and respectfully encourages the Suffolk County Legislature to adopt the legislation. Thank you very much.

D.P.O. SCHNEIDERMAN:

Thank you. Any questions? Okay. You may be seated. David Reardon, followed by Maura Spery.

MR. REARDON:

Good afternoon. My name is David Reardon. I work at Miller Environmental Group. I'm also part of Long Island GEO, and a Co-Chair of the Mastic Beach Village Green Committee.

You guys have heard a lot of different things over the last 45 minutes, so I'm not going to get too specific. Briefly, I want to talk about everybody made the pledge, Climate Smart Community. This is your mechanism for building capacity. This is not a one-size-fits-all type of thing here, but what it's going to do, it's going to help educate. It's going to give people some options that they haven't had before. So it's the one thing that we all need to focus on. It's great for all the governments, local, from the County level, is that you're educating people by making this an option for them, and that's the one thing that we really need now is to get everybody educated on it. See what they can do to reduce their energy costs, most importantly, what they can do to reduce their carbon footprint.

It's great to see oil costs going down over the last couple of months, over the last year, but we still need to emphasize what's going on with the environment, and this is critical. So just that's really all I've got to say. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you. Next up is Maura Spery, followed by Samantha -- I'll say Shlimbaum. I'm not sure if I'm pronouncing it right.

MAYOR SPERY:

Hi. I just want to thank the Legislature for taking this up, and I think it's extremely important. I want to compliment you on your pumpkins, they look great. I'm a little upset summer's over, though, so.

It was funny that Dave Reardon's here, and he is the Co-Chair for one of the things I'm proudest of is making citizen committees in the Village of Mastic Beach, and we have a Green Alternative Energy Committee. And I take this incredibly seriously. I think that our carbon footprint here on Long Island is something that we all should be extremely concerned with. You know, we see sea level rise, and I believe in science, as the County Executive likes to say; I agree with him. I believe in science. I watch the sea level rising, and I think it's inherent in all of us, as elected officials, to take this extremely seriously and do what we can to try and mitigate some of the factors that are happening that are making the sea level rise.

At our Village Hall, we have what I would say is an energy sucking pig of a building, and one of the things that our Green Alternative Energy Committee has done is look into ways for us to really make our building more energy efficient. And this PACE Program includes municipalities, and this program would be a program that we, as a struggling community that does not have a giant tax base, and is, you know, financially -- we can always use help, I'll put it to you that way, this would be a program that we could take advantage of. And also with our businesses, and trying to revitalize our downtown, and trying to create economic growth, this is something that would help our businesses to be able to do all of that.

We have, as you know, as he said, we have a lot of sun in our area, and on our downtowns, we would be able to capitalize on that. And we also have a lot of older buildings that could be retrofitted that could use a lot of the programs that this PACE would help us to have business owners do to their businesses. So I think it's very important.

We're also a Climate Smart community. And I like how Dave brought that up before me, is this really is a tool to allow the Climate Smart communities to enact a lot of the programs that we are working on. But, you know, more importantly, I think we have to take it on our shoulders, as the Legislators and as the elected officials, to do what's right to try and stop the climate change and locally is how we can make our biggest impact. So I am asking you all to please support this and to pass this legislation. Thank you very much.

D.P.O. SCHNEIDERMAN:

Okay. Thank you. Next up is Samantha, followed by Timothy Norton.

MS. SHLIMBAUM:

Good afternoon, Legislators, most likely more evening now. My name is Samantha Shlimbaum. I'm representing Empower Solar. We're actually based in Island Park. I'm glad Sunation's here. We do a lot of deals back and forth with competing clientele.

I just wanted to take note that you have lovely solar carports outside. And I'm actually from Smithtown. The reason I came into the solar industry is I kept coming back to Long Island to visit my father and I kept looking at Hauppauge DMV. And I knew, being in real estate, this was an industry that was kind of highly competitive and dying, but solar was an industry that was growing. And I actually interned for the Kennedys, so I'm actually very honored to be here and talk about the Property Assess Clean Energy Funding Program.

Working in the real estate community, I see the impact this has on the community on Long Island, especially in New York City. There was BID improvement districts for downtown networks in Brooklyn. I see this application here on Long Island, especially for towns like, Patchogue, Sayville, Brentwood. You will be having a revitalized network of people in walking communities.

In regards to Empower Solar alone, we estimate that the introduction of the PACE in Suffolk County would lead to over \$10 million in projects that have already been put in our pipeline for 2015/2016. I've only been here for a month at Empower and I will say 15% of the phone calls that I have fielded have been from commercial owners interested in taking advantage of the Federal tax credits. And, please, also remember that commercial buildings that are greater than four residential units are considered commercial. So you have co-ops and condos, you also have multi-family homes. There's not that many on Long Island, but they do exist, that could be taking advantage of this program.

And I also would like to just make note that currently we have Orange County, Westchester, 29 states that participate in this program and the District of Columbia. So that being said, I have come to Long Island. I live in New York City, and I plan on moving back to Long Island because of solar. Thank you.

D.P.O. SCHNEIDERMAN:

Thank you. All right. Timothy Norton, followed by Steven Engelmann.

MR. NORTON:

Good afternoon. My name is Timothy Norton. Thank you for having me here. I work for National Energy Connection. We're a PV contractor and installer. I also grew up here in Long Island and live here in Long Island with my -- and raising my children here, me and my wife.

National Energy Connection was founded as Hawaii Energy Connection back in 2007. Our two owners, Chris and Steve, started out in their garage. It's now a \$50 million company. We employ close to 120 PV professionals, from electricians, installers, sales people, AutoCAD operations, engineers, and the list goes on. We're currently at National Energy Connection here in Long Island, and probably out of that 120 people, probably employ about 30 or 40 people at this point.

I just want to make a fact that today in Hawaii, the PV and renewable energy industry is a thriving sector of the economy. In fact, 20% of the Hawaiian Island's energy is now produced by solar energy, as opposed to about less than 1%, I believe, here in Long Island.

There are numerous financial products and programs at the disposal of business owners and PV contractors to help the financing component of PV systems practical in Hawaii. This was not the case eight years ago. It took time to educate the financial lenders and government officials that solar and renewable energy is an industry that is viable economically and it's great for the end user.

There's also a key component keeping lots of employees with jobs in this and improving the environment for future generations. We as a company support and welcome the PACE Program and feel like it's going to be a great benefit for Suffolk County and hopefully Nassau to come.

The other day I finished a sales presentation with a customer and we walked through what this would do for the customer, as far as lowering their energy cost by putting this system on their roof, and they were pretty excited about it. And, actually, if you looked at the return on the investment of putting the solar on the roof, over 25 years, there was about an 18% return on their money. The next step is what do we do to finance it. I wish I said -- I wish I said right then and there we have a PACE Program in place, but I didn't want to put the cart before the horse. So, therefore, I really hope that we endorse this program and get this off and running soon. Thank you.

D.P.O. SCHNEIDERMAN:

All right. Thank you, Mr. Norton. Next up is Steve Engelmann, followed by Lynn Arthur.

MR. ENGELMANN:

Good afternoon, everybody. Thanks for having us in to talk about the passage of I.R. 1745. I'm Steven Engelmann, also from Empower Solar, a developer here on Long Island for the past 12 years. I'm specifically just working with commercial clients, and for 12 years I've been talking to these folks about how difficult it is to run their businesses on Long Island because of the high cost of doing business here. A big component of that is the cost of energy here. There are ways to reduce their energy through energy efficiency measures, and, of course, we've been talking about a lot with solar to be able to produce some of that energy on-site.

Great things to do, you know, aside from global -- you know, climate change. These are great things to do because we're using less energy, we're using our transmission lines less. It gives us an opportunity to update power stations and that sort of thing if we've got distributed resources like solar and the ability to reduce our base load through energy efficiency.

And when I talk to these folks about financials, and we look at a five-year loan or a seven-year loan, which is what a bank really wants to lend for in a scenario like this, they're under water for a number of years. They're spending more money on their financing than they are saving on their energy costs. And that's really one of the big hurdles with commercial solar and commercial energy efficiency, is that the savings are years away. With a program like this, where we can finance this over 10 years, or even after 20 years, it means that their cost for that financing on an annual basis is going to be significantly less than their savings for energy. If I can show a CFO or a director of their facilities a cash flow positive investment in something that's going to be better for the community, better for the townships, and better for, you know, everybody involved, it's really -- it's really going to change the dynamic here. And we're not talking about three or four businesses that might do it a year, you know, we're talking about several hundred that would be doing it for a year. Because -- you know, because of those -- because of the financials, and really also because of the time frame.

You know, I talked to folks, and we've heard this before, but, am I going to be in this space for 10 years, am I going to be here for 20 years? And if I'm looking at an investment that pays it back in seven years, well, I might be out of here in 10 and I'm not going to take the chance. This ties the expense of the upfront cost to the building, so that if they left after seven or eight years, somebody else is paying the rest of that note off. So that's a really helpful thing.

It also helps in scenarios, we haven't talked about this yet, where we have leased buildings. So now a building owner can allow energy efficiency projects to be done in their facilities where they don't pay the energy cost, and the tenants would be able to pay for it through the -- through the increased tax burden, and they're getting the benefit of the energy savings. If that tenant stays for a year, they get energy savings and they pay a little bit of money for it. If they stay for 10 years, we do the math, right? So there's a number of businesses that are just -- you know, that are isolated from financing.

It's sometimes tough for small and mid-size businesses, and that's what Long Island is made up of, small and mid-size businesses, people that don't have a lot of money to be able to put for an up-front -- for a hopeful pay-up -- pay-back period. This takes a lot of that uncertainty out and it really spreads out that risk to other owners of the building, as well as other tenants of the building.

So I encourage you guys, from an economic standpoint, for the businesses that are struggling to kind of keep their businesses here on Long Island to move this forward.

D.P.O. SCHNEIDERMAN:

All right. Thank you. All right Lynn Arthur is next, and then our last speaker is Beth Fitemi on deck.

MS. ARTHUR:

Hi. My name is Lynn Arthur, and I'm here representing the Southampton Town Sustainability Committee, and we wholeheartedly support this PACE financing for three reasons. Some of these you've heard before, certainly. It helps us meet our local objective of reducing dependence on fossil fuels. It helps small businesses and not-for-profits finance solar, which gives them immediate financial benefit. And one that you haven't heard before, but if you step back and think about the bigger picture, it helps reduce the summer air conditioner peak load, and, hence, helps remove the need for dirty and expensive fossil fuel burning peaker plants.

So some of my colleagues also asked me to mention that -- and I didn't know that statistic about Hawaii. That was interesting earlier. Government statistics for Germany and Denmark indicate that they are getting 30% of their energy from wind and solar. Well, I counted this myself in the GIS database, and Southampton, which -- who is, by the way, considered a leader on the East End in terms of our deployment of solar or our adoption of solar, we only have five hundred and -- I mean, as of about a month ago, we had 550 buildings that had solar installed. That's less than 1%, because we have approximately 55,000 buildings in our Town.

So we're asking the Legislature to opt in on this program, and give us the tools to motivate private investment and renewables. And as you can see from our sign, Southampton stands alongside Brookhaven and Huntington in the solarize campaign. So when this legislation is passed, it will help all of us do our part in contributing toward New York State's objectives in reducing our carbon footprint. Thanks for your time.

D.P.O. SCHNEIDERMAN:

Thank you, Lynn. All right. Last up is Beth Fitemi.

MS. FITEMI:

Hi. I'm back again wearing my other hat. In my day job, I work at the Community Development Corporation of Long Island, and I actually represent NYSERDA for New York -- for Long Island. I'm the Regional Outreach Contractor for NYSERDA.

So one of the things I just wanted to point out regarding the PACE financing is that NYSERDA offers a funding program called Cleaner Greener Communities, and there's three categories, and Category 2 is specifically for municipalities to carry out sizable sustainability projects, and they can receive between 25,000 and \$250,000 for their sustainability programs. But something the State just implemented is that they have to do four out of six prerequisites. So the prerequisites include adopting the Unified Solar Code, greening their fleet, having a green building policy for their municipal buildings, things like that. There's six options. I don't remember what they all are, but one of them is doing PACE financing. So if they could check this off their list, that would be one of the four things that they could do in order to make themselves eligible for the State funding for their projects. Just so the Legislature is aware of it.

D.P.O. SCHNEIDERMAN:

Thank you.

MS. FITEMI:

Thank you.

D.P.O. SCHNEIDERMAN:

Okay. So that's the end of my cards. I fear to ask if there's anyone else who wishes to be heard on this. Anyone? Okay. As the sponsor, I will make a motion to close.

(*Second Said in Unison by Legislators*)

D.P.O. SCHNEIDERMAN:

And lots of seconds. I'll take Legislator Krupski as the second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Twelve. (Vote Amended to 13) (Not Present: Legislators Anker, Calarco, Lindsay, McCaffrey, Stern.)

D.P.O. SCHNEIDERMAN:

Okay. We are closed.

All right. Next up is **1752 - A Local Law to Improve the County's Affordable Housing Program (Hahn)**. I have one card, Diane Burke. In fact, she has two names on it. And Kathryn -- I can't venture the last name, so you know who you are.

MS. BURKE:

Good afternoon. I'm Diane Burke, Executive Director and CEO of Habitat For Humanity of Suffolk, and this is Kathryn Gutleber. She also works with me at Habitat.

D.P.O. SCHNEIDERMAN:

Gutleber, is that what it is?

MS. BURKE:

Gutleber.

D.P.O. SCHNEIDERMAN:

Oh, Gutleber. Okay. Thank you.

MS. BURKE:

We're here today to thank you for proposing this legislation, which will allow us to expand what it is that we do here in Suffolk County, and expand our partnership with the County in a way that makes us an even greater partner by taking on some of the financial investments that you've made in properties to help us reach more families, so that we can create a place to call home for the hardworking families in Suffolk County.

D.P.O. SCHNEIDERMAN:

Any questions? Kathryn, are you adding anything to it or --

MS. GUTLEBER:

Just in support. You know, I work in real estate development for Habitat Suffolk, so, really, this legislation would just allow another tool for us to provide affordable housing in all townships throughout Suffolk County.

D.P.O. SCHNEIDERMAN:

Okay. Thank you. There's one question, Legislator Krupski. Oh, and then Legislator Trotta.

MS. BURKE:

Hi.

LEG. KRUPSKI:

Hello. When you -- you take the property over and then you convey it to the new owner after it's fixed up?

MS. BURKE:

Yes. And part of what we do at Habitat is we deliver a product that's sustainable to our families. So we're serving families that are at 40 to 60% of area median income. We can go as high as 80% of area median income in our program, and we deliver a product to homeowners that are -- is energy efficient that is built to the gold standard for hurricane preparedness called fortified. And we provide either a zero interest or a zero percent equivalent mortgage. And we promise our homeowners that their payments at the time of contract or closing is not greater than 30% of their income, so that they can actually be a participating member of the community and the local economy.

LEG. KRUPSKI:

Thank you.

MS. BURKE:

You're welcome.

D.P.O. SCHNEIDERMAN:

Legislator Trotta.

LEG. TROTТА:

Can you give me some examples? How are you financed?

MS. BURKE:

We are privately funded.

LEG. TROTТА:

Totally privately funded?

MS. BURKE:

Yes.

LEG. TROTТА:

And didn't you just -- you came out here and thanked us for what, giving you houses or something?

MS. BURKE:

Well, we participate with the County through the 72-h program, where later on on your agenda you'll be asked to donate a property to us through your Affordable Housing Program. So the monies that go into the house or the property to either repair a dilapidated home to make it a new productive home, or a vacant parcel that we will then build a home for working families.

LEG. TROTТА:

Can you tell me like, you know, we just had one in my district that's \$17,000 a year in taxes. Is that something that you would be -- take? I mean, is that --

MS. BURKE:

So for Habitat Suffolk, the only way that we would be able to take on a property with that level of taxes, if it was a Veteran, and that they would be entitled to some kind of Veteran's tax break. The clients that we serve are lower than -- lower income of -- than some of the other affordable home builders, and it's really formula driven. So for us, a tax -- we are only allowed through the Habitat Program to reach the higher end or 80% of area median income.

LEG. TROTTA:

Which I think is what the other people could do, is \$84,000.

MS. BURKE:

Typically, other -- well, it depends on family size. Area median income is dictated by family size, so it depends on how small or large your family is of what your income can be. But if -- for our program, somebody -- a tax base of 17,000 would probably be a pretty far reach for our families, but our mortgages are pretty small. So our typical mortgages, when we give a mortgage to a family, is based on -- we only sell the houses at cost, we never sell a house greater than cost. Our contracts are written so that we take the appraised value of a home, we convey it to them in a contract. So when you look for comps in the area, we're not going to lower the comps in the area, because we're selling it at the appraised value. But then our subsidies come in, and the subsidies can be grants that we've obtained on behalf of the homeowner, or donations that have come in through private donations, or our Restore that's located in Ronkonkoma. That's a resale store that sells new and used building materials. So that we can provide an affordable -- again, no or zero percent equivalent mortgage to a homeowner.

So it really comes down to when we place the families, their income and their ability to pay is consistent with their placement. So, if there was a family that we could figure that 30% of their income wouldn't -- their mortgage tax and insurance would never go beyond 30%.

So our rules are a little different. Again, if it was a Veteran, if we were to accept a property that had that high tax burden, more likely than not, we'd have to place a Veteran there, because they would have the ability to participate in tax programs.

LEG. TROTTA:

So, if you were -- if this house, just hypothetically, would go to you and it cost you \$150,000 to fix it up, you would have -- give them a mortgage for \$150,000?

MS. BURKE:

No. We subsidize our mortgages so that it's affordable to them. That's why we spend a lot of our time fundraising and collecting donations from folks.

Our program has different level of sponsorship. For example, you could sponsor for a day, which is typically something a corporation might do, where they'll either fund-raise or donate \$2,500, and that will pay for the materials that they use that day to build, and they come out with a group of, you know, 10 to 15 folks from their company and build for us. So we use volunteer labor. We use skilled labor for the trades, and volunteer labor to build a home under the direction of our site supers and our construction director.

LEG. TROTTA:

You mentioned that 80% of the family of four, I think one of the numbers before, family of four, 80% in this area is 86 or \$87,000 a year. Is that the same number that you use?

MS. BURKE:

Area median income is dictated to us, so yes.

LEG. TROTTA:

So would Habitat -- my question to you is would your organization take a house with \$17,000 -- that needed, let's say, 150,000 to \$200,000 worth of renovations and put a family in it, you know, with taxes, electric, water, you know, a high --

MS. BURKE:

We would -- to answer your question, we would never place a family in a house that would cost them more than 30% of their income to sustain mortgage, taxes and insurance. So --

LEG. TROTTA:

Of their gross income.

MS. BURKE:

Right. So, for example, if somebody had a family that was larger than four, their income could be higher.

LEG. TROTTA:

Okay.

MS. BURKE:

So the placement -- that's why we -- we never start to build a home on a property until we figured out which family is going there for many reasons: To make sure the affordability factor matches, to make sure their family size matches the size home that we could possibly put there. And we also break ground with them, because our families are required to put in 300 hours of sweat equity to build their home and the homes of others.

LEG. TROTTA:

You just don't build new homes, you do renovation as well of a home, too?

MS. BURKE:

Both.

LEG. TROTTA:

Okay. All right. Thank you.

MS. BURKE:

You're welcome.

D.P.O. SCHNEIDERMAN:

Legislator Browning.

LEG. BROWNING:

Hi, Diane.

MS. BURKE:

Hi.

LEG. BROWNING:

I think what happens here is we have the 72-h program, which you guys participate in, but I just want to make sure that everybody's aware, if you could explain, that you do go to the auctions.

MS. BURKE:

We do.

LEG. BROWNING:

And when you go to an auction, especially when you have donor funds and you go to that auction, what happens to you guys?

MS. BURKE:

We get outbid. Last year, Kathryn and I were at the auction, it was the first time that we were there, and unexplainably, a lot of the properties were fetching a higher price than even the values that we were coming up, a fair market value that we were coming up with before we went to the auction. So we were pretty much priced out of the auction immediately on anything that was an improved property.

LEG. BROWNING:

Right. And this is improved properties that you're looking at --

MS. BURKE:

Right.

LEG. BROWNING:

-- to rehab and turn over to first-time home buyers.

MS. BURKE:

And that's really where we think that we can make the most impact. Because of the way our program is designed, we can -- we can really serve a greater population than we're serving now and that's really what we want to do. It's amazing to think about how many working families don't have a place that they can truly call home. And some of the stories that our homeowners share with us, especially people with children, they're moving constantly. They're being shut out of rental opportunities because they have children.

I grew up in an owned home, my parents grew up in an owned home. Before I came to Habitat, I really didn't have a true understanding of the stress that families go through while renting, trying to raise a family. And having barriers to entry in homeownership, like there are now, makes it a greater challenge for us to serve as many families in Suffolk County. Let's face it, our economy cannot last without working people here to sustain our economy.

LEG. BROWNING:

So this is basically helping you to fast-track to get more first-time homeowners.

MS. BURKE:

Exactly.

LEG. BROWNING:

I thank you, Diane.

MS. BURKE:

You're welcome.

D.P.O. SCHNEIDERMAN:

All good? Thank you. No other questions? Thank you.

MS. BURKE:

Thank you.

MS. GUTLEBER:

Thank you.

D.P.O. SCHNEIDERMAN:

All right. Anyone else who has not been heard? Yes.

MAYOR SPERY:

I want to come up just for a sec on this. Mayor Spery, Mastic Beach. I've worked, and the Village has worked before I even got in there, in the past five years with Legislator Browning. And the program, the 72-h program for us in Mastic Beach has been a huge success. I've been to how many key ceremonies with these guys already? We have Veterans that we're giving housing to, working families.

Where we have an issue, especially at these auctions, I have to tell you, a lot of the -- some of these auctions, what we're finding is that even though they're for homeownership, people are buying these, corporations are buying these, investors are buying these homes at auction when they are supposed to be owner-occupied and they are renting them out. And we have a huge problem with absentee landlords and with unscrupulous landlords renting these homes, overcrowding them, not having all the -- you know, all of the proper compliance to the codes of the Village and the State. And working with Habitat, the Long Island Housing Partnership, the Nehemiah Corporation of America, the CDC, all of these not-for-profits have been fantastic.

We have over 500 vacant, blighted and damaged homes, a couple of hundred from Sandy, but about 300 to 350 of them are from predatory lending practices that are absolutely, I have no other way to say it, destroying our community, and we have -- we'll have a block that will have three or four of these homes on a block.

So what the County is doing, working with Legislator Browning, working with the County Legislature, with the 72-h program, working with Habitat, I have to say, please support this legislation. For a community like Mastic Beach, this is absolutely a home run on so many different levels. And we are happy, happy to have these families come into our community and we really support this. Thank you.

D.P.O. SCHNEIDERMAN:

All right. Thank you very much. Okay. That's it for speakers. Legislator Hahn, what is your pleasure?

LEG. KRUPSKI:

Second.

LEG. HAHN:

Motion to close.

LEG. KRUPSKI:

Second.

D.P.O. SCHNEIDERMAN:

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

MR. RICHBERG:

Seventeen. (Not Present: Legislator Linday)

D.P.O. SCHNEIDERMAN:

Okay. That's it for Public Hearings. I'll turn the microphone back to our Presiding Officer.

P.O. GREGORY:

Okay. I'd like to make a motion setting the date for the following Public Hearing on October 19, 2015, at 10:00 a.m., Rose Caracappa Auditorium in Hauppauge: The 2016 Operating Budget and Program, the Southwest Sewer District Assessment Roll.

Also, setting a date for the following Public Hearing on November 4th, 2015, at 12:00 p.m., at the Rose Caracappa Auditorium in Hauppauge, New York: The Southwest Sewer District Assessment Roll.

And setting the date for the following Public Hearings on November 17, 2015, 2:30 p.m., at the Rose Caracappa Auditorium in Hauppauge, for I.R. 1801 and I.R. 1802. Do I have a second?

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. Back to the agenda. I believe we were on Page 8.

MR. RICHBERG:

Seventeen. (Not Present: Legislator Hahn)

P.O. GREGORY:

Page 8, *I.R. 1665 - Appropriating funds in connection with Improvements to Water Supply Systems (CP 1724) (Co. Exec.)*.

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Not Present: Legislator Hahn)

P.O. GREGORY:

I.R. 1665A, a bond resolution, same motion, same second. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Pass.

LEG. STERN:

Yeah, go around.

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:

Yup.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. ***I.R. 1672 - Calling a public hearing for the purpose of increasing and improving facilities for Suffolk County Sewer District No. 13 - Windwatch (CP 8123)(Co. Exec.).***

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1673 - Calling for a public hearing for the purpose of increasing and improving facilities for Suffolk County Sewer District No. 15 - Nob Hill (CP 8138)(Co. Exec.).

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1674 - Calling a public hearing for the purpose of increasing and improving facilities for Suffolk County Sewer District No. 20 - William Floyd (CP 8147)(Co. Exec.).

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1678 - Calling for a public hearing for the purpose of increasing and improving facilities for Suffolk County Sewer District No. 7 - Medford (CP 8150)(Co. Exec.).

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1682 - Authorizing execution of an agreement by the Administrative Head of SCSD No. 20 - William Floyd with Beechwood Ridge LLC (BR-1684)(Co. Exec.). Same motion, same

second. All in favor? Opposed? Abstentions? Sorry about that.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. *I.R. 1683 - Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 - Southwest (Sewer District) with 1466 Straight Path Clean One City Laundromat (1477.1-010) (Co. Exec.)*. Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

I.R. 1689 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with the Restoration of Bald Hill School House and Grounds, Town of Brookhaven (CP 7510.128 and 7510.343) (Muratore).

LEG. MURATORE:

Motion.

P.O. GREGORY:

Motion by Legislator Muratore. Second? Second by Legislator Kennedy.

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

I guess it's for Commissioner Anderson or maybe -- I'm sorry. Maybe Commissioner Dawson, whoever's in charge of Legislator Muratore's old schoolhouse there.

*(*Laughter*)*

LEG. MURATORE:

Parks.

COMMISSIONER DAWSON:

I vote Gil.

LEG. MURATORE:

They're both taking me on, huh? Okay, good.

LEG. KRUPSKI:

I mean, the question is, and it came up at committee whether we -- you know, we owned it, and I think that was -- that was a big question that was resolved. What's the -- what's the restoration plan? I mean, is it --

COMMISSIONER DAWSON:

I didn't put the bill forward. I couldn't -- I don't know what the plan's for.

P.O. GREGORY:

Can't hear you, Commissioner.

COMMISSIONER DAWSON:

I'm sorry. Am I on? Is the mic on?

P.O. GREGORY:

You're on, but you're far away.

COMMISSIONER DAWSON:

Very good. Okay. We didn't -- I didn't put the legislation forward, so I don't know what the plan for the facility is. I would imagine that there's construction money and some planning money. Maybe the sponsor could address that.

LEG. KRUPSKI:

Okay. I'm not familiar with the schoolhouse. Is there -- is that enough money? Is this -- is this enough money to restore it, or is this just the beginning?

LEG. MURATORE:

Well, it's the beginning. It's the -- just to go back in time, this -- back in two thousand and -- when was it? Back in 2000, it was \$125,000 appropriated for the construction and the purpose of restoring the Bald Hill Schoolhouse. Of that, only \$3,896 was used on that, and then the rest of the money, \$121,000 was closed out. So now what I'm looking to do is restore the \$121,104 to continue on with the program.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Hey, Gil. So, if I recall -- so the sponsor, are you more familiar with this in what the prior -- looks like you're trying to reinstitute a program that lapsed in the Capital Budget.

LEG. MURATORE:

Correct.

P.O. GREGORY:

Okay.

COMMISSIONER ANDERSON:

From my understanding, the original work that was done was sufficient to stabilize the building, and there really wasn't any other design work, per se, done or construction done on it. So the building is stable, it's not in any risk of falling down, but these funds would be used to improve the building. There are people that go in and out, I believe.

LEG. MURATORE:

Yeah. It's used by the schools, a lot of school trips and various -- I know the Historical Society is very active with it. They put a lot of it back together themselves. I know they had called my office for some paint for the outside, and I think we took it out of personal funds and we paid for the paint for the outside of the building. So they are very active in it.

And like the lady from the Historical Society said, it's wholly owned by the County. It's the oldest schoolhouse in Brookhaven. And, you know, it's something we looked to do in Farmingville. Farmingville is on the upswing. You know, for many, many years, Farmingville was, you know, a place not too many people wanted to hang out, and a lot of issues were going on there with the constituents. It's changing. You know, we've got some downtown revitalization money for the Triangle Park down there. The civics and the chambers, I know they just had a tremendous street

fair down there, so it's coming back. It's becoming more and more the place to come to in Brookhaven, and I think this will help a little -- keep on a little bit of its history. So I would ask that you support me on this, please.

P.O. GREGORY:

Okay. Anybody else?

LEG. D'AMARO:

(Raised hand).

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Gil, the -- this structure -- or, Legislator Muratore, if you know, this is restoring a capital project. It's to allocate \$125,000 for improvements. But you've mentioned that -- or let me ask you, are there any need for any kind of emergency repairs, immediate repairs to preserve the integrity of the structure or the building to something that, if it isn't done right away, will threaten the structural integrity of the building?

COMMISSIONER ANDERSON:

Structurally, I believe the building is in -- is sound and we have no concern with it collapsing or anything. The issue that has been raised is ADA access may be of concern. And given the heightened awareness and the fact that there are -- I won't say groups, but there are people out there going into municipalities to look for flaws in the ADA program, that would probably be one of the first things we'd look at at the building to make sure it is accessible.

LEG. D'AMARO:

Well, according to the survey, the historic structure survey, this was built in 1850. So the County is required to bring this structure to compliance with ADA standards?

COMMISSIONER ANDERSON:

If it is open to the public. It has to be open to all the public, so, therefore, we would have to --

LEG. D'AMARO:

And is it presently not in compliance?

COMMISSIONER ANDERSON:

That I don't know. But my understanding in talking --

LEG. D'AMARO:

Probably.

LEG. MURATORE:

It's not.

COMMISSIONER ANDERSON:

No?

LEG. MURATORE:

No, it's not, no.

LEG. D'AMARO:

All right. So my concern is only that, you know, an historic structure of this type is worth preserving, but if it's -- are there -- is there some level of repair that can be done to make sure that it's not threatened structurally, or the integrity, or the existence of the building, but at the same time not doing the full boat restoration at this time? Do you have enough familiarity with the property to speak of that?

COMMISSIONER ANDERSON:

No, I don't.

LEG. D'AMARO:

Legislator Muratore, do have any thoughts on that?

LEG. MURATORE:

Well, you know, it's a typical upkeep of an older building. You've got insects problems, you know, termites, and carpenter ants, and stuff like that. You're going to want to make sure that nothing -- because they can damage your building beyond repair if not taken care of. I can only say that --

LEG. D'AMARO:

How did you arrive at the 125?

LEG. MURATORE:

Well, originally, that was the -- back in 2000, that was the amount appropriated. And it's not 125 anymore, it's down to \$121,104. They already spent \$3,896 of the 125,000, so -- and from my notes here, it says the resolution does not create any fiscal impact in 2015. Debt service on the 125,000 will begin actually in 2016.

LEG. D'AMARO:

Right, I understand.

LEG. MURATORE:

And then if we bond it out, we're looking at about \$8,000 a year in a cost to keep a building from -- you know, pre-Civil War in a community that's just, you know, starving to keep on to its heritage.

LEG. D'AMARO:

No, no argument with, you know, the need to preserve historic sites in Suffolk. Just it's always the financial considering these days of whether or not we can afford to do it, or is there some kind of compromise where we can do a restoration for less that would preserve the integrity of the building. I mean, certainly, if there's insect infestation, things like that should be addressed, but that's not going to cost \$121,000 to do. Is there a specific plan as to what restoration is planned for that 121,000?

LEG. MURATORE:

Well, that's what I guess we're hoping to find out.

LEG. D'AMARO:

You know, it's funny, I have a survey in front of me, which seems to be pretty comprehensive with respect to analyzing the -- I guess the present state of the building, but, yet, the Parks Commissioner and DPW, you guys haven't focused on this. So we're allocating 121,000, but we don't know why, you know, what's required. Maybe we should give them an opportunity to review and come up with a plan.

LEG. MURATORE:

Well, my fear is if we do that, like we did at the beginning, when they originally appropriated \$125,000, they spent a little bit of it and then the rest disappeared. So if we lock it in and we have it appropriated so we can spend it and it's there --

LEG. D'AMARO:

Right.

LEG. MURATORE:

-- we'll finally get it done to where it should be.

LEG. D'AMARO:

Well, but the building we're hearing is structurally sound and not in immediate danger of collapse or deteriorating. So maybe it was appropriate at that time only to spend the 3,000 and change that they did to preserve it to this point. And all I'm -- I'm not saying that more isn't warranted, I'm just wondering if we need to appropriate the entire amount. Just I would be more comfortable if we knew what the plan was, if there was an analysis by the folks that are actually going to do the work, so they can put a price on it and tell us this is what needs to be done. But for some reason we don't -- not for some reason, you just haven't looked at it yet. It might need to be more, that's a valid point.

LEG. MURATORE:

I mean, if we just appropriate it and we don't spend it, it goes back, like they did the first time, correct?

LEG. D'AMARO:

Right, right, that's true. That's true, but I'm inclined --

LEG. MURATORE:

Why don't we do it that way?

LEG. D'AMARO:

Well, because I'm inclined -- if the Commissioner is telling me that the building is not structurally threatened, I'd rather not support this. So, if there was some compelling argument that said, but yes, that you have to do A, B and C now, because a year from now, if you don't do that today, it's going to really threaten the structure, then I would be open to suggestions, because I'm balancing that against spending the money right now, but there hasn't been that type of analysis made.

LEG. MURATORE:

Well, the survey is eight years old, right? It goes back to 2006, in the upper right-hand corner.

LEG. D'AMARO:

Oh, yes, it does.

LEG. MURATORE:

So it's eight years. So I think it's better they put this in and let's get the job moving. And like I say, whatever we don't spend, we'll give it back. We're very frugal in the Fourth L.D., we may not spend it all, so let's see what happens. You know, it's a great -- that Historical Society does a lot of volunteer work on their own, so --

LEG. D'AMARO:

Oh, I have no doubt.

LEG. MURATORE:

They can get this done for a lot cheaper, but --

LEG. D'AMARO:

I have no doubt about the value of preserving, but I also have no doubt that we want to protect taxpayers, and we have to make tough decisions, and we have to prioritize where we're going to put our borrowed funds to try and to keep that at a minimum. And without a real up-to-date analysis of what this building truly needs, I'm not going to support this.

LEG. MURATORE:

Okay. Thank you.

P.O. GREGORY:

Okay. Legislator Anker.

LEG. ANKER:

So I'm trying to understand as far as -- now you worked with the Historical Society?

LEG. MURATORE:

You're talking to me?

LEG. ANKER:

Yes. And, you know, there's a structure. It has -- it needs repairs. I mean, I have a number of historical homes in my district that need repair, but, you know, they're not, again, owned by the County, but -- so my question is, and I guess if you could reiterate, did you ever reach out to DPW or Parks to get a -- you know, to meet with them, to talk about before introducing the resolution?

LEG. MURATORE:

This was done back in 2000 they were reached out to, which is 15 years ago.

LEG. ANKER:

Okay. So I'm going to ask again, I'll restate it. Have you recently reached out to our County departments pertaining to this recent resolution?

LEG. MURATORE:

Forgive me if I'm wrong, Commissioner, but has BJ from the Historical Society spoken with your department?

COMMISSIONER DAWSON:

Which Commissioner, me?

LEG. MURATORE:

Either one. How about Commissioner from Public Works, no? BJ Intini, has she reached out with you people?

COMMISSIONER ANDERSON:

No.

LEG. MURATORE:

Neither Parks or you? Okay.

COMMISSIONER DAWSON:

Yeah, not at all.

LEG. MURATORE:

I mean, do we as a norm, the Commissioner of Parks or the Commissioner of DPW, go around and look at our facilities over a 15-year period? Has anyone looked at this over the past 15 years?

COMMISSIONER DAWSON:

Yeah. Our Director for Historic Services, Richard Martin, goes out to these sites routinely and they meet with -- they meet with the groups that have agreements with us.

LEG. MURATORE:

Okay. So I guess then he's probably done his due diligence and been out there.

COMMISSIONER DAWSON:

I'm sure he has.

LEG. MURATORE:

Okay. Thank you.

LEG. ANKER:

So, again, my thoughts are, you know, I think we should wait to, again, make sure that the structure needs the money. I mean, we're in a fiscal deficit situation, and, you know, I have plenty of historical structures. I have one, they're reaching their 300th birthday in about five years.

LEG. MURATORE:

Owned by the County?

LEG. ANKER:

No. Well, actually, maybe one day, but --

LEG. MURATORE:

Well, is it owned now? Is it presently owned by the County?

LEG. ANKER:

No, it's not presently owned by --

LEG. MURATORE:

Then there's no responsibility on our part yet. It's the responsibility right now, because this is owned by the County.

LEG. ANKER:

But from what I'm hearing, it does not need to be fixed right now. It's not in a critical stage, and because of our fiscal situation, I will vote to table this.

LEG. MURATORE:

This is not only repairing, this is bringing up to ADA compliance, so kids with wheelchairs and older men with canes can get up there and see -- and visit the place. So it's not only maintenance, it's also bringing it up to compliance and keeping -- as well as keeping the place safe.

LEG. ANKER:

You know, and I think there are so many more important priorities. You know, again, I have to recommend, too, though, there are some great grants available through Suffolk County Historical Society. The office is located right across the street here in Riverhead. And, you know, we're working with them, and they're providing, you know, some substantial grants, you know, just as a positive perspective in trying to understand how do we keep our historical structures safe and also

usable. You know, but again, as far as the County, you know we are -- we're scraping the bottom of the barrel here with our finances, and I just think we need to be frugal when we think about, you know, fixing up some of these structures.

P.O. GREGORY:

Okay. So, Tom, are you talking about, me the old man and the cane, or what?

LEG. MURATORE:

No. I said the old man with the cane.

P.O. GREGORY:

I thought you were talking about me.

LEG. MURATORE:

The old man with a cane. No, I don't see you walking around with a cane.

P.O. GREGORY:

All right. I feel like I am.

LEG. MURATORE:

Okay.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Just a suggestion. Gil, if we table this today, could somebody from DPW come out and do a quick analysis?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

Within the month?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

Okay. Thanks.

P.O. GREGORY:

Legislator Stern.

LEG. STERN:

Yeah. I just wanted to clarify that the sponsor had suggested that at least a portion of the funding here would be used for ADA compliance. You explained the fact that this -- the facility right now is not ADA compliant. As a part of this allocation, would there have to be improvements made with regard to bringing the building into ADA compliance? In other words, do we have the discretion at this point to utilize monies for general upkeep and improvement of the property without addressing the ADA compliance issue, or is that a priority if this allocation is made?

COMMISSIONER ANDERSON:

It would be a priority, the reason being there are -- as I mentioned earlier, there are lawsuits against local municipalities where they have found facilities that were not ADA compliant. So, in this particular case, it's low-hanging fruit. You know, we know that it needs to be upgraded to meet ADA, and then we would look at the others -- the rest of the structure as well to see what else has to be done. But that ADA, you know, even if we only have a handful of times people going in there, it's open to the public, and, therefore, we have to make it open to the entire public.

P.O. GREGORY:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

All right. I just want to make it clear, picking up on what Legislator Stern was talking about, the ADA compliance. I would support a bill for bonding to bring this to -- into compliance with ADA, I don't have an issue with that. And that's why I want the analysis, because if we can line-item what needs to be done and how quickly it needs to be done, as Legislator Kennedy I think was suggesting, it would go a long way in helping me to support this bill. But I don't want to just write a blank check or a check for 121,000, not knowing if this particular facility needs that full restoration at this time, because we have so many of these properties, also. I mean, if we can bring three buildings up to ADA compliance for this price, as opposed to doing one that's structurally sound, you know, we have to kind of make an analysis of whether or not it makes sense to pursue the full restoration here or to kind of spread it out.

So I think we just need a little more information as to what the plan is for this capital project, so then we can decide if we really want to go forward with the full amount. But I certainly would support funding for ADA compliance, because I don't want those little kids going there and not being able access it.

LEG. MURATORE:

Of course I appreciate that. You know, my only fear is, like I said before, is, you know, back in 2000, we appropriated the money and then we spent 3,000, it was gone. So what do we do now? Is the same thing going to happen and nothing gets done in the facility?

LEG. D'AMARO:

I don't --

LEG. MURATORE:

You know what I would really like --

LEG. D'AMARO:

I don't know what happened back then. I don't know why they stopped spending that. Maybe it wasn't a priority, I don't know. I don't know, I don't know.

LEG. MURATORE:

You know, I really would like just an up or down on this, and if it goes down, well, then I'll have to revisit it again at some other time. But I would like an up or down on it right now.

P.O. GREGORY:

Okay. No? Okay. Well, just as a suggestion, Tom, and I'm willing to support you, these monies are coming from out of our Legislative accounts. There aren't any immediate concerns with the money being spent, certainly not in the next month, right? So it's strictly up to you how you want to proceed. It's not in the DPW's account or anything like that. We have -- in order for it to be used, we have to appropriate the monies, and there's no other appropriation bill to spend the money, so --

LEG. MURATORE:

So you recommend we table it and then see what happens?

P.O. GREGORY:

Yeah, because it's not going to be used otherwise. You know, just a suggestion.

LEG. MURATORE:

Okay. So I can change my motion or I need someone to do it?

P.O. GREGORY:

You could change it.

LEG. MURATORE:

Change it. All right. Motion to table.

LEG. ANKER:

I'll second.

P.O. GREGORY:

Okay. Second by Legislator Anker. Because your concern is that the money's not going to be there, but it is.

LEG. MURATORE:

Exactly, yeah.

P.O. GREGORY:

Right. It will be there, because it's our money.

LEG. MURATORE:

Or maybe we could ask DPW to go and do a quick look at it and see --

P.O. GREGORY:

Right.

LEG. MURATORE:

-- if there's anything pressing, because it's been 15 years -- oh, no, I'm sorry, nine years since this survey. So maybe things have changed, maybe it is structurally unsound now.

COMMISSIONER ANDERSON:

We'll go out there before the next cycle and take a look and advise.

LEG. MURATORE:

Okay, great. Thank you, Commissioner, I appreciate that. Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen -- 17. (Not Present: Legislator Schneiderman)

P.O. GREGORY:

Okay. All right. ***I.R. 1696 - Amending the Adopted 2015 Operating Budget in connection with the establishment of Suffolk County Sewer District No. 24 - Gabreski Municipal***

(Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1697 - Accepting the transfer of surplus Suffolk County Transit Vehicles to the Department of Public Works (Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1701 - Calling a public hearing for the purpose of increasing and improving facilities for Suffolk County Sewer District No. 1 - Port Jefferson (CP 8169)(Co. Exec.).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, second by Legislator Hahn.

LEG. HAHN:

Sure.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1710 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with Improvements to Buildings and Facilities Countywide - West Islip (CP 1817)(Barraga).

LEG. BARRAGA:

Motion.

P.O. GREGORY:

Motion by Legislator Barraga.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman. All in --

LEG. D'AMARO:

On the motion.

P.O. GREGORY:

Oh, I'm sorry. Legislator D'Amaro, was it?

LEG. D'AMARO:

Yeah. Is this a bonding resolution?

P.O. GREGORY:

Yes.

LEG. D'AMARO:

And this is bonding -- what is the amount of the bond?

LEG. BARRAGA:

Thirty thousand.

LEG. D'AMARO:

Thirty thousand? And what's the work that's being proposed?

LEG. BARRAGA:

The work is -- has to do with a County building in West Islip on the fork of Udall and Higbie Lane. It's not so much the electrical work inside the building, it's the exterior electricity that's in terrible shape. The community uses the outside of the building for holiday functions, other events. Also, there's a center island just to the south of the building where the sprinkler system comes from the County building to the island, that's deteriorated. I've hesitated over the years to move ahead with this, but this past year it's gotten worse and worse. The electrical system really doesn't work and it has to be repaired.

LEG. D'AMARO:

So the system, it's just the electrical system that you're --

LEG. BARRAGA:

It's the electrical system and the sprinkler system. In fact --

LEG. D'AMARO:

Sprinkler system.

LEG. BARRAGA:

-- I think Mr. Anderson himself, predicated on a conversation I had, he went down there and he took a look at the system, because I wanted to get a good sense of what was involved and the cost.

LEG. D'AMARO:

Great. Gil, could I just ask you? So this particular building, this is the type of work that needs to be done sooner rather than later?

COMMISSIONER ANDERSON:

Absolutely.

LEG. D'AMARO:

Absolutely.

COMMISSIONER ANDERSON:

Absolutely.

LEG. D'AMARO:

Okay, good. Well, that kind of speaks to what I was talking about on the last resolution that we discussed. Okay. Thank you.

P.O. GREGORY:

Okay. Anything else? No? Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

J.R. 1710A, bond resolution, same motion, same second. Roll call.

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

LEG. BARRAGA:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

(Not Present)

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Sixteen. (Not Present: Legislator Hahn)

P.O. GREGORY:

Okay. All right. ***I.R. 1718 - Appropriating funds in connection with the Rehabilitation of Parking Lots, Sidewalks, Drives and Curbs at various County Facilities (CP 1678) (Co. Exec.)***

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman, second by Legislator Krupski.

LEG. D'AMARO:

On the motion.

P.O. GREGORY:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Yes. Commissioner Anderson, this is a million dollars for rehab of parking lots, sidewalks, etcetera. Is it full replacement of parking lots or is it just patchwork?

COMMISSIONER ANDERSON:

This is for full repaving. Primarily, there will be full -- there will be some reconstruction in cases where we're moving islands, say, or putting in catch basin repairs, things like that. But, for the most part, it's resurfacing and restriping.

LEG. D'AMARO:

Why -- have you identified which park lots you're targeting?

COMMISSIONER ANDERSON:

Yes.

LEG. D'AMARO:

You have?

COMMISSIONER ANDERSON:

The parking lots that we're targeting right now under this particular appropriation would be Ronkonkoma Train Station, Deer Park Avenue Train -- Deer Park Train Station, North County Complex, Highway Southold facility, the Second Precinct, the Third Precinct, Cornell Cooperative Extension in Riverhead, as well as the H. Lee Dennison Complex.

LEG. D'AMARO:

I've been in some of those parking lots, I don't really see the urgency. I mean, you did a survey, I guess, of the parking lots.

COMMISSIONER ANDERSON:

Yeah. This is -- these are suggested by our staff. They go out and they inspect them. Generally, the Highway Maintenance guys make a recommendation to the engineers, the engineers concur.

LEG. D'AMARO:

Right.

COMMISSIONER ANDERSON:

In this case, you know, it's a matter -- and I don't know whether this one might have been -- I don't know whether we appropriated this last year, but either way, this -- these are funds that we intend to use for these particular parking lots.

LEG. D'AMARO:

Does -- is this work done by a contractor, is it contracted out?

COMMISSIONER ANDERSON:

Yes, it is.

LEG. D'AMARO:

Would the same contractor do all the parking lots?

COMMISSIONER ANDERSON:

You know, we did that. We bid the work out, I believe, at some point during the year and --

LEG. D'AMARO:

Yeah.

COMMISSIONER ANDERSON:

It would be --

LEG. D'AMARO:

Or you have a list --

COMMISSIONER ANDERSON:

Right.

LEG. D'AMARO:

-- from a prior bid, or whatever your procedures are.

COMMISSIONER ANDERSON:

Yeah, it's generally an annual contract that we do for that.

LEG. D'AMARO:

An annual contract for paving and --

COMMISSIONER ANDERSON:

Yup.

LEG. D'AMARO:

-- parking lot maintenance and repair.

COMMISSIONER ANDERSON:

Curbs.

LEG. D'AMARO:

Curbs.

COMMISSIONER ANDERSON:

All that stuff.

LEG. D'AMARO:

Okay. You know, I don't doubt the need for maintenance and repair, and I understand the argument that if you don't do it today, it costs more down the road. But, you know, looking at our budget and where we're going with our budget, you know, it's a very tight situation as far as forcing -- at least I feel forced to set priorities that normally we wouldn't set. It's just the money is just so scarce at this point, that if something gives, I think I might want it to be more about curbs and sidewalks and parking lots than some other things. So I'm not sure that I can support this.

COMMISSIONER ANDERSON:

Right. We would be -- particularly in the case of Ronkonkoma Train Station, we are looking to remove a lot of the islands that are in there, so that it would facilitate snow plowing. A lot of them, over the past few years especially, have gotten really beat up pretty good. And we would essentially be looking to remove those islands and then create -- repave and restripe the entire parking lot. So if that helps your decision.

LEG. D'AMARO:

Would that add more parking?

COMMISSIONER ANDERSON:

We're hoping, yeah.

LEG. D'AMARO:

All right. Thank you.

COMMISSIONER ANDERSON:

You're welcome.

P.O. GREGORY:

Okay. Actually, Al, Legislator Krupski.

LEG. KRUPSKI:

Thank you. So, Commissioner, I know we did ask this question at committee, and, you know, you mentioned the locations. I'm not familiar with all of the locations, but one of them, the one in Riverhead certainly I am familiar with. And although it is -- it is a lot of money that we're borrowing, if you don't fix your infrastructure, and if you holes in your parking lot, and I don't want to say, you know, failing infrastructure there, or I don't want to say, you know, liability to people walking on the broken curbs and sidewalks, I wouldn't say that on the record, of course, but we really -- so we really need to keep making that investment in our infrastructure so it doesn't deteriorate to the point where we really have -- it's impossible to fix and you have to start from scratch. So this is -- I know this is -- a lot of it's patchwork that needs to be done.

COMMISSIONER ANDERSON:

And this, as in our road repaving project, is our prime method of maintaining our infrastructure, whether it's parking lots or whether it's highways. The repaving program really adds years, decades to the roads and the parking lots, so I would agree.

LEG. KRUPSKI:

And when you do it in conjunction with drainage, it really -- it does add up to a much safer work environment.

COMMISSIONER ANDERSON:

Yup.

P.O. GREGORY:

Legislator Spencer.

LEG. SPENCER:

Gil, with regards to a project like this, I think when I see a number like a million dollars and I see a list, I realize and I appreciate that you need some flexibility. And I am also very supportive of just infrastructure upgrades. And I think that with the intense scrutiny that we are under to try to figure out -- you know, we were looking at a school property a little while ago, \$30,000, so the difference between like 30,000 and 120,000 and a million. I have no way of conceptualizing how much this work should cost to be able to make an informed decision.

And so my question to you is, is there a way, or that -- or when you get these reports from people that are coming in, do they submit them with photographs? I mean, we all have smart phones. It would be kind of nice if we were able to kind of see maybe some of these sites and get a sense of what the damage is, but to be able to say that a parking lot of this many square feet, patching versus resurfacing. And I have no way, I just see a million dollars, and it's a nice round number. And I have no way of knowing if I'm being responsible or not with my vote.

COMMISSIONER ANDERSON:

You just don't want to trust me?

*(*Laughter*)*

LEG. SPENCER:

Besides that, I mean, no. Right, right. Besides my confidence in you, which is why I do support a lot of these. But a lot of -- my constituents are now more scrutinizing me, saying, "Doc, you voted for a million dollars on this. Why?" And I'd love to be able to say, "Here's the evidence. This is competitive. This is -- we're getting the best price, we're making the most out of our money." I don't know if you could just comment on the information that you get, or how do you get a number of a million dollars? And I see, you know, will this -- what happens?

COMMISSIONER ANDERSON:

I can -- I can provide that to you. Generally, what will happen is, as I mentioned, our Highway Maintenance staff will identify a location that's in need of repair. The Highway Engineering staff will go out, do measurements, you know, do the inspection, do measurements. From those measurements, they will come up with an estimate for work based on a competitive bid that was either -- is either in effect or was recently in effect. And then we will then issue a total -- you know, we'll put together -- and I don't have any of that information with me, other than what we're going to do. But, generally, what will happen is we'll take those totals and put them together cumulative -- cumulatively, sorry, and then -- and it looks like we just round it up to a million.

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

LEG. SPENCER:

(Laughter). Okay. All right, thank you. I think I would probably -- if I saw a number like one million, two hundred seventy-six thousand and thirty-one cents --

COMMISSIONER ANDERSON:

Right.

LEG. SPENCER:

-- it looks like there's an exact science going on.

COMMISSIONER ANDERSON:

As I said, I can get you the detail on this.

LEG. SPENCER:

Thanks, Gil, appreciate it.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Just a quick question, Gil.

COMMISSIONER ANDERSON:

Sure.

LEG. KENNEDY:

Will paving alleviate the repetitive sink holes that we get at the North County Complex?

COMMISSIONER ANDERSON:

What we would do is when we come in before we pave, we would open up to see where those sink holes are coming from; I know which ones you're talking about, just north of your building. If there are any that are visible, we would open them up, fill them in and then pave over them, unless we

can -- unless we have identified where or what the source of that sink hole is, I don't think we did, and that would probably be a pretty extensive investigation. But are there any -- I mean, just to digress; are there any in there now? Because I --

LEG. KENNEDY:

No, you, probably three months ago, filled in the last one.

COMMISSIONER ANDERSON:

Yeah. But generally that's what we would do. We'd come in, if there's any subsurface repairs that need to be done, we would take care of them prior to repaving on top.

LEG. KENNEDY:

Okay, thanks.

P.O. GREGORY:

Legislator Anker?

LEG. ANKER:

So I see the list, we're going to be doing the repairs and the rehabilitation of the parking lots, the North County Complex, William J. Lindsay Complex, you know, is included. So my question is the parking lot that is south by the 4th Precinct, will that parking lot be redone?

COMMISSIONER ANDERSON:

That I don't know. I don't know what the extent of the work was.

I would imagine, given as much as this sounds like a lot, a million dollars, it would only be a portion of the North County Complex.

LEG. ANKER:

Okay. If you could consider, I know we've had an issue of the impounded vehicles being parked, you know, in that parking lot, creating issues for folks that are trying to park around it. Because some of the impounded vehicles, most of them are severely damaged with, you know, metal and glass and all kinds of debris. If possible, if you do redo that parking lot, perhaps paint lines specifically designating an area for the impounded vehicles, I think that would create better clarification. You know, because I know I've gotten a couple of nails in my car, you know, maneuvering around some of those vehicles and some debris. Just a thought there.

COMMISSIONER ANDERSON:

We have actually had discussions with PD about relocating the impounds to the north side of the complex.

LEG. ANKER:

Okay, great. Thank you.

COMMISSIONER ANDERSON:

Okay.

P.O. GREGORY:

Okay. All right, Legislator Trotta.

LEG. TROTТА:

One quick question. Where you have those solar panel things, is it much more expensive to pave around those than a normal parking lot?

COMMISSIONER ANDERSON:

Any time you can't just do a straight run you're going to have to pay a little bit more. I don't know what that cost would be, but you can use smaller machines. If there's no island -- I'm trying to remember if there's islands in there.

LEG. TROTТА:

Yes.

COMMISSIONER ANDERSON:

Yeah, so then you'll have to use a smaller paver.

LEG. TROTТА:

They're all -- those things are all over the place. Are they cemented around them? I think they're cemented around.

COMMISSIONER ANDERSON:

I believe they're -- yeah, somehow they're in place.

LEG. TROTТА:

Do you know if we get any reimbursement from the company who owns those to pave around them?

COMMISSIONER ANDERSON:

No, I don't believe we do.

LEG. CILMI:

No.

P.O. GREGORY:

Okay. All right, we have a motion and a second on IR 1718. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay, ***IR 1718A, Bond Resolution (of the County Of Suffolk, New York, authorizing the issuance of \$1,000,000 Bonds to finance the cost of rehabilitation of parking lots, sidewalks, drives and curbs at various County facilities (CP 1678.325)***, same motion, same second. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

LEG. KRUPSKI:

Yes.

LEG. SPENCER:

Pass.

LEG. D'AMARO:

No.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. SPENCER:

Yes.

MR. RICHBERG:

Muratore?

P.O. GREGORY:

He said yes; he didn't say pass, he said yes.

MR. RICHBERG:

Gregory?

P.O. GREGORY:

Yes.

MR. RICHBERG:

Seventeen (Opposed: Legislator D'Amaro).

P.O. GREGORY:

Okay. ***IR 1729-15 - Authorizing the filing of a grant application for Federal Section 5310 grant funds for the provision of SCAT Paratransit Bus Service beyond the three quarter mile corridor required by the Americans with Disabilities Act (County Executive).*** Motion by Legislator Krupski, second by Legislator Muratore. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: Legislator Lindsay).

P.O. GREGORY:

IR 1730-15 - Appropriating funds in connection with Improvements to CR 93, Lakeland Avenue/Ocean Avenue (CP 5535) (County Executive). Motion by Legislator Muratore. I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: Legislator Lindsay).

P.O. GREGORY:

IR 1730A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of \$1,500,000 Bonds to finance the cost of improvements to CR 93, Lakeland Avenue/Ocean Avenue (CP 5535.310), same motion, same second. Roll call.

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

LEG. MURATORE:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

No.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Seventeen (Opposed: Legislator D'Amaro).

P.O. GREGORY:

IR 1731-15 - Calling for a public hearing for the purpose of considering proposed increases and improvements of the facilities for Sewer District No. 16 – Yaphank (CP 8158) (County Executive). Motion by Legislator Browning. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1733-15 - Accepting and appropriating federally funded New York Metropolitan Transportation Council (NYMTC) grant funds for the purpose of preparation of the Ronkonkoma Hub/Nicolls Road Corridor Parking Analysis (County Executive). Motion by --

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1741-15 - Authorizing transfer of decommissioned vehicles to the Nesconset Fire Department (Kennedy). Motion by Legislator Kennedy. Second by Legislator Trotta. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1746-15 - Authorizing transfer of decommissioned vehicles to the Dix Hills Fire Department (Stern). Motion by Legislator Stern.

LEG. D'AMARO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1749-15 - Transferring funds from Assessment Stabilization Reserve Fund, amending the 2015 Operating Budget and amending the 2015 Capital Budget and Program and appropriating funds in connection with the Sewer Infrastructure Program to provide funding for Meschutt County Park wastewater upgrade (CP 8720.110 and .310) (County Executive).

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman. Second by Legislator Krupski. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1753-15 - Amending the 2015 Capital Budget and Program and appropriating additional funding in connection with pavement resurfacing of CR 100, Suffolk Avenue from the vicinity of Washington Avenue to the vicinity of NY 454 (CP 5599.315, PIN 076084). Motion by Legislator Martinez. I'll second. All in favor? Opposed? Abstentions.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1753A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of \$2,195,000 Bonds to finance a portion of the cost of pavement resurfacing of CR 100,

Suffolk Avenue from the vicinity of Washington Avenue to the Vicinity of NY 454 (CP 5599.315 PIN 076084), same motion, same second. Roll call.

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

LEG. MARTINEZ:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1754-15 - Amending the 2015 Capital Budget and Program and appropriating additional funding 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 5599.314, PIN 076083) (County Executive). Motion by Legislator Muratore; is that your district?

LEG. MURATORE:

No, I think that's Kate's.

P.O. GREGORY:

North Ocean?

LEG. BROWNING:

No, it's not mine.

P.O. GREGORY:

Rob?

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore.

LEG. SPENCER:

On the motion.

P.O. GREGORY:

On the motion, Legislator Spencer.

LEG. SPENCER:

Gil, could you -- I have a couple of questions. I see that this is aided 80%, and I understand that we have to pay the money up front. Why are some instances -- this is a County Road. Why is the Federal aid here? And then my next question is when we pay for it upfront, is it guaranteed that we receive the money and how long does it take us? You may not -- on the budgetary side. How long does it actually take us to get reimbursed once we fund this project upfront?

COMMISSIONER ANDERSON:

To answer your first question, the money is guaranteed, you know, that's all been established through the standard process of getting the Federal aid. So it's 80% Federal share and then there's the 20% County share. There may be an opportunity for Marchiselli funding at some other time in the future, but that's not certain right now. The only thing we're certain of is that the 80% is reimbursable. Once we've paid those costs, we then submit for reimbursement, and generally it's within a year or so.

LEG. SPENCER:

Okay. And which highways throughout the County are we eligible for this type of program?

COMMISSIONER ANDERSON:

They have to be on the Federal highway -- there's a specific term. There's a Federal highway list and I don't know -- I apologize, I don't know the full name of it, but it's a list that was, I think, decided decades ago that were under the Federal Highway System, so these are identified as that and we're able to use it.

LEG. SPENCER:

Is this service similar to where, like within the towns, there are some town roads that they say that are actually County roads because of --

COMMISSIONER ANDERSON:

No, it's different. That's what we call system roads and that's a different issue. Those are roads that are owned by the town, it's specifically in Huntington that we've been ordered to maintain. But these are -- these particular highways are generally highways that are identified under the Federal Highway System and that makes them eligible for funding from the -- through NYMTC and through other programs like that.

LEG. SPENCER:

So they're County, State and local roads, but so the Federal government identifies key roads within the County --

COMMISSIONER ANDERSON:

Correct.

LEG. SPENCER:

-- as Federal roads and they basically provide us with the funding to maintain them.

COMMISSIONER ANDERSON:

If we apply, yes, they will provide the funds.

LEG. SPENCER:

If we apply. Okay, thank you.

COMMISSIONER ANDERSON:

You're welcome.

P.O. GREGORY:

Okay. We have a motion and a second?

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

Okay. ***IR 1754A Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of \$2,110,000 Bonds to finance a portion of the cost of pavement resurfacing of CR 83, North Ocean Avenue from the vicinity of Sunrise Highway (NY 27) to the vicinity of LIE (I-495)(CP 5599.314 PIN 076083), same motion, same second. Roll call.***

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

LEG. CALARCO:

Yes.

LEG. MURATORE:

Yes.

LEG. SPENCER:

Take the money; yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Eighteen.

Veterans & Seniors

P.O. GREGORY:

IR 1742-15 - Creating a program for commemorative pins to honor our Volunteer Firefighters and Emergency Medical Services Volunteers who have also served in the Armed Forces of the United States (Browning).

LEG. BROWNING:

Motion.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Motion by Legislator Browning, second by Legislator Muratore. On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Yeah, I just wanted an explanation, what exactly this is doing.

LEG. BROWNING:

This is something that I saw in Nassau County that we have our volunteers in the fire department and ambulance companies that are also military veterans, and it's a pin that has been created, actually we're just -- we're not reinventing the wheel, it's a pin that's already been designed by -- in Nassau County that the volunteers wear on their uniform, they have that right to wear that pin on their uniform.

This year, obviously the money is not available this year, but this would be to work to put \$2,500 in our budget for next year to purchase the pins. I am going to ask you, because November 11th of this year we don't have the money, and if anyone would like to assist in doing something for November 11th of this year to purchase some pins for this year, I would appreciate it. So I'll talk to you more about that.

But this would be something that it's a Legislative initiative that we would continue every year to recognize any new veterans who are volunteers.

LEG. D'AMARO:

So this bill is not going to be operative this year? I'm not following.

MR. NOLAN:

I think the intention is, Legislator D'Amaro, that the resolution expresses an intent to establish this as a Legislative program, directs FRES to provide the Legislature with a list of people who would be eligible to receive these pins, and I believe Legislator Browning's intent is try to get \$2,500 in next year's operating budget in order to fund this. But it does state that, you know, the ultimate providing of the pins is subject to appropriation. And as I mentioned, Legislator Browning, I believe, is going to try to get that money in next year's budget. It was too late to get it in this year's budget.

LEG. D'AMARO:

To which budget is that; the Operating Budget?

LEG. STERN:

In the Operating Budget.

MR. NOLAN:

In the Operating Budget of the Legislature.

LEG. D'AMARO:

I see. So we would be funding a County program --

MR. NOLAN:

Right.

LEG. D'AMARO:

-- that recognizes volunteer firefighters and emergency medical service volunteers and the recognition would include giving the pin, so this would fund the program.

MR. NOLAN:

Basically the pins, yeah.

LEG. D'AMARO:

So we're not providing this to a private organization to do, the County is going to have its own program.

MR. NOLAN:

The County is going to do it. I'm sure we'll be working probably in cooperation with the departments out there to get it done, but that's the idea.

LEG. D'AMARO:

All right, great. Okay. Very good.

LEG. BROWNING:

I thank you. And, you know, again, this year, why I'm asking for this year, November 11th being Veterans Day, we still have a lot of World War II and Korean Veterans who are still with us, so I think it would be nice to do it this year. And I think as time goes along, it's not going to cost -- you know, it's not going to be as much money because obviously, once we get all the veterans now, as time goes by its only going to be a couple. The pins are really not that expensive.

P.O. GREGORY:

You have a question, Legislator Anker?

LEG. ANKER:

So how many veterans will be given a pin per year?

LEG. BROWNING:

It's not how many per year, we're going to work with FRES to get a list of who all the veterans are. And obviously Tom is here, who I'll recruit his assistance to find what veterans we have that serve with our volunteer fire departments and ambulance companies. So that will be dependent on what they can provide us.

LEG. ANKER:

So roughly it's \$2,500 a year that would be --

LEG. BROWNING:

We're estimating about 2500, I don't think it's going to be that much each year.

LEG. ANKER:

Okay. I think it's a great idea, I'm just concerned, you know, with the fiscal situation, you know, as far as getting the money. But so long as the Presiding Officer, I guess you'll be allocating that money through the Legislature?

MR. NOLAN:

We've got to put it in the budget first. We've got to get it in the budget first and then it will be up to the Legislature during the budget process.

LEG. BROWNING:

Thank you, George.

MR. NOLAN:

No money, no pins.

LEG. ANKER:

So if we vote on this today and there's no money, then we won't be able to do the pins?

MR. NOLAN:

We're establishing the program, but we're going to do the appropriation part next. We couldn't get it for this year's budget, we were passed the deadline for amending -- for Legislative budget amendments, so we just determined that we'll try to get it in the 2016 budget.

LEG. ANKER:

Okay. All right, thank you.

LEG. BROWNING:

If you want to break up the amount, even if you want to personally all pay, it's about \$180 each. So let's try and do it this year.

P.O. GREGORY:

Right.

LEG. CILMI:

I'm in, Kate.

P.O. GREGORY:

I'm in, too. Tom's going to pay for mine, though.

*(*Laughter*)*

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

MR. RICHBERG:

Eighteen.

Ways & Means

P.O. GREGORY:

Okay, ***IR 1647-15 - Adopting Local Law No. -2015, A Local Law to clarify Suffolk County's Real Property Redemption Process for property interests transferred to the Suffolk County Landbank Corporation (County Executive).*** I'll make a motion to approve.

LEG. CILMI:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1648-15 - Adopting Local Law No. -2015, A Local Law to clarify Suffolk County's Hardship Conveyance of Property Procedure for property interests transferred to the Suffolk County Landbank Corporation (County Executive). Same motion, same second. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1714-15 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Heinz Leber (SCTM NO. 0500-277.00-01.00-024.00) (Lindsay).

LEG. LINDSAY:

Motion.

P.O. GREGORY:

Legislator Lindsay makes a motion.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1719-15 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Alexander Toliver (SCTM No. 0500-291.00-01.00-074.000)(County Executive).

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. STERN:

Second. On the motion.

P.O. GREGORY:

Second by Legislator Stern. On the motion, Legislator Stern.

LEG. STERN:

This is property in Bay Shore in the Town of Islip, it's a landmark property. It was appraised at \$1300, it will be sold for 1300 plus the pro rata share of taxes at closing. There was a sole bidder here and it will be sold with restrictive covenants.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: Legislator Martinez).

P.O. GREGORY:

IR 1720-15 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Riverhead for Affordable Housing purpose (SCTM No. 0600-065.00-01.00-019.000)(County Executive).

LEG. KRUPSKI:

So moved.

P.O. GREGORY:

Motion by Legislator Krupski.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: Legislator Martinez).

P.O. GREGORY:

Okay, 1743 we did earlier.

IR 1747-15 - Amending the 2015 Operating Budget to fund pay-as-you-go capital projects and appropriating 2015 Capital Budget and Program pay-as-you-go funds in connection with video equipment for legislative auditoriums (CP 1820) (Presiding Officer Gregory). I am going to make a motion to table.

LEG. CILMI:

Second.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: Legislator Martinez).

P.O. GREGORY:

Okay.

MR. NOLAN:

The manilla folder.

P.O. GREGORY:

The manilla folder.

MR. NOLAN:

A bunch of grants.

P.O. GREGORY:

Okay, we have **IR 1813A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$300,000 bonds to finance the cost of partial reconstruction of historic structures at County Parks. (CP 7510.342).** We approved the resolution months ago --

LEG. BROWNING:

Motion.

P.O. GREGORY:

-- but the Bond failed. And there is a motion by Legislator Browning.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman.

LEG. BROWNING:

And I think, if you remember, this was one where there was a request to have a plan, and I believe our Parks Department does have a plan in place. And Mr. Kessler was here this morning and he didn't put a money amount because he has his own stone mason business and the work that he put into the building I think probably comes to close to \$200,000 of in-kind work that he actually put into the building himself. So I can't say enough thank-yous to Mr. Kessler and all the work that he has done for the Homan House. And not just that one, but other historic homes in the Yaphank

community; the Swezey House, the Hawkins House, the Mary Booth House, I'm probably missing one. But he has done so much in-kind services of his own, so he has helped us to reduce the cost to the County. So I guess I'll give it to Greg.

COMMISSIONER DAWSON:

Again, yeah, this is a Bond Resolution, and the last time we were here there were a number of concerns that this body had. One was that we didn't have a plan in place, which we now do; and the second was that once you appropriated this money and bonded this money, that we would be coming back looking for additional funds. Well, the report that BBS did for the Department of Public Works came in with a price quote in order to get this facility up so that we can have access for the public, it's about \$900,000. With this \$300,000 that we're looking to bond now, we're looking to leverage with a grant from the Gardner Foundation, it's a matching grant. So we have our 300,000, plus the \$300,000 from the Gardner Foundation, plus roughly \$200,000 from in-kind services that Bob Kessler and the Yaphank Historical Society is looking to do, we're very, very close to having a completed project.

We do have some money in our operating account in 2016 that we can make up whatever difference we need to do. So once this money gets bonded, we could start with the construction, Bob and his volunteers and contractors can get in and start working on the place and we hope to have it open to the public in about a year, a year and a half. So if there are any questions, I'd be happy to field them.

P.O. GREGORY:

Okay. Legislator Krupski?

LEG. KRUPSKI:

Thank you. So we own this house?

COMMISSIONER DAWSON:

Yes, we own this. It's part of a historic district up in Yaphank.

LEG. KRUPSKI:

And it will be open to the public.

COMMISSIONER DAWSON:

That's the whole purpose, is to get this open to the general public. And we have a very active group in there that already programs a number of the buildings up there, so this will just be in addition to that.

LEG. KRUPSKI:

So they will take over the operations, basically, and --

COMMISSIONER DAWSON:

They take over the operations --

LEG. KRUPSKI:

Like scheduling of it being open to the public?

COMMISSIONER DAWSON:

Of the tours, yeah. They have a very wide, very open schedule of public tours, so they do a very good job with that. And then they're responsible for the day-to-day maintenance of the facility, cutting the grass, landscaping and whatnot. So, I mean, major things we'd still do.

LEG. KRUPSKI:

If they didn't have -- if they didn't take like the management aspect of it, opening it to the public, is there any way the County could do that?

COMMISSIONER DAWSON:

Not with the staffing that we have, no. We enter into a lot of these agreements with these public/private partnerships with a lot of our historic facilities, and most -- throughout the County, most of your districts we have them.

LEG. KRUPSKI:

Is it a written agreement or is this a handshake?

COMMISSIONER DAWSON:

No, it's a written agreement. It's a full written agreement with Yaphank Historical Society.

LEG. KRUPSKI:

Year-to-year, or is it --

COMMISSIONER DAWSON:

It's -- you know, I don't have the agreement in front of me. Generally they're long-term. I don't think we need to come back, I think they're -- I think they're approved by the Legislature through the CEQ and Historic Trust and I think they're ongoing as long as both parties agree.

LEG. KRUPSKI:

Thank you.

COMMISSIONER DAWSON:

You're welcome.

P.O. GREGORY:

Legislator Trotta.

LEG. TROTТА:

What is the nature of the renovations?

COMMISSIONER DAWSON:

There's a lot of structural, interior structural work that needs to be done. There's roofing, gutters, electrical, soffit work, windows, doors, there's a list.

LEG. TROTТА:

For a total of how much?

COMMISSIONER DAWSON:

It's roughly 1.1 million soup-to-nuts, we're knocking out probably 200,000 of that --

LEG. TROTТА:

How big is the building?

COMMISSIONER DAWSON:

How many square foot, I don't know off the top of my head. It's three-story. Bob, you -- Bob, do you know?

LEG. TROTTA:

Approximately, Kate, do you know how many square feet it is?

LEG. BROWNING:

Mr. Kessler is here, he's done a lot of the work on it.

COMMISSIONER DAWSON:

Yeah, Bob Kessler here with the Yaphank Historical Society, he says it's roughly a 4,000 square foot building.

LEG. TROTTA:

I mean, clearly it seems like a lot of money.

LEG. KRUPSKI:

It is.

COMMISSIONER DAWSON:

Yes, but --

LEG. BROWNING:

Yeah, it's an historic building and it's being restored. However, we have saved \$200,000 because of the work that Mr. Kessler has done. He's also put in for the Gardner Grant which --

COMMISSIONER DAWSON:

Yeah, \$300,000 for the Gardner Grant.

LEG. BROWNING:

Three hundred thousand dollar grant.

COMMISSIONER DAWSON:

Plus the Gary Foundation for another 78,000 which should take care of the windows and doors and stuff.

LEG. TROTTA:

Are those grants contingent upon any of this?

COMMISSIONER DAWSON:

The Gardner Foundation is definitely contingent upon a match. They're getting ready to make their decision in November, so if we do not get this money bonded within November, we will not be eligible for that grant.

LEG. TROTTA:

The Gardner Grant requires that it's 50/50?

COMMISSIONER DAWSON:

Yes.

LEG. TROTTA:

In all cases?

COMMISSIONER DAWSON:

Yes. Going forward, absolutely. There's a new Director and they're reviewing how they administer their grants. They've had this money sitting in an account for a very long time and haven't

disbursed a lot of money. They're just starting to get into it, they just hired an Executive Director and they're working through it and that's one of the prerequisites now, is that they're all matching.

LEG. TROTТА:

And what are they going to do once this house is complete?

COMMISSIONER DAWSON:

It's going to be opened up for public tours. Again, it's part of the historic --

LEG. TROTТА:

What's in it?

COMMISSIONER DAWSON:

What's in it? Well, it's like a historic museum. I mean, I'll let Bob Kessler speak to what the tour is going to entail.

LEG. TROTТА:

Is he here?

COMMISSIONER DAWSON:

Yes, he is. Bob? And just for the record, I'd like to thank Bob for sticking around, he's kind of been here all day.

MR. KESSLER:

We're going to open the house as a house museum, we're going to furnish it with period-appropriate furniture. We'll have that house, which is 1790; we'll have the house across the street as 1753, which is the Hawkins House; and around the corner we have the 1829 Booth House, so we'll have all three houses in the one area. And at the other end of town we have a building that we've taken over from the town and we've renovated the entire place, it's an 1844 house.

LEG. TROTТА:

How big is this house?

MR. KESSLER:

I'm sorry?

LEG. TROTТА:

How big is this house we're talking about now?

MR. KESSLER:

It's almost 4,000 square feet. It's in three sections, it was finished in three sections. The beginning -- the front section is 1790; there was a large section added on behind it, that was probably about the early 1800s; and then there was another section in the back that was added on, like a summer kitchen kind of thing. So the front portion is going to be fully -- well, the whole house is going to be restored totally to --

LEG. TROTТА:

Now, do you have to make this handicapped accessible?

MR. KESSLER:

Yes, it's going to be handicapped accessible. A couple of the -- two of the doors have to be widened and are going to be brought in to a meeting room, a big meeting room we're going to have in there with media and everything in there. So it will all be handicapped accessible. And it's going to -- and

the parking is going to be there and we're going to have a nice sidewalk coming right in, right flush with the back door. So it will all be handicapped accessible.

LEG. TROTTA:

All right, thank you.

MR. KESSLER:

Thank you.

COMMISSIONER DAWSON:

And I'll say that because we own these places, we're responsible for the upkeep and maintenance. And the more activity that you have in these facilities -- the more positive activity you have in these facilities the less negative activity, so having a presence in the house is kind of important to keep these things for the future.

P.O. GREGORY:

Okay. All right, anyone else? Legislator D'Amaro.

LEG. D'AMARO:

Yeah, just back on July 29th, 2014, we considered this same bill and we did not pass it, at least the Bond. Voting no that day was Legislators Cilmi, Barraga, Stern, McCaffrey, D'Amaro, Lindsay, Trotta and Krupski. And I think back then we made the point that we're not against historic preservation per se; however, we do have to prioritize and we have to think about where we're going to exercise some self-restraint when it comes to bonding.

And I have a copy of the transcript in front of me. So back then the point was made that we have to have self-restraint, we have to pick areas that are less or lower on the priority list than others areas. That morning I think we had added about 60 million in bonding by appropriating from our Capital Budget. And then further on during that meeting some other Legislators spoke, and then again I made the point that we have to put away our credit card, we have to think about what we can afford to do and we can't continue to go down this path. I don't think that in the intervening year that's passed that the fiscal situation in the County has improved; in fact, I think it's gotten more difficult with the sales tax projections that are coming in. So as we pile on our debt service, that comes out of our Operating Budget, I just don't think that we can afford to do this.

Again, I just don't see where the County is going to get the funds to continue down this path. We had Legislator Muratore's bill today. You know, I talked about what do we have to do here and now, today to preserve this structure. Because we're not against preserving these structures, but this is a million dollar project in the face of cutting other programs and Safety Net, and we heard some testimony today during the budget public hearing about organizations that do other very worthy things. We're debating our Operating Budget now and I don't see what has changed in the last year that would justify making this expenditure today as opposed to back in July of 2014. Nothing; nothing's changed.

So, again, I understand -- I think that the Commissioner has an obligation to come here and talk to us, and I made this point back in 2014, to talk to us about what are the priorities of the department. I mean, what's the total Parks budget.

COMMISSIONER DAWSON:

Thirteen million dollars.

LEG. D'AMARO:

Thirteen million. And how much do we appropriate for historic structures in a year?

COMMISSIONER DAWSON:

Out of the Hotel/Motel, um --

LEG. D'AMARO:

What do you mean Hotel/Motel?

COMMISSIONER DAWSON:

I'm sorry, out of Historic it's -- off the top of my head, I couldn't tell you.

LEG. D'AMARO:

Okay. Well, that's not helpful.

COMMISSIONER DAWSON:

Okay.

LEG. D'AMARO:

Because, you know, we're over here trying to make decisions about who are we going to cut next, where are we going to get money? You know, we have structural problems with our budget, we have shortfalls that we talk about all year and this is -- granted, its borrowing, but there's debt service that's associated with that that comes out of the Operating Budget. We make the same piecemeal argument every time a Bond comes up -- *Well, just this one, or This one really needs it, or Just this one* -- and we pass every single one of them, we never stop. And that's why we continue down the road of not being able to have our revenue meet our expenditures, because at some point I think we have to say no. I think we have to draw some lines, and I would rather draw a line on this particular bill than some of the other proposals that were put forth earlier in the day. I can't stress to you enough that I think we did the responsible thing a year ago and I think we should do it again today.

COMMISSIONER DAWSON:

Well, with all due respect, I think you asked what changed; what changes that we now --

LEG. D'AMARO:

But I wasn't talking to you.

COMMISSIONER DAWSON:

Oh, I'm sorry.

LEG. D'AMARO:

But somebody else can ask you.

P.O. GREGORY:

Kate?

LEG. BROWNING:

Okay, real quick. I mean, I have to say that I really remember the last time we had this meeting and it was, *Come up with a plan*. I think our Parks Department did a good job of it. Mr. Kessler has done a phenomenal job of it, and when you want to talk about, you know, a partnership with historic societies and our historic homes and parks, he's the epitome of what that means. This man has put so much of his own time, own labor, money out of his own pocket to help us, and I think we owe it to him. He is very committed, this Historic Society is probably the model of historic societies in Suffolk County. And I'm asking everybody to support it, because without him and without his work, we wouldn't be able to get half of the work done that he's done.

P.O. GREGORY:

And just to echo on that, I understand and respect Legislator D'Amaro's point, but I think, you know, we have done what was requested -- not we, but you in the department -- went out, they have a plan, actually leveraged money which wasn't a part of the request, so I think that's important, now that we have \$600,000. Because I think people were concerned last year that, well, we spent 300, is it going to cost 500, you're going to keep coming back to the well? Well, we have a plan for that -- well, you have a plan, I keep saying we -- you have a plan to address that. And this is -- and I went to this house last year, there was an event; is this the one?

LEG. BROWNING:

You were in the Hawkins House and you were at the Swezey House.

P.O. GREGORY:

Oh, Hawkins, okay.

LEG. BROWNING:

And the Swezey House belongs to the Town of Brookhaven and they have a partnership with the Town of Brookhaven on the Swezey House, but I believe you've seen the Hawkins House --

P.O. GREGORY:

I certainly have.

LEG. BROWNING:

-- and the Homan House is across the street.

P.O. GREGORY:

Right, okay. All right, Legislator Krupski.

LEG. KRUPSKI:

Can I ask the gentleman from the Historic Society to come back? So I've seen that house. You know, when this came up over a year ago, I went to look at it because I wasn't familiar with it.

MR. KESSLER:

Yes, I remember.

LEG. KRUPSKI:

I went to see the house and I walked around the house, you know, next door. What's the nature of the complete work that's being proposed here and what's the -- what's the timeline that you have for the work?

MR. KESSLER:

You know, all the work that's going to be done is -- first of all, there is some temporary shoring inside the house that has to be removed after some of the structural members have been replaced, that's number one priority. After that, there are windows to be restored, doors to be restored, floors have to be redone. The chimney has to be rebuilt; not the whole chimney, we're going to -- we've come up with a plan. We have a local house mover who is going to support the chimney from the first floor on up, and then we can take the basement part of the chimney apart, rebuild it and then finish that off. There's a beehive oven and a fireplace down in the basement also, so that all has to be restored. But in order to do that, we'd either have to take the chimney all the way down and build it all the way back up again, or we got this house mover to do it for free for us. So he's going to be supporting the chimney, it's all in the plan that was looked at by an engineer, everything is all set to go. To do that, to take it down and put it back up would cost you way over \$100,000, easy; we're going to do it for a lot less than that and we're not going to -- we're going to do it ourselves.

We don't need to bring anybody else in to do it. We'll do all the masonry work. We're going to do all the landscape work on the outside, we're going to take care of all that. We're going to take care of a lot of the stuff that we can do ourselves.

I think with the -- between the grant money that, you know, hopefully you approve, the grant money from the Gardner Foundation, the Gary Foundation, and we're also seeking some funding from the Knapp Swezey Foundation, we're going to be applying to them for some grant money also. And then next year we can hopefully -- if we do get the money from the Gardner Foundation, we can go back to Gardner again next year, show them what we've done and maybe get some more money from them also, if we don't have enough. I think we're going to be very, very close with the money that we have. I don't think we have to come back to you for any more money.

LEG. KRUPSKI:

What's your timeline on that?

MR. KESSLER:

I would say about a year-and-a-half to be done, from the time we get started.

LEG. KRUPSKI:

Thank you.

MR. KESSLER:

At most a year-and-a-half, hopefully a lot shorter than that. I hope a year, but I say a year-and-a-half.

P.O. GREGORY:

Okay. Legislator Kennedy?

LEG. KENNEDY:

I agree with Legislator D'Amaro, we're in financial straits, but in this situation, we have no choice but to vote for this bonding. We try desperately to preserve our historic homes. Neighborhood and community groups that join in to assist us are a blessing, and to do research and go for grants privately is a marvelous thing. Between the grants you're getting, the \$200,000 worth of work you're getting, to bond for 300,000, which if we were doing as a County would cost us triple, we can be penny-wise and pound foolish. We have to vote for this.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. Just a couple of points I want to make for the record. First of all, back in July of 2014, it was never my concern on the record about having a plan. My concern was just more about where are we prioritizing, how can we afford to do this? I didn't care whether or not we had a plan, because at that point I felt that with the amount of bonding that we had taken on, especially that day -- I think we added 60 million, today we probably added about another 20 or 30 with the bonds that we passed. And also, the Presiding Officer at the time had put together a Pipeline Debt Reduction Committee that was working and I felt that, you know, in conjunction with that type of effort, we really need to start to think about where are we going to finally say no?

I mean, Legislator Kennedy makes the point I have to vote for this; you don't, you don't have to vote for this. That's the whole point, because no one is arguing on the merits that anything that we propose to do in the County is not worth the money. Of course we want to preserve historic structures, of course we want to pave parking lots, of course we want to make sure every curb is

perfect in the County; we want to make that presentation, we want to fulfill that ideal. The problem is that when you sit and start to analyze our budget situation, we can't afford to do that. So I feel an obligation to, at some point -- for myself I'm speaking -- exercise my responsibility here and say no once in a while. I did it -- Legislator Muratore I asked today, would you please just tell me specifically what perhaps can be put off and what can't be put off and I voted against some other bonding today as well.

But the first point I do want to make is that I didn't speak about a plan last time, it wasn't my concern. My concern was really, Commissioner, I think that -- and I made this point back then. You know, you come in and advocate for this and I respect that, I do, but I also think that you have an obligation as the Commissioner to tell us where we can save money and what shouldn't be prioritized and I don't ever hear you telling us that.

The second point I want to make is that your memo, which I'm reading which is from October 6th, 2015, this memo today, it says that the project is estimated that it's going to be a \$900,000 project and that the County would put up the 300 in bonding, the Gardner Foundation is going to be a grant for another 300, and then some in-kind work. And then you say, "*Any shortfall in funding to complete the Homan-Gerard will be covered by Parks' Operating Budget.*" Really? Where are you going to get that money?

COMMISSIONER DAWSON:

Yes. As I indicated earlier, there's a fund within our historic -- within our 7510 account that has operating money for repairs to historic structures.

LEG. D'AMARO:

So it could cost the County more than the 300 we're talking about.

COMMISSIONER DAWSON:

Yes.

LEG. D'AMARO:

So how much more?

COMMISSIONER DAWSON:

Whatever the shortfall is, maybe a hundred thousand, two hundred thousand.

LEG. D'AMARO:

Oh, so now we're --

COMMISSIONER DAWSON:

We're talking about \$900,000.

LEG. D'AMARO:

But wait a minute. But wait a minute.

COMMISSIONER DAWSON:

Okay.

LEG. D'AMARO:

You're sitting here representing it's only going to cost the County 300,000 and now you just went to 500,000.

COMMISSIONER DAWSON:

I said it's going to cost \$300,000 in capital. I never said --

LEG. D'AMARO:

All right, so we're going to play semantics, then.

COMMISSIONER DAWSON:

But we're not playing semantics.

LEG. D'AMARO:

We are. We are, it's a misrepresentation. It's \$500,000 to the County at a time when we can't even afford to pay your salary. Give me a break. Come on. You know, we can play those games all day. That's it, I'm done.

LEG. BROWNING:

Take the vote.

P.O. GREGORY:

All right. We have a motion and a second?

MR. RICHBERG:

Yes, you do.

P.O. GREGORY:

Oh, I'm sorry. We have to do a roll call; roll call.

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

LEG. BROWNING:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

No.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Pass.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

No.

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Pass.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. KRUPSKI:

No.

LEG. McCAFFREY:

No.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Twelve.

LEG. CALARCO:

One more.

MR. RICHBERG:

Oh, I'm sorry. Anker?

LEG. ANKER:

Yes.

MR. RICHBERG:

Thirteen.

P.O. GREGORY:

Okay. ***IR 1806-15 - Accepting and appropriating a grant in the amount of \$219,176 in federal pass-through funding from the New York State Division of Homeland Security and Emergency Services for the 2015 Bomb Squad Initiative Program with 100% support (County Executive).*** I'll make a motion. Second by -- where did she go? Oh, second by Legislator Hahn; how about that?

MR. NOLAN:

Perfect.

LEG. HAHN:

Fine.

P.O. GREGORY:

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1807-15 - Accepting and appropriating a grant in the amount of \$19,711 in federal pass-through funding from the New York State Division of Homeland Security and Emergency Services for the Explosive Detection Canine Team FY 2015 Program with 100% support (County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1808-15 - Accepting and appropriating 100% federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$900,000 for the "State Homeland Security Program (SHSP) FY 2015" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). Motion by Legislator Muratore. Second by Legislator Martinez.

LEG. HAHN:

On the motion, I just have a quick question.

P.O. GREGORY:

On the motion, Legislator Hahn.

LEG. HAHN:

I know it's 100% funded so, you know, take the money, but I just do have a question. It says that there's \$62,770 for cellular telephones?

MR. VETTER:

Annually, for a decade plus, the department, to meet the communication infrastructure, supports both satellite backhaul as well as cellular communications associated with emergency management in that way. So those phones --

LEG. HAHN:

So is this for purchasing phones themselves, or just the plans?

MR. VETTER:

The hardware and the sustainment plan.

LEG. HAHN:

And these are the satellite phones?

MR. VETTER:

Some are satellite, some are voiceover IP satellite connection points, as well as regular cellular phones.

LEG. HAHN:

Do you know how many there are and what they're -- can you just explain what they're going to and how many there are?

MR. VETTER:

So they're in existence in the mobile command posts, they're in existence in our building. We have deployable caches.

LEG. HAHN:

Oh, so they're just -- they're sitting in a box somewhere waiting for when we need them.

MR. VETTER:

Yes. So the satellite phones traditionally do not have a large amount of usage time, the minutes are all pooled together in that way.

LEG. HAHN:

And do we -- have we negotiated a plan that we pay as we need it, or do we have to pay for like a monthly --

MR. VETTER:

It's a basic subscription rate that gives us a blanket amount of minutes each amount of time, but they're pooled together in that way. So we're paying -- to answer your question, we pay a flat rate for the year of the program. So to take the dollar, the Federal dollar now, sustainment of established programs has to be maintained before we could do any type of future growth.

LEG. HAHN:

Okay. It just was an odd number to me for cell phones, but satellite phones are more expensive, I'm sure.

MR. VETTER:

The way our technology is changing now with text messaging or e-mail demands, older satellite phones never did that, the newer stuff does support all that.

LEG. HAHN:

Okay. Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: Legislator Schneiderman).

P.O. GREGORY:

IR 1809-15 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$2,681,913 for the "Urban Area Security Initiative (UASI) FY 2015" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). Motion by Legislator Muratore. I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

IR 1810-15 - Accepting and appropriating 100% federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$102,000 for the 2015 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

IR 1811-15 - Accepting 50% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$566,893 for the 2015 Local Emergency Management Performance Grant (LEMPG) Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). Same motion, same second.

LEG. TROTТА:

On the motion?

P.O. GREGORY:

I'm sorry. Legislator Trotta.

LEG. TROTТА:

What is this about?

MR. VETTER:

I'm sorry. Which one are we on?

LEG. TROTТА:

1811.

MR. VETTER:

Which grant specifically?

LEG. TROTТА:

Fifty percent for emergency --

MR. VETTER:

566,893; that one, right?

P.O. GREGORY:

1811. It's the --

MR. VETTER:

So historically, the LEMPG, the Local Emergency Management Performance Grant --

LEG. TROTТА:

Yeah.

MR. VETTER:

-- is a revenue reimbursement for County staff associated that's working on programs and projects in line with State strategies towards emergency management. So, for example, you retain, recover 60% of my salary annually for the work that I do on behalf of Emergency Management tasks.

LEG. TROTТА:

So this is strictly for salaries?

MR. VETTER:

This is salaries of -- reimbursable salaries, 50% return of it. So our matching portion of 50% is the balance of my employment.

LEG. TROTТА:

So we're not buying anything, we're not --

MR. VETTER:

No. This is not goods, it's revenue return.

LEG. TROTТА:

The State is paying 50% of your salary?

MR. VETTER:

Yep. We have some employees in excess of 75, 80%.

LEG. TROTТА:

Okay, thanks.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen.

P.O. GREGORY:

Okay, if you go in to --

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

Certificates of Necessity

P.O. GREGORY:

Okay, if we go into the red folder, we have a few CNs.

IR 1805-15 - Authorizing the County Executive to enter into a Joint Financing Agreement with the U.S. Geological Survey (County Executive). I'll make a motion.

LEG. BARRAGA:

Second.

P.O. GREGORY:

Second by Legislator Barraga.

LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

The tidal warning gauges are going to be placed in two different locations and it's called a Joint Financing Agreement. What is the agreement?

MR. MOLTZEN:

I'm sorry, Legislator Krupski. Could you repeat the question?

LEG. KRUPSKI:

Absolutely.

MS. MAHONEY:

Please state your name.

MR. MOLTZEN:

I'm sorry. I'm Ed Moltzen with Suffolk County Fire, Rescue & Emergency Services.

LEG. KRUPSKI:

It says there's a Joint Financing Agreement, so what's the agreement?

MR. MOLTZEN:

The agreement basically would provide for us to pay for the cost of operation and maintenance of these tidal warning gauges. We would pay USGS in three annual installments for a total of \$77,820. The funds would come from Federal -- they would come 100% from Federal grant funds.

LEG. KRUPSKI:

Who physically puts the gauges in?

MR. MOLTZEN:

USGS.

LEG. KRUPSKI:

All right. And they -- does the County have any say as to where they're placed?

MR. MOLTZEN:

We discussed this with them previously, the decision was theirs. We thought the locations were good.

LEG. KRUPSKI:

All right. And that informational will be available to, like, Cornell Cooperative Marine Program or Peconic Estuary Program?

MR. MOLTZEN:

Absolutely. USGS makes all of its data from instruments like this available in real-time on-line. And I had an opportunity to speak with Peconic Estuary Program earlier today, they have had a very strong partnership with USGS in water level and water quality monitoring; similar, not the same, but similar to this.

LEG. KRUPSKI:

Right, yes. All right, thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

Okay, ***IR 1814-15 - Authorizing the County Comptroller and County Treasurer to close certain capital projects and transfer funds (County Executive).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco. I'll second. Anyone on the motion? All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

IR 1819-15 - Authorizing the illumination of the H. Lee Dennison Executive Office Building in recognition of Mental Health Awareness (County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

1820-15 - Authorizing the illumination of the H. Lee Dennison Executive Office Building in recognition of Alveolar Capillary Dysplasia Awareness Day (County Executive).

LEG. SPENCER:

Motion.

P.O. GREGORY:

Motion by Legislator Spencer.

LEG. STERN:

Second.

P.O. GREGORY:

Second by anyone who can pronounce it.

(*Laughter*)

Legislator Stern. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

1821-15 - Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island inlet to Moriches Inlet, Towns of Brookhaven and Islip, Suffolk County New York (CP 5382). Motion by Legislator Calarco, second by Legislator --

LEG. BARRAGA:

Barraga.

P.O. GREGORY:

Barraga, okay. And on the motion, Legislator Krupski.

LEG. KRUPSKI:

Thank you. Commissioner? Commissioner Anderson. So it calls for the acquisition of up to 41 properties and obtaining over 400 easements, including perpetual beach storm reduction easements on private property. Would that -- what happens in the case of -- oh, these are on private properties. What happens in the case of a severe storm that destroys their home or makes the property unbuildable? And is there a provision for that?

COMMISSIONER ANDERSON:

If -- a lot depends on what you're speaking about. If we're talking about an easement, the structure can be rebuilt, but only within its current footprint. If we're talking about eminent domain to acquire a parcel, then obviously it would be taken down prior to the placement of the dune.

LEG. KRUPSKI:

If the parcel is rendered, by Mother Nature, unbuildable, is that addressed in the easement?

COMMISSIONER ANDERSON:

Yes, it would be -- the condition of the property would be established at the time the easement is executed. So if there's no building there at that time --

LEG. KRUPSKI:

No, but how is it addressed -- so there's no building -- okay, today there's a building there and it's habitable and it's legal, but, you know, next week there's a Noreaster and the building's gone and the elevation's gone, so now it's a tidal area and it's going to be -- that parcel is going to be unbuildable. Does the easement address that or is it just still in place? I mean, how is that going to work in the future when that happens?

COMMISSIONER ANDERSON:

Okay, in the future when the easement's in place, the homeowner would be able to rebuild within the footprint that it currently has. It couldn't build anything wider, longer, within the easement area. Beyond the easement area, they would have to just follow whatever local and regulatory, you know, authorities are in place, or requirements that are in place.

LEG. KRUPSKI:

Now I really don't understand what she said.

COMMISSIONER ANDERSON:

Okay. The easement that goes through a parcel of property, if there's a building -- okay, let me put it this way. If the house is not within the easement, it's just a plain easement, what happens to the north or more landward of that easement is really no concern of this project and the easement would not reflect anything for the future. The easement's only concerned with anything that's within

that easement. So if a house has its front porch in the easement, a storm comes through after the dunes have been constructed and everything's in place, they could rebuild within the footprint of that easement, but no bigger.

LEG. KRUPSKI:

I don't think that's my question.

COMMISSIONER ANDERSON:

Okay.

LEG. KRUPSKI:

My question is if the lot's rendered unbuildable after a storm event, I mean, does local -- would local zoning, in other words, take that into effect or State building code?

COMMISSIONER ANDERSON:

SEAHA, the local building code.

LEG. KRUPSKI:

Elevation and all that? I mean --

COMMISSIONER ANDERSON:

Right. Those would -- this would have nothing to do with that.

LEG. KRUPSKI:

Okay.

COMMISSIONER ANDERSON:

They would be able to resubmit for a permit to the local municipality, to the DEC to make sure they're within SEAHA and everything else.

LEG. KRUPSKI:

Okay, thank you.

COMMISSIONER ANDERSON:

You're welcome.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

P.O. GREGORY:

Okay. I would like to waive the rules to lay the following resolutions on the table:

Procedural Motion No. 26 to Parks; IR 1812 to Government Ops, setting the Public Hearing for November 17th, 2:30 PM in in Hauppauge; IR 1815 to Public Safety and setting the Public Hearing, November 17th at 2:30 in Hauppauge; IR 1816 to Government Ops; IR 1817 to Parks, set the Public Hearing for November 17th, 2:30 PM in Hauppauge; 1822 to Parks, setting the Public Hearing, November 17th, 2:30 PM in Hauppauge.

I have a second by Legislator Hahn. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Not Present: D.P.O. Schneiderman).

MS. GELLERSTEIN:

We have a CN that we didn't address; 1822

P.O. GREGORY:

Let's see, hold on. I don't have it in my thing.

MS. GELLERSTEIN:

It's in the packet. So we don't need it, Ann Marie?

P.O. GREGORY:

Is there another CN?

MS. HORST:

We did five, right?

P.O. GREGORY:

Yes, five. Okay. All right, just one second. We're missing the CN that makes me the czar of Suffolk County, trying to sneak it in.

LEG. McCAFFREY:

You already are.

*(*Laughter*)*

Okay, we're good. Nothing more on our agenda, we stand adjourned. Thank you.

*(*The meeting was adjourned at 6:34 P.M. *)*

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