

General Meeting 12/1/15

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

FIFTEENTH DAY

December 1, 2015

**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***

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

(*The Meeting was Called to Order at 9:39 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 Called by Mr. Richberg, Clerk of the Legislature)

LEG. SPENCER:

(Not Present)

LEG. D'AMARO:

Here.

LEG. STERN:

(Present)

LEG. MC CAFFREY:

(Not Present)

LEG. TROTTA:

Here.

LEG. KENNEDY:

Here.

LEG. BARRAGA:

(Absent)

LEG. CILMI:

Here.

LEG. MARTINEZ:

(Not Present)

LEG. LINDSAY:

(Not Present)

LEG. CALARCO:

Present.

LEG. ANKER:

Here.

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LEG. HAHN:

Present.

LEG. MURATORE:

Here.

LEG. BROWNING:

Here.

LEG. KRUPSKI:

Here.

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

Here.

LEG. LINDSAY:

Jason.

MR. RICHBERG:

Fifteen.

LEG. MC CAFFREY:

I'm here. Here.

MR. RICHBERG:

Sixteen. (Not Present: Legislator Spencer/Absent: Legislator Barraga)

P.O. GREGORY:

Okay. Thank you. We will have the salute to the flag, led by Legislator Kara Hahn.

(*Salutation*)

Okay. Next, Legislator Hahn will introduce Anna Lubitz from Setauket, who will sing the National Anthem. In addition to being a noted singer, Anna is also an active member of the Stony Brook University community, serving on the Student Assembly.

LEG. HAHN:

Anna, can you come forward? Come on forward. Anna Lubitz is, well, first of all, just a friend. She's just a phenomenal individual. She's a graduate of my alma mater, Ward Melville High School. I just had to say that. She's also a Stony Brook University graduate student, studying -- pursuing a Master's in Business Administration and Masters in Public Health. She sings the National Anthem at many Stony Brook events, and athletic games, and community-wide events. And she is the President of the MBA Association at Stony Brook University, and has served many leadership roles, both in -- on and off campus. And so here, I'm so pleased to have her, Anna Lubitz.

(*Applause*)

(*National Anthem Performed by Anna Lubitz*)

(*Applause*)

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LEG. HAHN:

Isn't she fantastic?

P.O. GREGORY:

Please remain standing. We will have the invocation, which will be given by Reverend Rabbi -- no, Rabbi Sharon Sobel of Temple Isaiah in Stony Brook, guest of Legislator Kara Hahn.

LEG. HAHN:

Thank you so very much. Rabbi Sharon Sobel was appointed as Rabbi of Temple Isaiah of Stony Brook in July of 2014. The daughter of a reformed Rabbi from Glens Falls, Rabbi Sobel was ordained from Hebrew Union College Jewish Institute of Religion in New York in May 1989. She also holds an undergraduate degree in Mass Communications from Boston University School of Public Communications.

Prior to joining Temple Isaiah, her remarkable career extended from leading congregations to leading national organizations, while serving as Executive Director of the Union for Reform Judaism's Canadian Council for Reform Judaism in ARZA Canada for over nine years. Leader as Judea Consultant for the York Region of the UJA Federation of Greater Toronto, Rabbi Sobel was responsible for developing and enhancing spiritual life in the York Region, which is considered the fastest growing Jewish community in North America.

She is a passionate advocate for social justice and human rights issues. This year, Rabbi Sobel is one of ten Rabbis from across the United States to be awarded the prestigious Rabbinic Global Justice Fellowship from the American Jewish World Service. These Rabbinic Fellows will be engaging in social justice work in conjunction with their duties within their home congregations.

Please welcome Rabbi Sharon Sobel.

*(*Applause*)*

RABBI SOBEL:

Thank you, Legislator Hahn, and all of you for having me this morning. Let us join together in prayerful reflection.

Our God, and God of all people, you give us the gift of self-reflection. As we prepare to begin a new day of deliberation, we take a moment to appreciate the fact that we are alive. With each breath we take, we fill not only our lungs with air, but also we infuse our souls with meaning.

Life is a gift. What do we do with that gift depends on our awareness of the preciousness and precariousness of our daily existence. That we are here together in a sacred chamber of deliberation is a reflection not only of the fact that the members of our community have placed their trust in these lawmakers, but also in the potential for change and healing that can take place in the deliberations and debate that make up the business of this body.

And so, as we take this moment of reflection, let us ask ourselves what do we hope to accomplish today? Whose lives are we impacting? What are the needs of our community? Who feels pain? Who fears the future? Who is poised for greatness? How can we take the time we have together to work to improve our communities, our families, ourselves? Help our Legislators to see that the issues that they are discussing and the laws they are enacting should serve to enlighten and animate the divine implanted within them and the people they serve. May any disagreements that arise be for the sake of bringing healing and wholeness to our world. Let the perils of partisanship give way to the echoes of empathy. And may the work of these Legislators reflect the highest values of each of our faith communities and of the goodness that is within each one of us.

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Bless these proceedings and all those who labor here today, and let us say amen.

*(*Amen said in unison*)*

P.O. GREGORY:

Please remain standing for a moment of silence in memory of Nephtali Martinez, father of Robert Martinez, Legislative Aide for Legislator Muratore. We send our heartfelt sympathy and prayers to his family.

Let us also observe a moment of silence to remember all the nations across the world that are ravaged by terrorism and war. And as always, let us also remember all those men and women who put themselves in harm's way every day to protect our country.

*(*Moment of Silence*)*

Okay. We have several proclamations. First, we have Legislator Cilmi, who will present a proclamation on behalf of the Suffolk County Legislature to Probation Officer Jill Van Wagenen.

LEG. CILMI:

Thank you, Mr. Presiding Officer. Great to be here again today. I hope everybody enjoyed their Thanksgiving in the room. Wonderful holiday season to us all.

I'm very pleased to welcome Probation Officer Jill Van Wagenen today. Jill is a 12-year veteran of the department, and is currently assigned to the Criminal Courts Supervision in the Coram office.

The story I'm going to tell you is very brief, but it really highlights the role that our Probation Officers play here in Suffolk County in ensuring our safety, and it highlights the fact that they do so in such a proactive way.

Probation Officer Van Wagenen received information that a probationer was bragging about having a gun, which would, obviously, be a violation of the probation agreement. On July 20th, 2015, Probation Officer Van Wagenen -- am I pronouncing the name correctly, Jill?

MS. VAN WAGENEN:

Yes.

LEG. CILMI:

With the Southamptton Police Department on standby, performed a home visit after confirming the fact that there was a gun present with the probationer, at which time a loaded pistol, loaded pistol was found at the residence in violation of his probation. So -- and, obviously, the pistol was confiscated. The probationer was again charged with that violation, and there are several counts pending against this probationer -- this probationer.

But it goes to show how our Probation Officers every day are walking into situations that are potentially dangerous. Had we not gotten the information that there was a loaded pistol on the premises, and had Probation Officer Van Wagenen gone in to this residence, who knows the peril that she could have been faced with.

So the Probation Officers Association, and I, and the entire Legislature, Jill, would like to say congratulations to you, and thank you for the great work that you do day in and day out for the past 12 years and will continue to do, I'm sure, for a long time in the future. God bless you.

*(*Applause*)*

P.O. GREGORY:

Okay. Next, we have Legislator Anker, who will present a proclamation to Frank McCoy, owner of Advanced Sports and the Chief Physical Therapist at the East Setauket location. Frank is knowledgeable in the field of sports medicine and preventing sport injuries, and worked closely with Legislator Anker on the Youth Sports Safety Forum to promote increased safety measures for our young athletes in Suffolk County.

LEG. ANKER:

Again, I want to thank everybody that helped participate in my Sports Safety Forum. I don't know if too many people know about it, but, basically, Frank was one of a panel of about maybe ten people that was put together by the Section XII sports, the head of sports safety in New York State. And, unfortunately, in my district we've had some severe injuries with school sports safety. Tom Cutinella died of a head injury, concussion. And we had a boy at North Shore Youth -- Shore -- the baseball little league. He actually died, what, being hit by a ball in the chest, but was revived by a defibrillator. And, you know, again, if it wasn't for the folks that understand how important sports safety is, that child -- well, actually, he was 17-year-old, 16-year-old -- would not be with us today.

So with all these, you know, situations in mind, I put together a Sports Safety Forum with the Shoreham-Wading River School District. And we created a video that's available for public to view on what you can do to increase your knowledge when your child is part of any sports. And what's interesting is the fact that most Little Leagues, most not-for-profit sports associations, organizations, do not have oversight with sports safety.

I was a soccer coach for my daughter when she was five and six years old. Did I have any training? Absolutely not. Should I have had training? Absolutely. So with the information that many of my panelists presented, we, hopefully, will create a safer place for our kids when they engage in sports.

So it is with great pleasure that I present Frank McCoy, who is the cofounder and owner of Advanced Sports Physical Therapy. And, again, with his advanced knowledge and understanding of orthopedics, you know, he gave a wonderful presentation at the forum. Eighteen years of experience in Suffolk County specializing in injury prevention, postoperative medicine and sports rehabilitation medicine.

So, Frank, I would like you to -- if you don't mind, could you just say a few words, and just enlighten the folks here what could be done with, you know, children regarding sports? So let's give him a round of applause for his participation.

*(*Applause*)*

MR. MC COY:

Thank you, Ms. Anker. So the basic premise behind the forum that we had was to enlighten people about injuries that are preventable. So, you know, I've been working in this area for many years. I do a lot of community service to try to enlighten people about things that we can do at home, and also in the clinic, and also in the schools to help prevent a lot of injuries that occur every day. I happen to see a lot of youth in my clinic, unfortunately, and most of the injuries that we see, if we address them early enough and we educate people, we can prevent. So that's what we're trying to spread the word about, and, hopefully, through the video that we put online, and, hopefully, more of these forums, we can educate people to see that there's a lot we can do for the community.

LEG. ANKER:

Thank you, Frank.

*(*Applause*)*

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Thank you. And, again, you know, I have two children with severe food allergies, also a child with asthma. There's diabetes, there's so many things on the rise that, you know, even as an adult, an older adult, all those sports injuries, they never leave you. So if we can prevent those while your child -- we'll be doing, you know, a great thing.

So, again, thank you so much, Frank, and congratulations. Thank you.

*(*Applause*)*

P.O. GREGORY:

Okay. Next, we'll have -- Legislator Calarco will present proclamations to Suffolk County Police Officers Michael Ciardullo and Jason Morge for rescuing a baby after a carjacking.

*(*Applause*)*

LEG. CALARCO:

Good morning. I'm joined with Monica Martinez, Legislator Martinez from the 9th District, since this happened in her district. But when we saw this, you know, so often we hear tragic stories of instances that happen and, unfortunately, turn the wrong way. In this particular situation, we had a car that was stolen. It was left running in front of a Subway store with a four-year-old child strapped into her car seat. And the car went out and Officer Morge and Ciardullo responded very quickly. They identified the car within minutes of their -- of the report coming over, and they were able to recover the vehicle, and, more importantly, the child safely and unharmed, and, you know, kept her happy, and peaceful, and quiet until her parents were able to come and recover her. And this is something that just highlights the work that our men and women do in blue every single day, and going out there and being on the streets and making sure that they're keeping us safe, and we wanted to thank you for that effort.

LEG. MARTINEZ:

You know, and I just want to extend my gratitude as well. I know we had the conversation when it happened. And what I just love about it is that you just did it, you know, without even thinking about it, and that's what you do. And you put your lives on the line every day for all ages, and even our animals as well. So I do want to thank you from the bottom of my heart. The Third Precinct is an awesome precinct, and I love the fact that I represent that are and have you there, so thank you.

*(*Applause*)*

LEG. CALARCO:

Thank you very much. Would you like to say anything? No, they don't want to say anything. Thank you very much for the hard work, and we appreciate you being there for us day in and day out, and this one is certainly a great turn of events on this story.

MR. CLAMPET:

Rob, blue lives matter.

LEG. CALARCO:

Blue lives matter, absolutely.

*(*Applause*)*

P.O. GREGORY:

Okay. In October of this year, 2015, Legislator Browning sponsored a resolution for the Suffolk County Legislature to create a program for commemorative pins to honor our volunteer firefighters

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and emergency medical services volunteers who have also served in the Armed Forces of the United States.

The contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and the way of life enjoyed by the people of the United States. Local governments should recognize and reward the critical role these volunteers, who are also Veterans of the Armed Forces, have in our communities.

Over the next two Legislative sessions, Legislators will bring a member of a fire department and volunteer ambulance company to be recognized and receive the pin they have earned.

Today's ceremonial pinning in Riverhead will accommodate the volunteers from the East End, and the West End volunteers will be recognized at the last meeting of the year in Hauppauge.

Legislator -- Legislators -- excuse me -- Browning and Krupski will now present pins to Veterans in their Districts. Legislator Krupski will recognize Mark Dunleavy, an EMT, and Bill Sanok, a Volunteer Fireman. And Legislator Browning will recognize Leon Mink, a U.S. Army Veteran. Is that Minke or Meinke?

MR. MINKE:

Meinke.

P.O. GREGORY:

Meinke, I'm sorry, and Ronald Jones, a U.S. Marine.

LEG. BROWNING:

And, again, I want to thank my colleagues for supporting this. I think it's very important our volunteers are recognized, and especially the ones who have served our country. So the -- I will let you know that at our installations, they're all coming up. So at my installations, that I will be attending all of them, I usually attend them all, I will be awarding these pins also at our installation events.

So if I could have Leon and Ronald. Leon Meinke is -- served in the U.S. Army from 1965 to '67 during the Vietnam era. So I want to say thank you for your service, and here's your pin.

MR. MEINKE:

Thank you.

LEG. BROWNING:

Thank you.

*(*Applause*)*

And Ronald Jones served in the U.S. Marines.

MR. MEINKE:

Ronald is not here.

LEG. BROWNING:

Oh, sorry.

MR. MEINKE:

Mark, Mark Butler.

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LEG. BROWNING:

Mark. They didn't tell me that. Mark, you want to come forward? Sorry. I will never to get to remember everybody's names. Okay.

Mark Butler served in the U.S. Navy. What years?

MR. BUTLER:

'85 to '88.

LEG. BROWNING:

1985 to 1988. I want to say thank you for your service.

*(*Applause*)*

LEG. KRUPSKI:

Before I'd like -- I give the pins to Mark Dunleavy and Bill Sanok, I would just like to thank Kate Browning, because Legislator Browning, this is her initiative. I think it's really good to recognize people that serve their communities in various capacities and who give so much of their free time to help people who really need help. So thank you, Kate, for that.

*(*Applause*)*

And, gentlemen, thank you so much for your service. Which branch of the military did you serve in?

MR. DUNLEAVY:

Army.

LEG. KRUPSKI:

Thank you very much. And Bill?

MR. SANOK:

Army, '62 to '64.

LEG. KRUPSKI:

You can wear -- I know you'll wear those proudly.

MR. SANOK:

Thank you.

MR. DUNLEAVY:

Thank you.

LEG. KRUPSKI:

Thank you for your service.

P.O. GREGORY:

Okay. That is all for the presentations that we have. We don't have -- do we have any statements or presentations from any Town officials? No, I don't see any. Okay. We will go to the Public Portion. We have --

LEG. MURATORE:

DuWayne. DuWayne, I think --

D.P.O. SCHNEIDERMAN:

Sean is here and --

P.O. GREGORY:

Oh, okay. Yes, Mr. Supervisor, please come forward.

MR. CLAMPET:

Congratulations, Sean.

(*Applause*)

SUPERVISOR WALTER:

Thank you. Welcome to Riverhead or Riverside, and the County Seat. I always love coming here and speaking to you. Supervisor-Elect Schneiderman.

D.P.O. SCHNEIDERMAN:

Congratulations.

SUPERVISOR WALTER:

Congratulations. I'm here to do three things, read two letters and speak about Legislation 1659. So if you'll beg -- if I can beg your indulgence for a moment, I'm going to read a letter from the Office of Town Supervisor in Southold, Scott Russell, and this letter was addressed to Legislator Krupski.

"I have recently reviewed the above-referenced legislation and wish to convey my strongest objections to its adoption. Specifically, zoning authority ultimately rests with each town, and this proposed action appears to be nothing more than a strong-arm tactic to compel each Town to cede that authority.

Second, projects of regional significance are already subject to multi-agency review. Towns are given legitimate Lead Agency status pursuant to SEQRA, and all the proposals are subject to review and the approval by one or more departments of the County and the State. In addition, the Suffolk County Planning Commission provides input and guidance on each proposal.

Three, Towns typically engage the services of professionals and consultants based on their particular need. Such selection is completely consistent with the policies and guidelines of the New York State Comptroller's Office. The proposed legislation not only compels Towns to divest each zoning authority, it also removes the Town's discretion in selecting these professionals.

Additionally, Towns are given no assurances that these professionals will have the knowledge or insight of matters unique to each Town, such as its zoning codes or planning objectives. In fact, these professionals will be handpicked by a group of only four individuals and not by the membership of the new Alliance" -- excuse me -- "of the membership of the new Alliance.

It is ironic that the Legislature finds the need to find new Alliance to be imperative, it only shows no faith in its ability to make decisions.

Historically, Suffolk County and the Towns have worked in collaboration and addressed the needs for sound planning for our region. This legislation is heavy-handed" -- "a heavy-handed effort to infringe on each Town's zoning and land use powers, and, if adopted, will make Southold Town rethink its participation in that collaboration." Signed, "Sincerely, Scott A. Russel, Town Supervisor." I've got a second letter from Supervisor Angie Carpenter from the great Town of Islip.

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"Dear Presiding Officer Gregory and Legislators. I believe and always have believed that intermunicipal cooperation is essential to good government. However, I write you to express my strong opposition to I.R. 1659-2015, establishing the Suffolk County Regional Planning Alliance Program.

In my brief tenure as Islip Town Supervisor, I've reached out to the Supervisors of neighboring Towns and County" -- "and the County Executive regarding matters such as, but not limited to, mutually beneficial ash disposal agreements with Brookhaven, and efforts to promote the use of MacArthur Airport to benefit all County residents and businesses. That being said, I.R. 1659-2015 represents a Legislative attempt to subvert the State mandate that reserves zoning powers to the Towns. There are vital policy interests underpinning these" -- "underpinning these sections of State Law. They serve to protect local residents whose lives are most immediately impacted by planning and zoning decisions.

The residents who live next door to a project of regional significance are the ones who are most profoundly impacted by the changes to their neighborhood, their schools, the traffic on their streets, and the overall quality of family lives."

I really wish people would stop texting me.

(*Laughter*)

"The schools, the traffic in their streets and the overall quality of the families' lives in the individual Town.

This is a County of 1.5 million people. Local voices will be lost in the clamor of regional interests. We in Town Government are the most immediately responsive to the needs of the people. Their voices can be heard at the local level. It is the responsibility of the Town and elected officials to work cooperatively with the County and State officials to move important projects forward. That's what we were elected to do. We need to be the intermediary for our residents, and we will face the consequences if we get it wrong.

It is the antithesis of good government to take control over zoning decisions out of the hands of the Town and place it in the hands of a more removed level of government. I.R. 1659-2015 represents another step down the slippery slope that ultimately undermines local control and brings big government to local decision-making.

I urge all the Legislators to consider the best interests of the constituents first and vote no on I.R. 1659-2015." Signed, "Sincerely, Angie M. Carpenter" -- "Angie M. Carpenter, Islip Town Supervisor."

So I'd like to speak to you from my own experience, if you will.

P.O. GREGORY:

Sir, please wrap -- okay.

SUPERVISOR WALTER:

I'm going to beg your indulgence. I'd like to speak to you from the Town of Riverhead's experience.

You are almost sitting in a Town that is the fastest expanding Town in Suffolk County. In the last four years, we have built four named commercial shopping centers. We have attracted the aerospace industry back to EPCAL. If you're watching Luminati Aerospace, if you're watching what's happening at EPCAL, for the first -- probably the most exciting thing that's happening in Suffolk

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County right now is the aerospace industry coming back to EPCAL. We did that working with the County, we did that working with the developers, we did that working with Luminati Aerospace. But what I want you to understand and what I'm going to ask at the end of this speech is one thing and only one thing. What I'm asking to look at is how you do bring economic development.

You're creating a group that is going to meet on a quarterly basis. Do you understand, when we attracted Luminati Aerospace, when we attracted Dick's Sporting Goods, Walmart, all the other things that are great that are happening in Riverhead, we met with those folks on a weekly basis, we met with those folks on a daily basis. Bringing back Main Street, we meet with those folks on a weekly, daily, sometimes hourly basis to move projects forward. That's what it takes to create economic development. If you sit there and have a quarterly meeting, you're not doing anything to promote economic development, you're tying the hands of the Towns.

So the thing that I'm going to ask you is, please, table this resolution for today. I would like the Legislature to sit down with the Supervisors of the ten Towns of Suffolk County to talk about economic development. You owe it to the Supervisors of the ten Towns, you really do. Nobody saw this coming. All of us or most of us were involved in a -- some of us, a pretty contentious election this cycle, so most of us were focused on getting reelected and not really looking at what the Suffolk County Legislature was doing. So what I'm asking you is table this legislation, set up your subcommittee and bring the ten Town Supervisors in to talk about this, because what you're doing is going to impact the Town level of government in such a way that I don't think you understand.

The Town of Riverhead will opt out of this, I believe Brookhaven opts out of this, I believe Islip opts out of this, I believe Southold opts out of this. You could have half of the Towns -- oh, I believe Smithtown opts out of this. So you potentially are going to have five, maybe six Towns that opt out of this legislation. I'm not saying it's wrong, I'm just saying this legislation is not right. It's not ready to be done yet.

So give us the opportunity, the ten Supervisors, to sit down and meet with your group. Table the legislation for today. There's no rush. It's Christmas, nothing's happening that -- you know, that needs this to be done right away. Create the meeting, I will coordinate the meeting. Thank you.

*(*Applause*)*

P.O. GREGORY:

All right. Thank you. Do we have any other Town or Village officials here? No? Okay. We'll go to the Public Portion. We have several cards, first being Tom Oleszczuk, and then on deck, Heidi Rain Oleszczek -- czuk, excuse me.

DR. OLESZCZUK:

Oleszczuk.

P.O. GREGORY:

Oleszczuk?

DR. OLESZCZUK:

Yes.

P.O. GREGORY:

Excuse me.

DR. OLESZCZUK:

Okay. Good morning, esteemed members of the County Legislature. This is my first time coming here, and I'm -- you know, I'm really impressed with the way that you've, you know, honored members of the community that have performed service, not only here, but abroad, and, you know, I commend you for that.

I'm -- actually, I have a PhD in Political Science. I haven't done it in a while. I retired and, you know, many years ago came out from Brooklyn, because I love Suffolk County, and particularly Montauk. And what I'd like to do is apply a little bit of -- you know, of my training and experience to give you a public policy analysis, especially the consequences.

First of all, to update you, the Montauk Main Beach is the center of an Army Corps project that was signed off on by the Town of East Hampton, as well as, I understand, Suffolk County. This project, you know, purportedly protects the Town and has begun.

We have seen the primary dune in Montauk destroyed to begin to place the 14,000-plus bags made out of this artificial material, each one of which will weigh 1.7 tons. Although it's been characterized as, quote, temporary, I think it's pretty clear that it would cost at least twice as much, if not more, to remove the bags. So, you know, unless the bags are not put in the ground, we're stuck with them. Now this has given rise in the last several weeks to fairly dramatic, you know, public resistance, including 300 people that went to a Town meeting in Montauk and 16 arrests.

What I'd like to basically say to you is that there are economic consequences here in that seawalls do not protect beaches, and, yet, Montauk has, as the major -- one of the major tourists engines for the County. It has three vectors, one of which is the beach, the second is the bars, and the third is fishing. Fishing is not a growth industry, unfortunately. The bars may be, except that the people that come to the bars want to go to the beach as well. This particular project is in the process of destroying the beach and will require continual influx of funds by the County. And then eventually, as the -- as the beach-goers decide not to return, you're going to be looking at a revitalization program. Montauk will come to you and ask for a lot of money to help rebuild their business.

I urge you, reconsider. Think now, rather than having to pay in two to three years time a lot more than you're now committed to. Thank you.

P.O. GREGORY:

Thank you, Doctor.

*(*Applause*)*

Okay. Heidi Rain Oleszczuk, and then on deck Bill Jones.

MS. OLESZCZUK:

Hello. I'm very glad to have the opportunity to address you, Suffolk County Legislators, and residents. We need your help. The local Town Board of East Hampton and the Judge, in turning down the injunction late last night, has made a colossal mistake. My husband has outlined what that is, so I won't say anything more. And you can go to the Facebook page, "Stop the Corps, Save the Beach" for more details on the protests of the past few weeks.

I'd like to talk about my feelings about Montauk. I'm sad, I'm disappointed and I'm angry. We should all be, 200, 300 of us standing on that beach and screaming until someone notices what's happening there. This is vandalism, this is the rape of the earth. While leaders of our nation and leaders of the world are meeting in Paris to discuss what's the best way to deal with climate change, we are representing the worst of 20th Century thinking, that human beings can fix and restructure

and shape the earth to its will.

Please look to the future. Don't let Suffolk County house what will be seen as the worst human engineered shoreline disaster in our country's history. Don't let politics get in the way of doing what's right. Please help us overturn what the lower courts have made, this dreadful mistake of allowing it to go forward and continue. Let's all work together and come up with a plan that works for us, that works for the sea, that works for the land, that works with the changes that are happening, and maintains that very, very precious resource of our beach. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you. Bill Jones, and then Kevin McAllister.

MR. JONES:

Good morning. Jay, congratulations on your election. My name is Bill Jones. I see a few familiar faces, not many, though. I did serve on the Legislature back in the early '90s, and I'm here to talk about two issues. One is Honor Flight, and the other is the sales tax proposal of thinking about raising the sales tax. But first about Honor Flight.

I happen to be President of Honor Flight Long Island. Our mission is to take World War II Veterans to Washington D.C., and over the past seven years, we have taken over 1200 World War II Veterans to Washington from all over Long Island.

*(*Applause*)*

And I know that from every one of your Districts as well. And for the first time in seven years, we're kind of running out of money. We have raised, believe it or not, through private donations over \$275,000 over the last eight years in order to take -- because our Veterans fly free, and we're getting low. And I'm not here to ask the County government for money. I'm asking for your help in any way that you may know possible. If you know some people that may be willing to help our coffers out, that would be fabulous. So it costs \$300 per veteran to take them, and anything that you might be able to do. We're trying to spread the word that we're now in need of some assistance financially.

We have -- we fly two times a year, once in the Fall and once in the Spring. We're going to -- we have our Fall flight booked, and we should be able to pay for that. But then -- by the way, so that you know, once we finish the World War II Veterans, which will be very shortly, we will be moving on to Korean, and Vietnam, and other conflict Veterans as well.

So we want the program to continue. It's been a great success. It's a most fabulous day in terms of how we pay, and all of those who participate pay respect to these true heroes of our American freedom.

Secondly, the sales tax. It was 1992 when I voted for the sales tax. I think there was one after that, it was a half cent increase. Back then, you know, the Big Magillas in the room were the -- were Medicaid, police salaries, and pension costs. In 2001, when it was raised, I believe it was the same three issues. And, once again, as you're faced with the question of whether to raise the sales tax, it's police costs, it's Medicaid, it's pension costs.

You know, I just -- my message is this has got to be fought. The State has got to be fought on all three of these issues. I mean, the Taylor Law is just driving local -- not only the County, but all municipalities crazy. Nothing seems to get done. We fought the good fight back in '92. We had

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mandate relief committees and stuff like that, but you know how difficult it is to get New York State to take an action on any of these issues. But they are the 800-pound gorillas in the room. And if you pass the sales tax now, it's going to get divided up and -- my time is up. But good luck with that, and keep up the good fight. Thank you.

P.O. GREGORY:

All right. Thank you, Mr. Jones.

*(*Applause*)*

Okay. Kevin McAllister. And before Kevin speaks, I just want to say for the record that Legislator Barraga has an excused absence today. He sent notification to the Clerk. Okay, Kevin.

MR. MC ALLISTER:

Good morning.

P.O. GREGORY:

And then on deck, Steven Ruth.

MR. MC ALLISTER:

Good morning, Legislators. My name is Kevin McAllister of Defend H2O. I'm here to speak science to perhaps nonscientists. I want to speak about the Montauk Project first and your 2016 Vector Control plan. This went through a great deal of, obviously, public opposition of recent, and it's unfortunate that opposition didn't appear earlier.

I want to point out a few misnomers. Legislator Schneiderman, this is not a dune, this is a structure. A structure is precluded from coastal policy, New York State, as well as the Local Waterfront Revitalization Plan. This is not an emergency response. We're two years -- three years, excuse me, post Sandy, and this is not temporary. Twenty-five thousand tons in geotextile containers, this is permanency, while we're waiting for sand only.

I'm really here to impress, this isn't about reversing course with respect to the County's participation in cost-sharing. This is about being complicit in I'll say the aberration of coastal policy, that's most unfortunate, and perhaps to give you some pause, as we go forward, to think twice about structures on the beaches. We talked about economic value of downtown Montauk. Well, I submit to you the economic value of viable beaches on Long Island is second to none. So, please, keep that in mind. We have to make those hard choices with respect to coastal retreat, sand-only projects in the interim, but, in fact, it will require hard decisions.

I'd like to move on to your 2016 Vector Control Plan. And you're certainly aware, I've been before you many years. As Madison Avenue says, it takes nine exposures to have a message stick. Well, perhaps this is number ten, so perhaps it will stick.

With respect to Methoprene, that's one of the larvicides that's blanket-sprayed over the marshes routinely during the warm weather months. A couple of points to bear in mind. At the larval stages of mosquitoes, they are not West Nile carriers, these have to be flying. I've -- in the EIS process, quite frankly, and I'll be very critical of that, I think it was a \$5 million sham. But, ultimately, that fire wall that you built gave support to using Methoprene. While the State of New York DEC has banned it in Upstate areas, for political reasons, they're unable to do it locally here. New York State EIS has restricted Methoprene in coastal areas. Connecticut, the entirety of all the State of Connecticut two years has banned Methoprene in coastal areas. And most recently, Senator, U.S. Senator Christopher Murphy corresponded to our Governor asking for New York State to follow suit. When I was at the CEQ meeting, it was suggested that Connecticut's action was political and not

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based in science. Well, I submit to you, when you look at the 2016 work plan, in the first two items for what triggers Methoprene, or I should say pesticide applications, it's phone calls, and then responses and phone calls from our elected officials as something wrong.

Lastly, this Legislature led -- this County led the nation back in the late '60s in banning DDT. I really hope you haven't lost your way. Prove me wrong. When we're lauding the banning of microbeads for basically protecting fish while we turn a blind eye to Methoprene use, something's wrong with that. Do the right thing today. Thank you.

*(*Applause*)*

P.O. GREGORY:

Okay. Stephen Ruth, and then on deck, Harry Somma.

MR. RUTH:

Good morning, Ladies and Gentlemen. I don't know if everybody saw Newsday today, but Sheldon Silver was convicted on all counts of corruption. I'm sure he'll be doing plenty of time for that.

Please set a good example and don't make bad decisions, and don't follow through on bad decisions that were endorsed by criminals. As I said before, I am a citizen, I am not a criminal. I never hid behind the mask before I pushed up the camera.

My name is Stephen Ruth, I live in Legislative District 4, and I rise in opposition to the Red Light Camera Program and all of the corruption that coincides with it. I have uncovered many deaths from short yellow lights. None of the affluent areas have any cameras in them, nor do the cameras extend past the William Floyd Parkway.

How is this a County program? It is a criminal program. Only a straight coward would not be fighting beside me. It's also wrong how slanted the news gets reported when Cablevision gets a piece of the ticket revenue, as well as each camera having its own Optimum account.

The other day, I was driving with my girlfriend, driving in a box truck filled with appliances approaching County Road 83, traveling eastbound on Middle Country Road right in front of the Sixth Precinct. I said to my girlfriend, "We have just entered the point of no return," and entered into a dilemma zone, where exactly at that moment the light turned yellow. I did not have enough time to stop, nor did I have enough time to make the intersection and clear the intersection before the light turned red, thus giving me a ticket. Had a smaller car slammed on their brakes in front of me, I would have had no recourse but to hit them. The short yellow lights are causing hundreds of accidents and many deaths, none of which can be reviewed after the accident.

I find it appalling, not only that the yellow lights are shorter on the turning arrows, but now experiencing firsthand that the straight-away yellow light is also definitely too short as well, making the street lanes of traffic very dangerous. Putting people in harm's way by creating dilemma zones solely for revenue is a sin. We are finding out how easy it is to get these judgements off our credit report from Xerox.

The conversation of whether or not the yellow lights need to be made longer and a universal conforming time is not even worthy of discussion or argument. Of course it needs to be made longer and universal. The fact that this would even be questioned is pathetic.

When your kids are driving, cycling or walking, like John Luke, or the other two people killed in separate accidents on the corner of County Road 83 and Old Town Road, when the cameras don't meet their quota, they are moved and put into places to trick you as you're pulling into shopping

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centers. We have Suffolk Police Officers willing to testify to the fact that the lights were shortened in my criminal case, showing that pushing up the cameras only helped innocent motorists avoid being tricked into tickets. Whether I pushed up a camera or disassembled a camera, it doesn't make a difference. The cameras are illegal and unconstitutional. Until you put them on the ballot and they win the vote, they are illegal. They are a systematic form of extortion, nothing more.

Any Legislator who still feels like arguing in favor of the cameras, you are a corrupt politician. Respect to all the innocent lives lost through the selfish decisions of corrupt politicians. Thank you.

P.O. GREGORY:

Okay. Harry Somma, and then on deck, Linda Henninger.

MR. SOMMA:

Good morning. Thanks for the opportunity to speak before you today. My name is Harry Somma. I'm here speaking on behalf of Citizens Campaign for the Environment. We're an environmental advocacy group with over 80,000 members in New York and Connecticut.

We fully support resolution 1812, to amend Chapter 563 of the Suffolk County Code, modifying the laws related to septic industry business training. Science has established quite clearly that nitrogen seepage from septic tanks across the County is contributing to deterioration of the quality of water, of drinking water, groundwater, surface waters, made most apparent by the recurring algal blooms that we get every year now, killing off marine life.

Suffolk County, we thank you for already piloting some of the newest nitrogen-removing septic tanks available, many of which will be approved in 2016, or anticipated to be. However, the full benefits of the technology being put in place now will only be realized through proper installation and maintenance of the new systems, which the resolution ensures us via certification requirements. The continuing education requirements as well as of the resolution also ensure the public that septic industry professionals will remain up to date on the latest changes in technology, allowing for the smoothest possible transitions from the old technology to the new, and even as new advancements evolve.

In the same spirit of preservation and stewardship, which these efforts were initiated with, we're asking you to support the resolution and pass it today. It's a crucial step in implementing a successful plan to protect our water resources. We need to provide guidance and legislation to ensure that industry professionals are equipped with the tools and training necessary for the transition before us. Thank you.

P.O. GREGORY:

Okay. Thank you. Linda Henninger.

MS. HENNINGER:

Good morning.

P.O. GREGORY:

Good morning.

MS. HENNINGER:

My name is Linda Allocco Henninger and I am Vice President of the Kings Park Civic Association. On the surface, Resolution 1659 looks harmless. Who can be against people getting together to talk? But when you're creating law, it's your job as our elected officials to look below the surface to the unintended consequences of that law. The resolution in front of you, if passed, presents a great danger of misuse and political manipulation.

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The following statement will be characterized by some as simplistic, but it's true. Any project which is coined one of regional significance will always be of greater significance to the Town in which it sits, to the people who live, work and raise their families there. It is residents who set the course for their own town's future. They achieve this by electing neighbors to steer the ship. If they don't like the direction the ship is going, the course can be corrected, and those leaders can be relieved of their duties in the next election and new ones installed. Under this resolution, it will be the Executive Branch which will determine what projects rise to the level of regional significance, a term which is so broadly defined under this proposal -- under this proposed law that all local projects run the risk of falling under its umbrella. Once there, County-chosen consultants and undefined stakeholders will be steering the direction of the project, not those local officials elected by the community. Laws should be precise with little left to interpretation as to avoid misuse. This resolution does not meet that criterion.

Recently, I met with the County Executive regarding this issue, as I had concerns about the possibility that towns would be forced into zoning and planning concessions in order to chase funds, which in practice will bestow on the County lead role status. This would give the Executive Branch far greater control than it has ever had in the past.

I was assured this resolution had nothing to do with funding. A few days later, I received an email from John Schneider saying they would suggest the following language to the amended resolution, as it would best address the intention of the proposed legislation. "No funding allocations would be impacted by the results of any meeting of an alliance," email dated November 18th. This language is not contained in the amended resolution before you. To the contrary. The resolution in front of you clearly states that projects of regional significance can only be eligible for resources, including money, if they are part of this Alliance. No Alliance, no funds. This is not good for towns, this is not good for residents.

This Administration has said over and over again it cares about community. In Kings Park, where I'm from, we were told by Mr. Bellone that issues like downtown development are only successful if they come from the residents. This resolution is -- goes against this policy. If passed, County concerns will overwhelm local concerns and imperatives. This law as written will have a chilling effect on community input, and, therefore, it is not good for the residents of Suffolk County. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you. Okay. Lori Carragher, and then Hector Gavilla.

MS. CARRAGHER:

Hi. I'm Lori Carragher. I am a Suffolk County resident, and I am reading this letter on behalf of the Mount Sinai Civic Association.

P.O. GREGORY:

Excuse me, Lori, can you speak a little bit closer to the mic?

MS. CARRAGHER:

Sure.

P.O. GREGORY:

Thank you.

MS. CARRAGHER:

This is in regards of Resolution Number 1659-2015, Suffolk County Regional Planning Alliance.

"The Mount Sinai Civic Association is opposed to the above legislation, and has urged our Legislator, Sarah Anker, to vote against the resolution.

The strength of our local civic organization is rooted in being able to lobby for or against the project which will impact our communities. This resolution will effectively silence the voice of local residents on large scale projects that have the potential to have an enormous impact on our quality of life. The very fact that, as the president of an active civic organization, I was not aware of this legislation until today, the day before a vote is scheduled, illustrates how adding additional layers of government to the zoning process would be a significant mistake.

I am very disappointed that our representative, Ms. Anker, did not bring this resolution to our attention when it was first introduced. She has attended many of our meetings and her failure to mention this bill is troubling. A Regional Planning Alliance would only further remove the residents from the Legislative process, leaving us with no recourse should we object to projects endorsed by this group. In addition, the funding restrictions in this resolution are unfair and would curtail the location of the County resources unnecessarily. Thank you. Sincerely, Ann Becker."

(*Applause*)

P.O. GREGORY:

Thank you. I'm sorry. What did you say?

LEG. ANKER:

I just wanted to address your concerns. I just received the letter that was passed out today, and it went to Supervisor Ed Romaine and Councilwoman Jane Bonner, but I never received information. And, unfortunately, I was never notified of your concerns. I even have my staff member here, you know, who attends the civic meeting, but I will be addressing this. And I appreciate the comments, but I would like an open dialogue with my office with concerns, especially in Mount Sinai, my home town. So, again, thank you for coming here and I appreciate your information and input.

P.O. GREGORY:

Okay. Thank you. Hector Gavilla, and then Lance Reinheimer.

MR. GAVILLA:

Before I speak, I have another document I want to pass around, if somebody could help me with that. Thank you very much, sir, I appreciate it.

Okay. My name is Hector Gavilla, and as you all know, I oppose the red light cameras. Now, a few weeks ago Kate Browning was very kind enough to have a hearing where the engineers came in, and a big question that was asked is are there quotas, and, of course, they denied it. But it was funny, because Dennis Brown referenced a point in the contract that I looked at afterwards and it actually spells out the quotas in detail, so it's kind of humorous to read that.

And then the other part I want to point out to Ms. Browning, and also Mr. Lindsay who walked out the door, is that actions speak louder than words. So this memo that I just put together real briefly, I looked at -- I have a copy of the 2011 report that was given out to -- on the website by Suffolk County TVBA or the Public Works. I have the 2011 report, the 2012 report and the 2013 report, and these are excellent reports, because they also talk about the crash data, they talk about where the cameras are located, and they also show you the cameras that were removed, and you find out the real reason why they were removed. Let's check it out together, okay?

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A very popular intersection at 347 And Nicolls Road, okay? We're all familiar with that, because during rush hour, there's a lot of traffic there, right? Okay. Now, in 2010, there were four cameras installed at that location. In -- now that was at the end of 2010, so there's no data for that year. But in the full year of 2011, only 1,964 tickets were issued. That's for all four cameras, so that came out to less than two tickets per business day. There's 260 business days in the year, not including the weekends. In 2012, there were only 465 tickets issued for the entire year. That came out to virtually zero tickets per camera. In 2013, they actually removed it after four months in April, because there were no tickets being issued. Wow. Now check this out, this is interesting. There was an increase in rear-end collisions at that intersection. In the year prior, in 2012, there were only 18 rear-end accidents. After the camera was installed in 2013, they went up to 61 rear-end accidents.

Okay. The Public Safety Board, whatever you call it, I may be misnaming it, the engineers, the traffic engineers, they make a vow for public safety. By causing 61 rear-end collisions in the Year 2013, they really hurt us, all of us. And they lied to us at that hearing, because this is not about safety, it's about revenue. And when you read the 2013 report, it's very clear in black and white that the cameras, all four cameras were removed from that intersection because they never performed.

I know it's politically correct to tell your constituents that they were removed because they served their purpose, but just look at the data, they never produced any tickets. And that's why Xerox removed them, because there was no revenue behind it. Look at the contract, it's in black and white.

And one last thing. You know, Stephen Ruth mentioned Newsday and News 12 will never report the truth on this, because Cablevision has an internet account for each camera. You know, Xerox does have to connect to the internet --

P.O. GREGORY:

Hector, please wrap up.

MR. GAVILLA:

I will wrap up. I'm sorry, sir. So they're complicit in this, because we have many friends who have sent letters to the editor, but they choose only to print those letters that support the red light cameras. So I need all your help, because we need to get to correct this problem that we have. More accidents are actually being created, and this is not about safety, Ladies and Gentlemen. I hope you have a great day. Thank you very much.

P.O. GREGORY:

Okay. Thank you. Lance Reinheimer, and then on deck, Dawn Ruggiero.

MR. REINHEIMER:

Good morning. Lance Reinheimer, Executive Director of the Vanderbilt Museum. I'm here to speak about three resolutions that are on the table today for capital funding. This is the whole Capital Program for the Vanderbilt Museum for 2015. We adopted no resolutions prior to this point. They're all coming before you today, for a total of \$485,000. That's a lot of money on an individual basis, but when you're taking care of ten major buildings, 43 acres, and these buildings are approaching 100 years old, it's -- we're holding our own.

The first resolution -- excuse me. The first resolution is \$400,000 for waterproofing. Water intrusion is our biggest enemy to this -- these historic buildings and we've made a lot of progress. We continue to need funds, continue to do waterproofing on the mansion, the marine museum, the planetarium, the major buildings.

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The second resolution is \$50,000 for wiring, these, again, 100-year-old buildings. This would be used for the wiring in the Habitat Room of the mansion, which is original to the estate. It's -- these are world class dioramas that we received a Federal grant for, historic, preserving historic treasures. It's continuing the improving of the wiring in that room.

And then the third resolution, which I think is probably the most controversial of the three, is \$35,000 for planning, for reconstruction, or what we should do with our seawall. That is historic. It was built in the '30s with the boathouse. Its granite block, it's starting to fail. This will give us the preliminary funds for surveying, preparing applications for the regulatory agencies. We have no plan as to what we will do. It depends on the survey and what the regulatory commissions will allow us to do, so we're not sure if it's going to be a hard scape, soft escape, let it crumble. So this is just the preliminary planning to do the surveying, to start the plan, to determine what is best for the environment, what is best for the property in preserving or maintaining that waterfront. Thank you very much.

P.O. GREGORY:

Thank you, Lance. Okay. Dawn Ruggiero, and then on deck, Marianne Garvin.

MS. RUGGIERO:

Good morning, Legislators. Thank you for the opportunity to speak. My name is Dawn Ruggiero.

P.O. GREGORY:

Excuse me. Dawn, could you put the mic up a little closer to your mouth?

MS. RUGGIERO:

I am a Public Safety Dispatcher with the Suffolk County Police Department. I started my career with the department 15 years ago as a 911 Operator. As I am sure you are aware, Suffolk County Communications is a relatively small department. It consists of ECOs, 911 Operators, Public Safety Dispatchers and the Supervisors, which are considered PSD IIs and IIIs. I am here today because we need additional help.

Back in 2006, yes 2006, some of my coworkers filed a grade increase. Last week our case was finally heard. Yesterday my coworkers and I received some news. The Review Board approved the position for PSD and PSD II for grade increases. However, the devastating part of this was that the 911 Operators did not get an increase. As a PSD, of course I'm happy, my position was approved. However, I could not do my job without the help of the 911 Operators. They play a vital role in providing the best possible service for the residents of Suffolk County. They are a group of dedicated men and women that do an amazing job. To be told their position doesn't warrant a grade increase is a slap in the face, to say the least.

The Review Board's decision has created a hostile work environment. The decision of the Review Board made was insulting and humiliating. As you know, the mandates have not slowed down. These men and women were just mandated to work extra tours on Thanksgiving, and yesterday they were told their position doesn't warrant a grade increase. That's just crazy.

I am respectfully requesting that you do anything and everything in your power to have the Review Board reconsider the 911 Operators' request. Thank you for any assistance you can provide in this matter.

(*Applause*)

P.O. GREGORY:

Thank you. Okay. Marianne Garvin, and then on deck, Charles Clampet.

MS. GARVIN:

Good morning. I'm Marianne Garvin, President and CEO of Community Development Corporation of Long Island. Thank you for allowing me an opportunity to share with you some information about the latest CDCLI Conifer Realty Development located in Copiague.

CDCLI and Conifer Realty have developed 619 rental homes over the years, including Wincoram Commons, which the Suffolk County Legislature supported with the County's infrastructure program. We could not have built Wincoram without that support, and we thank you for that. Similarly, we cannot build Copiague Commons without the County's infrastructure program, and hope that you will support our request for \$750,000 to offset improvements such as curbs, sidewalks, lighting, drainage, utility -- utility, sanitary systems and the like.

It was very interesting to me to hear the Rabbi speak this morning, asking that you all be mindful of the needs of people as you do your work here today, and it could have been -- she could have been speaking about Copiague Commons, because this project will create 90 income-restricted rental homes, with 71 affordable apartments set aside for households earning up to 60% of the area median income, which ranges from \$45,780 to \$65,400, depending on family size. People working as bookkeepers, auditing clerks, social service occupations like social workers or medical residents fit into this income band. These are the people whose needs we're trying to meet. The remaining 18 homes will serve households up to 130% of the area median income, with our focus on households with incomes below 100% of the area median income.

The New York State Homes and Community Renewal has granted funding under the Community Development Block Grant Disaster Recovery Program due to the severe impact of Super Storm Sandy on Copiague. Also, a new State program to encourage affordable housing from middle income people is what is enabling us to set aside 20% of the apartments for an underserved demographic, creating a true mixed income community designed to encourage young professional people and empty-nesters to live in Copiague's pedestrian-friendly, transit-oriented downtown. The balance of the funding is tax exempt bonds, and \$350,000 from CDCLI Funding Corporation, which is an affiliate of Community Development Corporation of Long Island.

CDCLI's mission is to increase the supply of affordable housing, especially desperately needed rental housing in our downtowns and near transit hubs. Public funds, as well as private investment, are necessary to fulfill this goal. My colleague, Allan Handelman, from Conifer Realty will give you further details on this project when he speaks shortly. Thank you for considering this development for funding under the infrastructure program. My hope is that you will vote in favor of Resolution 1871. Thank you.

*(*Applause*)*

P.O. GREGORY:

Thank you, Marianne. Okay. Mr. Clampet, and then Eric Alexander is on deck.

MR. CLAMPET:

Somebody talks about -- what do you call that? Diabetes. They talk about other stuff that's going on here with this County with the water out in Montauk. One of the things that should be taken off the books should be Roundup. Roundup is put out by Monsanto Corporation. They're the ones that made Agent Orange. It needs to go. We stopped phosphates, we stopped creosol. Why can't we stop Roundup? It's in each and every one of your urine. Go to your urologist, ask him to check your urine and you will find out that you have Roundup inside of you.

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Okay. Now, right here it says "guilty," but I won't cover the guy's face. I won't cover the guy's face, because it could be Muratore, it could be Hahn, it could be Lindsay, it could be Martinez, it could be Nolan, it could be Spencer.

LEG. HAHN:

No, it could not.

MR. CLAMPET:

It could be any one of you on this Board. Any one of you can be here, and I'll tell you why. The red light camera, you all think it's a joke, but it's not a joke. I got rear-ended by a drunk driver in 1991. In 1991. I'm walking with a cane because of a drunk driver. Another time, drunk driver hit me head on, collision. My niece died in my arms. This is not a joke, this is a serious matter. Stop hiding the truth. The truth will prevail.

You see what happened to Shelly? See what happened? It could happen to each and every one of you. What legacy do you want to leave behind? What legacy do you guys want to leave behind? Please. And we have a Doctor on the Board here, and he can testify to Monsanto Corporation, he could testify to the Roundup. It does not belong here in Suffolk County. We stopped other stuff before, we could stop it now. Just like the red light camera, it needs to stop. Thank you for your time.

*(*Applause*)*

P.O. GREGORY:

All right. Eric, and the Allen Handelman.

MR. ALEXANDER:

Mr. Presiding Officer, Members of the Legislature, Eric Alexander, Director of Vision Long Island. We're here today to speak about the Suffolk County Regional Planning Alliance, which you heard about a little bit before from Supervisor Walter. For many years, Vision has supported the -- for 18 years, we've supported the outcomes of different regional initiatives in Suffolk; Heartland Town Square, Ronkonkoma Hub, Riverside Revitalization, sewers in Mastic and Shirley, Wyandanch Rising, the new Suffolk County Master Plan and the Connect Long Island I-Zone proposal from the County Exec. And the County Exec, Steve Bellone, we've honored multiple times and we support his robust planning work, originally as a Supervisor of Town of Babylon and now as County Exec.

We have received the newest version of this legislation eight days ago, so our staff and Board has not taken a formal position to date, but we are authorized to make some observations and ask some questions, which I'll do right now.

One, have we taken an inventory of the plethora of regional plans, planning entities and supporting organizations that exist right now, Long Island Regional Planning Council, Long Island Regional Economic Development Council, New York Metropolitan Transportation Council, as well as a whole variety of State entities that have done their own regional plans? And then there are planning entities, Manhattan-based Regional Planning Association, the GIA Partnership, the LIA, Long Island Index Notice that provide support for elite solutions, largely from the top down, but still valuable to Long Island's problems. So there's a lot of planning underway for the last two decades. Some people say planning gridlock from the top down, but there's a lot of planning. That's number one.

Number two, why are we only focused on projects of regional significance? Of the 50 downtown business districts in Suffolk, 25 of them have revitalization programs, and most of them have approved some form of increased development in their downtowns and have plans for future growth. So, again, if we prioritize only funding for five to seven regionally significant projects, we ignore 18

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to 20 significant projects in local districts, which matter to all of you. That's one question. So, again, the small and medium scale projects could get lost. That's number two.

Number three, who decides on the projects of regional significance? Our experience is the local municipalities and folks like yourselves should decide on that. Abdicating that responsibility to local boards is our big question. I don't know why you'd want to do that, but if you want to do that, you do that. You have that power, but it's a question.

Fourth, who -- should funding be prioritized by nonelected officials? Right now, you went through a capital budget project to give probably a record amount of downtown and infrastructure projects for local communities, and we praise you for that. Should you abdicate that responsibility to staff, or should you and the local municipalities collaboratively shape that? Question four.

Question five, what do the local municipalities want? Our experience in 18 years is that they want funding dollars, support for regulatory relief, and technical assistance, not necessarily direction on planning. So, again, are their local officials aware of this project process? We heard from a number of them. Sean Walter said, we don't know. I think six towns are opposed.

And then the last thing I'll just say before I close out is there are right now -- in the legislation, you referenced that there are these elite group of firms that will be on this list. You know, I'd say ten years ago, engineering, architecture and planning firms were not prepared to do downtown projects. Our experience is they are now. If you were to line up the 300 community plans across Long Island that have creative and progressive planning solutions, you'd find a whole lot of different planning firms that are probably close to your bidding list right now. So no reason to limit competition. You really should open the competition. You'll get the best price and I think the best product. That's our suggestion.

Last point, anything that can be done to lift up the public trust is what advances creative downtown projects. And I think you had an offer today from Supervisor Walter to bring everyone together, all the Town Supervisors and the Legislature, to make some real robust decisions on planning. I think that's an awesome offer. So if anything came out of this process, that's -- that's excellent. So we look forward to -- any way we can assist, we'd look forward to --

P.O. GREGORY:

Thank you.

MR. ALEXANDER:

-- assisting. Thank you.

*(*Applause*)*

P.O. GREGORY:

All right. Allen Handelman, and then Supervisor Throne-Holst is on deck.

MR. HANDELMAN:

Good morning. My name is Allen Handelman. I'm Vice President of Conifer Realty. Conifer Realty is an owner, builder, developer and manager of affordable housing.

Conifer and CDC of Long Island have been partners in the creation of affordable housing in Long Island for over 15 years. This partnership has resulted in the creation of over 700 workforce housing units in Nassau and Suffolk County. It is an exemplar of the collaboration of the for-profit and not-for-profit sectors.

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Copiague Commons is the development that we're currently working on and is before you today. It is a community revitalization project located across from the train station. We are demolishing existing and industrial building and constructing two four-story multi-family buildings that would surround a courtyard. This project is part of a broader redevelopment effort and plan for the Downtown Copiague undertaken by local stakeholder groups, which were convened by the Sustainable Long Island and the Town of Babylon in 2009.

The Downtown Implementation Committee was comprised of civic organizations, business leaders, the school board, religious leaders and elected officials. One of the outcomes of this process was the rezoning of Downtown Copiague to encourage residential development. This transit-oriented development with affordable rents will add vitality to the downtown shopping district. The development will have an Energy Star rating and Enterprise Green Community certification. Other project amenities will include approximately 90 parking spaces, a fitness room, community room, onsite laundry and an onsite management office.

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

MR. HANDELMAN: (Cont'd)

Copiague Commons boasts a modern yet classical design. This emerged through a collaborative effort with the Town. This collaborative effort also resulted in a first source labor agreement which assures local workers will have access to training and new jobs.

Additionally, we have always enjoyed a significant union participation in all of our developments on Long Island. The County infrastructure funds will help pay for on-site improvements, including utilities and site work. More importantly, County funds will leverage over \$32 million of bond financing and State and Federal resources.

The State significantly looks to local financial participation in determining allocation of these resources. County funding of Copiague Commons and other similar projects assures that these State and Federal funds are invested in Suffolk County. Thank you for your support for affordable housing and workforce housing in Suffolk County.

P.O. GREGORY:

Thank you. Supervisor?

SUPERVISOR THRONE-HOLST:

Good morning. Nice to see everyone. I want to, if I may, address you on three different bills that you have before you today. And I want to start by saying that this is probably the last time I come before you in my capacity as Supervisor as I'm beginning to finish up my work, and I congratulate my successor, Mr. Schneiderman.

And it occurred to me how different the things are that we talk about today than we talked about eight years ago. Eight years ago we didn't really know what brown tides were and green tides were and what was going on with all of that. And fast forward to today where you have some important bills before you today that speak to the upgrading and testing of the alternate septic systems, hugely important, as we now all know. So I congratulate you on that. And I also want to thank you for considering the funding for the Southampton Reeves Bay Watershed Management Plan, hugely important to the town.

And I will say, too, that in my eight years at Town Hall, there's nothing that has been more tricky and time consuming and difficult, I think, than the various planning issues that we have had to face and the big land use applications that have been before us. We went from a time of being in an economic downturn turn to now an economy that is very, very active, and we certainly feel the

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pressure for development and planning and good planning out on the East End, as the rest of the Island does. And one thing that is clear to all of us is that we have not done a good enough job on a regional level in how we approach planning and how we speak to each other and how we support each other and learn from each other, frankly.

And so I want to speak very much in favor of Resolution 1659. I think that it's a very important step forward. I know that there has been some concern expressed today about deceiving of local authority. I have looked through it, I've looked through it again, I don't see that. I see it more as an opportunity for all of us to come together in the future to do a better job of planning regionally. We now know what we certainly had to learn which is that we are regionally interdependent here. So I want to congratulate Legislator Lindsay, I think this is a really important step forward. It's one that will help guide the region in the future and help, I think, take some of the politics out of some of these decisions, and also make sure that funding goes in a really well thought out way. And I do think that bringing everyone together, as has been suggested, from the local municipalities and having this conversation moving forward is a very important step, but I also see that as the spirit of this bill. So I don't see it in contravention to that at all, I see that as really what this bill is all about.

So, thank you all. It's been a pleasure of working with all of you and I hope we keep doing it in the future. Thanks.

P.O. GREGORY:

All right. Thank you, Supervisor. Michael White? Oh, I'm sorry. I'll make a motion to extend the public portion.

LEG. CILMI:

Second.

P.O. GREGORY:

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

LEG. SPENCER:

Mr. Presiding Officer, can I have a one second point of personal privilege?

P.O. GREGORY:

Okay. We have eight cards left.

MR. RICHBERG:

Fifteen (Not Present: D.P.O. Schneiderman & Legislator Hahn - Absent: Legislator Barraga).

LEG. SPENCER:

To Supervisor -- Anna, who's leaving. Just as you're leaving, I know we're still in the public session, but we really appreciate the privilege of working with you over the past eight years. You've been someone that has been insightful, I think you've represented your constituents well and Suffolk County well and I'm looking forward to a bright future for you. But thank you for really all the times that you've been here working with us. Thank you.

Applause

P.O. GREGORY:

Okay, Michael; and then on deck, David Kapell.

MR. WHITE:

Thank you, Presiding Officer Gregory and Members of the Legislature, for this opportunity to speak today. My name is Michael White, I live in Huntington and I'm a member of the Long Island Regional Planning Council, and formerly its Executive Director. I come here today to speak in support of Resolution 1659, providing for the formation of the Suffolk County Regional Planning Alliance. I also spoke at the committee meeting in favor of this bill; in fact, I followed Long Island's Master Planner, Lee Koppelman, who called this in a no-brainer, for the record.

The Regional Planning Alliance is, indeed, essential to implementing and to the success of the Suffolk County Comprehensive Master Plan of 2035 which was unanimously adopted by this Legislature. The Regional Planning Approach, advanced by the Regional Planning Alliance legislation, is founded in recognizing and rewarding cooperation and the value of the synergy of the County and local governments, towns and villages which control land use and will continue to control land use, working together to plan, fund, address the needs of our region and every neighborhood within it.

The Regional Planning Alliance will reinforce the sense of what we call the new regionalism which was advanced by the Long Island Regional Planning Council and presented in our Long Island 2035 Sustainable Strategies, and really is woven into the Suffolk County Comprehensive Master Plan of 2035 adopted. Whereby the region acknowledges the role and the critical importance of these land use authorities, towns and villages, in meeting regional needs such as protecting drinking water, our coastal waters, promoting job growth, creating housing choice and needed fair housing. And for towns and villages to recognize that these regional needs, particularly with respect to the project of regional significance, must be timely advanced to enhance the quality of life for the whole community and the region as a whole.

Therefore, I urge your support and the Regional Planning Council looks forward to working with the Regional Planning Alliance and the County and all the towns and villages within our County. Thank you very much.

P.O. GREGORY:

Thank you. Thank you, Mike. Okay, David Kapell; and then on deck, Jen Casey.

MR. KAPELL:

Good morning, Mr. Presiding Officer, Members of the Legislature. I appreciate the opportunity to speak with you this morning. I'm here to speak in support of IR 1659. My name is David Kapell, I'm former Mayor of Greenport on the North Fork from 1994-2007. I'm a member of the Long Island Regional Economic Development Council and I sat on County Executive Levy's Workforce Housing Commission when he was in office.

I'd like to submit the fragmentation of municipal authority as public enemy number one to the quest to solve regional problems like housing, good jobs, water protection and other issues that can't be solved strictly at the local level. I speak with considerable respect for local -- for Home Rule and local authority, having used it very effectively in my position as Mayor in Greenport. But the time has come for us to start to look regionally at how to solve these bigger problems that affect all of us and that are intransigent under the current regime.

A perfect example is where we sit right now in Riverhead. Actually, it's Southampton, it's not Riverhead. Riverhead is bisected; what everybody thinks of as Riverhead is bisected by the Peconic River. You have Riverhead Town on the north side of the river, Southampton Town on the south side of the river, yet that's not recognized in reality. The Riverhead Postal District covers Riverside and some of Flanders.

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The kids from Riverside go to the Riverhead Public School, and the Riverhead Fire Department provides fire protection on the south side of the river. If you ask the typical person whether we're right now standing in Riverhead, they would say, *Yes, it's the Riverhead County Center*, but we're actually in Southampton Town. This is a perfect example of the need for coordination across jurisdictional boundaries, and I think -- look, this may not be the perfect solution to the problem, but it's better than nothing. And if we do nothing, we're going to find ourselves right where we are right now in the future with kids leaving for places where they can afford to live and work and ongoing problems with water pollution.

With respect to the procurement proposal, I have one concern with respect to that, and that is to make sure that the method is cast for seeking potential consultants as cast widely, and that it should be consultants that are chosen reflect the diversity of skill, diversity of perspective, because Suffolk County's a big County. The conditions on the East End are way different than they are on the west end of the County, and so you may need a different set of skills to address problems in Greenport than you need to address problems in Central Islip. So to ensure diversity and also to bring in youthful thinking. Much of the problems we have are related with retaining our youth; unless you have people making suggestions about how to address those issues from a youthful perspective, I don't think we'll be successful. Thank you very much for your consideration.

P.O. GREGORY:

Thank you, sir. Jen Casey; and then on deck, Stephen Archdeacon.

MS. CASEY:

Good morning, Presiding Officer and Members of the Legislature. My name is Jennifer Casey, I'm a resident of Huntington as well as a member of the Suffolk County Planning Commission. I also serve on the Huntington Economic Development Corporation and the Suffolk County Downtown Citizens Advisory Committee. Serving on these commissions and committee has given me the exposure and experience as the importance of regional planning. I'm here in support of IR 1659 which would amend Chapter 1001 and 1065 of the Suffolk County Code to assist with the implementation of a Suffolk County Comprehensive Master Plan 2035 and to establish the Suffolk County Regional Planning Alliance Program.

You the Legislature passed the Suffolk County Comprehensive Plan 2035 unanimously in August, 2015; the first such plan to be passed since 1970. Specifically, page nine of the plan suggests the creation of the Regional Planning Alliance Program as an instrument to aid and assist local municipalities. I do not understand the opposition to this legislation. This alliance will not aggregate the rights of the municipalities, but will rather expedite review as all parties will be involved in the development and will also increase access to resources and foster and enhance communication. This is a voluntary partnership between the County and municipalities initiated by the municipalities. The goal is to enhance projects of regional significance through communication and coordination across all levels of government. This program is needed to the increase in recent years of proposed regionally significant projects, including the Ronkonkoma Hub, Huntington Station projects, as well as Heartland which will be coming in the future.

From my firsthand experience serving on the Suffolk County Planning Commission, the existing process creates project delays and does not always consider the regional impact each project has individually and County-wide. This legislation does not tie the hands of the municipalities. Communication is key and the only way we can move forward and elevate the conversation is by passing this legislation. Thank you.

P.O. GREGORY:

Thank you. Stephen Archdeacon? Is that --

MR. ARCHDEACON:

Yes.

P.O. GREGORY:

Is that really your last name? *(Laughter)*

MR. ARCHDEACON:

The last couple of times I spoke nobody actually pronounced it right. So my name's Steve Archdeacon, I'm speaking today in opposition to the Red Light Program. Basically, I got a ticket, I went to court and fought it and I said, it's, you know, against my constitutional right to not have the opportunity to face my accuser, and the Judge dismissed it saying that doesn't apply, that it's a civil matter. Last meeting in Hauppauge, Paul Margiotta of the Traffic Parking Violations Bureau, or Administration, said that it's a civil case and that a person's constitutional right does not apply. I don't understand that at all. So how does somebody who commits a murder have a more of a constitutional right than someone running a red light? That doesn't make any sense. Why not just make everything a civil case and then just throw out people's constitutional right to do anything? It doesn't really make too much sense to me.

Another point which I don't really understand is if someone else is driving my car, say a mechanic takes it out for a spin, and he runs a red light or takes a right-on-red and he gets a ticket -- I get a ticket in the mail, that I'm responsible for doing something that I didn't do. That doesn't really sit well with me.

Another thing is the Fire Chief of West Babylon came in and spoke and showed a video of an ambulance going through a red light with the lights on safely and he -- that ambulance was issued a ticket. Why are we issuing tickets to an ambulance trying to save someone's life? It doesn't make any sense to me. So right there, that tells me that it's about revenue. It's no longer about safety, it's about how much money that they can make off of the people, and that just doesn't sit well with me and that's another thing I don't really understand.

Also, where's all the money going? Who's reviewing the cameras? Because if a cop is reviewing a ticket by an ambulance, wouldn't that cop just say, *Oh, okay, we're not going to bother them. They're trying to save people's lives, so we're going to save their time and say no ticket, he had the lights on, and all that.*

(Beeper Sounded)

Two other points which I would like to make real quick is the engineers last meeting in Hauppauge admitted there was, in fact, a quota, that they have never paid a quota because they keep issuing so many tickets. I can't help but wonder or think that the terrorists, honestly, are sitting back laughing at us fighting each other and not doing what's best for the people. So I urge you to shut down the Red Light Camera Program because it is not in the best interest of the people. Thank you guys.

Applause

P.O. GREGORY:

Thank you. Okay, I have Dave Kapell. Another one?

MR. KAPPELL:

No, only one card.

P.O. GREGORY:

Okay. All right, we had two cards. Justin Jobin; and then on deck, Mitch Pally.

MR. JOBIN:

God morning. My name is Justin Jobin and I am a wastewater management consultant for Suffolk County. I am here to speak in support of Resolution 1812, amendments to Chapter 563, regulating the septic system industry training.

I am honored to have been a coauthor on this resolution. I have 13 plus years experience managing advanced treatment septic systems in Rhode Island. This is a necessary first step to successfully managing the nitrate issue from septic system effluent.

The resolution proposes specified training for many subsets of the liquid waste industry that currently do not exist. In Rhode Island, our major mistake was not properly regulating the maintenance and management of the advanced treatment septic systems. I urge you not to make the same mistakes that we made and that this training is imperative to successful wastewater management.

I would like to thank the Long Island Liquid Waste Association for their involvement, valuable insight and support of these amendments. The private sector has been involved in every step of this process and in my opinion, the resolution will benefit not only the environment, but also property owners ensuring that they hire the most qualified individuals to do the work necessary. And also, as we move forward with permitting advanced treatment septic systems, this is also a job creator. So I urge you to support this resolution and I thank you for your time.

P.O. GREGORY:

Thank you. Okay, Mitch?

MR. PALLY:

Good morning, Members of the County Legislature. I'm here, as we communicated with you at the committee meeting, to support Resolution 1659 from Legislator Lindsay. And I'm not going to expand upon what everybody else has said, but planning in Suffolk County is so important, and the way to make that happen is for cooperation among our municipal lines. This legislation does not tell a municipality what it needs to do, it helps a municipality understand the nature of the needs of the regional community. Each municipality still has to make its own decisions, but it provides the information, the ability to communicate across Town jurisdictional lines, and the ability for each municipality to understand that the decisions they make don't just effect the residents of their community, they effect the residents of the larger community; and by the larger community we mean the Suffolk County community.

A project which has already started in this trend and basically is using this process without this legislation being in effect at the moment is the Ronkonkoma Hub project in which the County of Suffolk, the Town of Brookhaven, the Town of Islip and the Long Island Railroad have sat together to figure out how to implement a project which is in the best interest, not only of Suffolk County but of the Town of Brookhaven, of the Town of Islip and of the Long Island Railroad.

This is a perfect example of how municipal cooperation can work. There are going to be a variety of other projects that have come along and will continue to come along that will be on issues that affect both municipalities. That's why from LIBI's perspective and because my numbers are involved in many of these projects, we would encourage the Legislature to enact this legislation because we think it will make the process work better for everyone concerned. Thank you very much.

P.O. GREGORY:

All right, thank you. That's all the cards that I have. If there's anyone that hasn't spoken, please come forward.

MR. STRAUSS:

Good morning. I hope everybody had a great Thanksgiving. I wasn't going to speak today but, you know, I don't agree with everybody on this Legislature, and I'm sure you don't agree with me. But I don't think I would ever accuse you of taking graft. I wouldn't hold a newspaper and up and say that you're just as guilty as this idiot, and I don't understand how people can do that.

Number two; you know, you don't need a mask to be guilty of a crime, especially when you tape it and show it to everybody how stupid you are. And then say, *It's unconstitutional, so I can do that. I can do anything I want if I don't like it, because it's unconstitutional.* I always thought laws were there and you abide by the laws; maybe I'm wrong, I don't know. But after all, that's enough. Have a great day.

P.O. GREGORY:

Okay, thank you, Al. All right, anyone else?

All right, all right. Anyone else, please? No? Okay, I'll take a motion from Legislature Calarco to close public portion.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore.

LEG. SPENCER:

I'll second that.

P.O. GREGORY:

Legislator Spencer wants to second, take your second, Legislator Muratore; I'm not going to fight him, it's the holidays.

*(*Laughter*)*

All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

Okay, we're going to go into the small manilla folder, we're going to do the Tax Warrants; Counsel advises me we should do that right away.

Tax Warrants

IR 2010 of 2015, Levying unpaid water rents (Presiding Officer Gregory). I'll make a motion to approve. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 2011-15 - Implementing Budget, Staff, and Taxes for the year 2016 (Discretionary) (Presiding Officer Gregory). Same motion, same second. Was there a question?

MR. RICHBERG:
Seventeen.

P.O. GREGORY:
No, I didn't call it. I thought you had a question. Okay, all in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:
IR 2012-15 - Implementing Budget, Staff, and Taxes for the year 2016 (Mandated) (Presiding Officer Gregory). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:
IR 2013-15 - Authorizing that the Tax Warrants be signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes (Presiding Officer Gregory). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Absent: Legislator Barraga).

Consent Calendar

P.O. GREGORY:
Okay. I'll make a motion to approve the Consent Calendar.

D.P.O. SCHNEIDERMAN:
Motion.

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

MR. RICHBERG:
Seventeen (Absent: Legislator Barraga).

Tabled Resolutions

P.O. GREGORY:
Okay, tabled Resolutions.

IR 1513-15 - Directing the Suffolk County Traffic and Parking Violations Agency to institute a Payment Plan Program for parking tickets (Hahn).

LEG. HAHN:
Motion, to approve.

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

LEG. TROTTA:

Second.

P.O. GREGORY:

Second by Legislator Trotta.

LEG. CILMI:

On the motion.

P.O. GREGORY:

On the motion, Legislator Cilmi.

LEG. CILMI:

Yes, I see -- through the Chair to the sponsor. I see the suggestions that we discussed at our previous meeting were taken into account. Could you just describe, or maybe have Counsel describe exactly how those work?

LEG. HAHN:

George, would you mind doing that?

MR. NOLAN:

Yeah. After discussion at the last meeting, Legislator Hahn amended the resolution to state that the Director of the agency will develop the plan, but that it will not be implemented unless approved by a separate, duly enacted resolution of the County.

LEG. CILMI:

And then that creates a mechanism going forward so that if those -- if the schedule of fee -- if the schedule of however this is supposed to work is -- you know, is proposed to be changed in any way, that would have to come back to the Legislature as well; correct?

MR. NOLAN:

Correct.

LEG. CILMI:

Great. Thank you. Thanks, Kara.

LEG. HAHN:

Thank you.

P.O. GREGORY:

Legislator Hahn, you have something to say?

LEG. HAHN:

No, I don't need to.

P.O. GREGORY:

Oh, okay.

LEG. HAHN:

I was going to answer questions if anyone had any.

P.O. GREGORY:

Okay. Anybody else have any questions? No, okay. I think this is a terrific bill. I commend you on your efforts. I know there are various people that contacted my office who didn't have the ability to pay when they were in front of the court and this gives them that opportunity. So congratulations.

LEG. HAHN:

Thank you.

LEG. CILMI:

One more thing.

P.O. GREGORY:

Oh, one more thing. Legislator Cilmi.

LEG. CILMI:

One more thing, if I could just put it on the record. And it's not specifically relative to this bill. I'm happy to support this bill; with the change, I think it's an excellent bill and I appreciate very much the back and forth and you reacting to that.

I do have some very serious concerns with respect to the amount of money our Traffic and Parking Violations Agency is -- I want to use a word that I won't use, but it almost seems like extortion at times. Some of our -- some of the folks who are settling with the Bureau are doing so for hundreds and hundreds of dollars in return for relaxations of the number of points that they get on their license, and I think that's something that we all need to be aware of and that needs to be addressed. I just wanted to put that on the record.

LEG. HAHN:

Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen (*Not Present: Legislator Anker - Absent: Legislator Barraga*).

P.O. GREGORY:

IR 1740-15 - Establishing an advisory committee to evaluate and recommend recipients for the disbursement of funds received by the County from the Suffolk County Marathon and Half Marathon for veterans event (County Executive). I'll make a motion.

LEG. STERN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen (*Not Present: Legislator Anker - Absent: Legislator Barraga*).

P.O. GREGORY:

IR 1787A, it's a Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 in Bonds to finance planning costs in connection with Start-Up/NY/Suffolk County (CP 6427.110). Was this withdrawn?

MS. HORST:

Yes.

LEG. TROTTA:

Motion to table.

P.O. GREGORY:

Hold on.

MS. SANTERAMO:

Yeah, we were withdrawing this.

P.O. GREGORY:

Oh, you're withdrawing it? Okay.

Okay, motion to table by Legislator --

MR. NOLAN:

They're withdrawing it.

P.O. GREGORY:

Oh, they're withdrawing it. All right, gotcha.

All right, ***IR 1837-15 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with the Reconstruction of CR 97, Nicolls Road (CP 5512).***

LEG. CALARCO:

Kara.

LEG. HAHN:

Motion to table.

LEG. KRUPSKI:

Second.

P.O. GREGORY:

Motion to table 1837 by Legislator Hahn. Second by Legislator Krupski All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

Introductory Resolutions

Budget & Finance

P.O. GREGORY:

IR 1621-15 - Approving 2015 Funding for a Contract Agency (Babylon Village Youth) (McCaffrey).

LEG. McCAFFREY:

Motion.

P.O. GREGORY:

Motion by Legislator McCaffrey. I'll second. All in favor?

LEG. D'AMARO:

Hold on.

P.O. GREGORY:

I'm sorry.

LEG. D'AMARO:

Legislator McCaffrey, I just want to point out that at the Budget Committee meeting the Comptroller represented that this agency was below the threshold, so there's no need for the legislation.

LEG. McCAFFREY:

We were just trying to ascertain and we weren't at this point, that the money was going to be appropriated.

LEG. D'AMARO:

What you need is the Comptroller to be on board and they are. There's no -- we only pass a bill if we're going to supercede the 20% requirement.

LEG. McCAFFREY:

And we have not, so then I'll withdraw that motion.

LEG. D'AMARO:

Just a procedural point.

P.O. GREGORY:

Yes, okay. So we've got to do a tabling motion?

LEG. McCAFFREY:

It was mine, so I can -- can I withdraw that now at this point?

LEG. CILMI:

If I may. Why don't you just --

P.O. GREGORY:

Table it for now.

LEG. CILMI:

Table it, and then just --

LEG. McCAFFREY:

Okay.

LEG. CILMI:

-- you know, speak to the Comptroller and --

LEG. McCAFFREY:

Yeah, okay.

P.O. GREGORY:

I'll second. Motion to table by Legislator McCaffrey, I'll second. All in favor? Opposed?

Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1834-15 - Amending the 2015 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County (County Executive).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Doc wants to -- motion by Legislator Calarco. I'll second. On the motion anyone? No, okay. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1834A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,500,000 Bonds to finance the settlement of a general liability case against the County;
same motion, same second. 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. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

Economic Development

P.O. GREGORY:

Okay. ***IR 1715-15 - To appoint Edward A. Brennan as a member of the Suffolk County Citizens Advisory Board for the Arts (Lindsay).***

LEG. LINDSAY:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1801-15 - Adopting Local Law No. -2015, A Local Law to reauthorize the Hotel and Motel Tax through 2017 (Presiding Officer Gregory). I'll make a motion to approve.

Do I have a second?

LEG. CALARCO:

Second.

P.O. GREGORY:

Second, Legislator Calarco was that?

LEG. CALARCO:

Yes.

LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

I really think that since the -- even though this is State authorized, we should have input into how the money is distributed. And I don't feel like we're having a proper amount of input, I feel that our infrastructure needs should be addressed because part of our infrastructure is what -- especially for the parks, is what makes Suffolk County a great place to visit and obviously a great place to live. But people who are visiting and paying that tax, some of that tax should go towards helping with the capital needs of that existing infrastructure, and I think we should make that clear to the State when we send this up to them.

P.O. GREGORY:

I agree. We'll have further dialogue and conversations with our members in the State who are kind of shepherding this in the State Legislature and we'll certainly make our input -- emphasize our priorities and concerns as well; continue to do that, I should say. Legislator Schneiderman?

D.P.O. SCHNEIDERMAN:

You know, Al and I were cosigners on a letter that went out to Assemblyman Englebright and to several other State representatives. Englebright is the one who carried the bill originally in the Assembly and we articulated, I think, at least five areas where we felt that the hotel tax law should be changed to better serve the interests of Suffolk County. It has not yet been changed, it's instead being reauthorized for another two years. I have some real problems with the way it's currently written and the limitations it places on us, including requiring us to contract out for tourism promotion services and no protections for the area that I represent. So I do not plan on supporting the continuation of the tax until it's fixed.

P.O. GREGORY:

Okay. Anyone else? Legislator Spencer.

LEG. SPENCER:

Although I think we should have more input, we make decisions all the time in terms of monies that we have control over and how it's distributed and it goes to municipalities. You know, I think that we can ask to have more input on this, but there's disagreement even amongst this body on how the funds, depending on, you know, with the revenues being realized out east and if it's going to institutions and other places, I think the State has a right to spend the funds which they have charge over. And I think it's one thing to ask them that we have some more input on it, but I don't think that we have a right to tell them, our Senator -- I'm sorry, Englebright, you know, what his priorities should be.

So, you know, I think that as we start to look at the Hotel/Motel Tax, there are some sore points there that individual Legislators with projects in their district may feel one way and may feel differently. So I think that we can send guidance, but I don't think that we have any authority to tell the State how these funds should be distributed if they have priorities that they're looking at.

P.O. GREGORY:

Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

If I could respond back. This is a Suffolk County tax that the State authorizes. We are the governing body for Suffolk County, we have every right to tell them how we'd like this tax structured. As a Legislator representing the district that produces about 40% of these hotel tax revenues, I feel it's really important that we weigh in. And I don't believe there are adequate protections under the current hotel law for my region which produces a bulk of the money, or at least 40% of the total. So I think it's very important that we are a part of that conversation.

LEG. KRUPSKI:

Mr. Presiding Officer?

P.O. GREGORY:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. Yeah, in response to that also, I represent, you know, a number of chambers who are very active and are concerned. If \$2 million of this tax, which is collected County-wide, goes towards promoting the County, you know, they should have a say on how that money is spent and not just have it kind of -- you know, spent without any kind of input in the County. So I think we need to have serious input on how that money is distributed.

P.O. GREGORY:

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

MR. RICHBERG:

Yes, we do.

LEG. D'AMARO:

Right here.

MR. NOLAN:

Hold on.

LEG. D'AMARO:

DuWayne?

P.O. GREGORY:

Oh, I'm sorry. I didn't see you, Lou. Legislator D'Amaro.

LEG. D'AMARO:

I just want to agree with Legislator Krupski and Legislator Schneiderman, that if this is County funding and County money, we absolutely should have a seat at the table, we should have some say, we should have a vote, perhaps even, as to how this County funding is distributed. And I don't think it's appropriate for another level of government to not give us even a voice about how these funds are being spent, raised by County taxpayers. I totally agree with you, but at this point we don't have that authority. So, I mean, I guess the choice we're left with today is do we go forward or not. But I want to understand, are you ready to vote against this today and cut off the funding?

LEG. KRUPSKI:

No, I think I'm ready to vote for it knowing that I think everyone is ready to look at the way the

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funding is distributed and willing to work with our State representatives to get that changed, if it's appropriate.

P.O. GREGORY:

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

D.P.O. SCHNEIDERMAN:

Opposed.

MR. RICHBERG:

Sixteen.

P.O. GREGORY:

IR 1659 --

MR. RICHBERG:

Fifteen (Opposed: D.P.O. Schneiderman & Legislator Krupski - Absent: Legislator Barraga).

IR 1659-15 - Amending Chapters 1001 and 1065 of the Suffolk County Code to assist with the implementation of the Suffolk County Comprehensive Master Plan 2035 (Lindsay).

Motion by Legislator Lindsay. Second by Legislator Martinez. All in favor? I'm sorry. On the motion, Legislator Trotta, I see a hand.

LEG. TROTTA:

Motion to table.

LEG. McCAFFREY:

Second.

P.O. GREGORY:

We have a motion to table by Legislator Trotta. Second by Legislator McCaffrey. Sorry, Bill, we almost got it through.

(*Laughter*)

LEG. KRUPSKI:

On the motion.

P.O. GREGORY:

No, I'm only kidding. Okay, I know there are going to be a number of people that want to speak on it. Legislator McCaffrey?

LEG. McCAFFREY:

Thank you. My concern is as I expressed to the sponsor, is that -- and also when it came up at committee, is that although the bill does not directly affect the zoning and planning authority of the local municipalities, because that's dictated in State law, I think almost through a back doorway we may be doing that, whether or not the lack of clarity in the bill or whether intentional. And so I've asked this to be tabled so we can clarify that it is not, and what I'm speaking to is the issue of the availability of County funding for the purpose of planning and development. Currently the County will provide funding for planning development funds for these projects, and they're not very large, I mean, a hundred unit development in a sewerred area, in a sewerred district is not a lot, is not a very big project. So a lot of these projects would come under the alliance and having to be a part of that and being considered a regionally significant project. And I know in my district there are two

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villages in a town and the villages are concerned about giving up their authority and both of them are going through the -- would be considered, you know, in many of their projects, part of the regional significance because they are transportation oriented development. And in many cases, if they chose to use someone that was in planning and development that is of their choosing, it's not clear in this bill as to whether or not the County would be able to fund that. The bill goes through great detail to talk about a vetting process and an RFP process and prescreening these candidates that would provide these services. But you may have a village or a town that may not share the same vision of the people that are on that qualified list. And I don't see or I'm not comfortable where it says that you could use your own people and still be eligible for somebody who shares your vision and still be eligible for the funding under this program, and that's why I've asked for a motion to table here so we can further qualify it.

And also, the bill was just amended last week, right before Thanksgiving. We haven't had an opportunity to talk with the villages I know in my area, and you heard quite a few of the Supervisors in the town have come out against this. So I think this needs to be addressed the concerns that they raised, and they may have even found it, or maybe it's just a matter of adding another sentence to the bill. I don't disagree that you need to have an exchange of ideas in each one of these projects that cannot necessarily stand on their own and they need to be included in a larger vision. I need someone that comes out of village government and holds very dear to my heart the ability of those villages and local municipalities to control their own planning and zoning. I think we really need to step back. I don't see the urgency. Let's allow them to feel comfortable with the fact that we are not stepping on their toes when it comes to planning and zoning, which everyone is so concerned about.

P.O. GREGORY:

Okay. Did I hear you correctly; did you say you don't believe that these projects can -- you believe they can stand on their own and it doesn't have to be a part of a bigger picture? Did I misunderstand?

LEG. McCAFFREY:

No, I believe that they should, they should be part of a dialogue.

P.O. GREGORY:

Oh, okay.

LEG. McCAFFREY:

But the way I see the bill being written is that if you want to hire somebody, if you have a project that meets this criteria of a hundred units within a sewer district, an area that is sewered, maybe it's considered of regional significance. And it almost appears as though if you -- you can't get any funding for planning or development unless you use somebody that's on the list, and that's my concern. But I believe that -- I would encourage, you know, these projects being part of a discussion about how it impacts regionally. I'm all for that, but I just want to make sure that it doesn't step on their toes in terms of having to hire somebody that may not necessarily share the same vision that they have for their local municipality.

P.O. GREGORY:

Right. And Bill can speak for himself, but if I might just for a second. I think, you know, when we passed our comprehensive plan, we obviously -- you know, Sarah Lansdale and a whole bunch of other people communicated with all the towns and villages to generalize the approach as much as they can to give the towns and villages as much leeway and input to have their own influence. But I think from a County perspective, we obviously look at a more regional approach, we should be and we are. And with the finite resources that we have, we should be rewarding, for lack of a better term, those who are kind of in greater capacity, kind of, you know, agree with the vision, you know.

LEG. McCAFFREY:

But it depends on the person.

P.O. GREGORY:

Throw something out there.

LEG. McCAFFREY:

I mean, say for instance in your district, we have villages, you have Amityville, I've got Lindenhurst --

P.O. GREGORY:

Right.

LEG. McCAFFREY:

-- and Babylon. And I think what happens in each one of those villages could have an impact on each of us, it crosses over our Legislative Districts. But we're just talking about a hundred unit facility, in your district or mine, that would require that the way it's written, it's not clear that Amityville or Babylon or Lindenhurst could use their own design professionals who they feel comfortable with. They may -- you know, they said, *I don't want, you know, right in our downtown, I don't want this massive hundred-unit. It should be down, you know, closer to the water.* And the Mayors or the people that are entrusted with the zoning said, *Well, we don't want to -- we don't think it belongs there. We think it belongs here.* You know, and if that person, you know, that's hired by the County doesn't share the same vision as that municipality, you know, they can't pay for those services. I mean, there could be -- I know Babylon Village is very entrenched in their ideas of how they want their village to look and they've been very successful, and they may not want somebody from the outside coming in telling them what they should do. They may want to go with the person that they felt comfortable over the years that made their community the way it is now and they would be excluded from funding under the way it appears to read right now. So I'm just asking for some clarity, and that's my hang up, really, on this.

P.O. GREGORY:

Okay. And Bill can answer the question, but I don't think that's the case. I think it's you have consultants that are available but you can pick your own; is that right? From the village or town.

LEG. LINDSAY:

Yeah. My original intention, and I'll speak to the way it was worded and the interpretation we've gotten from Counsel, but my original intention of that list of pre-vetted consultants was really to expedite the process, that if the towns or villages didn't want to go through the RFP process, that we already have a list that they can utilize. And then the list applies to the County itself, so we've qualified them for planning and for work that we would need to be done on the County level.

In regards to the way it's worded in the bill, I didn't interpret it the same way that you have, and I understand your concerns. So I asked both our Legislative Counsel and the County Attorney to give their opinion. I just forwarded you an e-mail from Dennis Brown which gives you his interpretation of it, and I won't speak for George, I'll allow him to speak to his interpretation of the bill. But I think they would both agree that it doesn't -- that your issues or your concerns are addressed and that it doesn't affect what professionals that the towns have to choose, that they don't have to choose them off this list.

LEG. McCAFFREY:

Yeah, but if you look at the bill, 1001-10 on page number -- I think it's page number three. And it says, *"Municipalities engaging in the planning and implementation of projects of regional significance must be a member of the Alliance in order to be eligible for designated County resources"*, I'm okay

with that, "available through or administered by Suffolk County Department of Economic Development and Planning or the Department of Public Works for said projects." Then it goes on further in the next section under Legislative Intent, it speaks about -- under B it says, "The Legislature finds and determines that procurement of the highly specialized planning and design professionals capable of assisting the County and Regional Planning Alliances with the planning and design of Projects of Regional Significance and to implement the Plan involves a class of services not subject to competitive bidding", and it goes on to what it should be, you know, what the process would be for them to determine in it. And at the end it, number E, it says, "Therefore, there is hereby established and adopted a policy of prequalification of Consultants to perform Professional Services for the County for the Plan and Projects of Regional Significance." If we put an F in there that says, "This does not mean that it precludes any municipality for being reimbursed for any services that they choose for their -- you know, for planning and design, I'm okay with it.

LEG. LINDSAY:

Again, I understand your concerns, but I think the important word or language in there was *for the County*, it doesn't say for the towns or for the other municipalities.

LEG. McCAFFREY:

I don't think it's clear, it's not. Just for the County, but it's nothing in it that says that you can't be reimbursed for funds for planning, development for somebody other than what's hired by the County. I mean, why would we go through this whole list of --

LEG. LINDSAY:

But I don't think it says the opposite either. I don't believe -- I don't interpret it to read that it is indicating that you have to utilize one of the members on the list or one of the professionals on the list in order to qualify for the reimbursement for those funds.

LEG. McCAFFREY:

We've had a multitude of Supervisors coming up here and sending correspondence and coming up and saying they're opposed to it based on that very fact, because of the lack of clarity in the bill.

LEG. LINDSAY:

Well, their opposition, the way I heard it, was that we were infringing upon their zoning regulations, which no one that's read the bill would agree that that's what's going on. We're not telling them how to zone.

LEG. McCAFFREY:

I think it was all in reference to this money for planning and zoning, saying it would be withheld if they use their person, not a County person.

LEG. LINDSAY:

I'll defer to Counsel for the legal represent -- for the legal interpretation of it.

MR. NOLAN:

Well, you know, we were discussing this earlier today. Yeah, I don't read the bill to mean that a town has to use a consultant that we've pre-qualified. It talks to our procurement, that section of the bill is in the context of our procurement practices and basically it's saying that we can procure consultants for these projects of regional significance in a different way than going out to an RFP each time.

It says the County will prequalify consultants and that's the way we're going to hire consultants for these type of projects, but there's nothing in the bill that states that the towns have to use these consultants or that they can't receive money from the County on these projects unless they use

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these consultants. So I think people are reading that into the bill, but to me it's not there.

LEG. McCAFFREY:

I know it's not there, that's the problem. Why don't we put it in there, make it clear, remove all doubt, and I won't have a problem supporting it if that's the case; but absent that, I can't. I mean, I don't see the rush to get this done, where we couldn't table this for another cycle.

LEG. TROTTA:

It's two weeks.

LEG. McCAFFREY:

Change it, make sure that everybody's on board. Give us a chance.

We just amended the bill the Friday before Thanksgiving, give us an opportunity to get to our local officials and say, *Hey, here's what's going on. I'm comfortable with this now and you should be, too.*

MR. NOLAN:

Well, that's a decision for the sponsor.

LEG. CILMI:

DuWayne?

P.O. GREGORY:

I've got a list. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

Yeah, I've read this bill several times, too. I'm wearing almost two hats, as a Legislator and also as Supervisor-Elect for Southampton. And, you know, we certainly have a project in Southampton that is of regional significance with the Riverside Project. We already have planners in place. You know, I've been trying to look at the same language that Legislator McCaffrey has been looking at. You know, I know the County can't bind the town, but, you know, it does seem to suggest that to be eligible for County money -- and, you know, I expect, like Supervisor Throne-Holst who was here earlier, I'll be coming in front of this horseshoe and trying to get support for sewer money and other things, infrastructure money for various projects. It seems to me that I'm not eligible, or the town won't be eligible unless we're part of this alliance and the alliance has to be in a contract with the County to do joint planning. It would be helpful to me if it was a slightly bit clearer that says that that planning, although the County would have to use planners on the preferred -- the pre-qualified list, that it in no way affected the town's ability to use the planners of their choice, even though technically it couldn't anyway. But you don't want that comment to be misconstrued.

I'm just kind of curious because, you know, there's probably the votes to pass it, but there should be, you know, a broader consensus. If that's the only thing, Legislator McCaffrey, that's troubling you, because I think everybody agrees, we all ought to come to the table, we ought to do these things regionally. There's no reason why we shouldn't be meeting quarterly on these big projects. We need groups like the MTA to come in. You know, it would help these things, I think, move forward more quickly if all their key players were at the table. If the minority feels like they could support it if that one inclusion was there, then maybe we should get that inclusion in by CN and we can pass this more unanimously. So maybe we should get a little more input on that.

P.O. GREGORY:

Okay. Legislator Trotta.

LEG. TROTTA:

This is about inclusion and we have six Supervisors that said they don't want it, so clearly there's something wrong with it. I mean, this is only a two-week cycle. I don't see any reason why when we get back -- and this was thrown in front of us. We can talk with the Supervisors, we can put it together and make it work right. Why force it down our throats when we all know in two weeks nothing's going to happen. There's no plan that's going to be necessary. So the fact that we're even discussing not tabling it and getting it right is odd to me. So I move to table it.

P.O. GREGORY:

Okay. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So, you know, I've read the bill and I've gotten input from the three Supervisors whose towns I represent and, you know, no one's in favor of this because -- and everyone hopefully has copies of the letter. Coming from town government originally, you really don't want another layer of government imposed on anything, let alone any planning and zoning initiatives. And this is clearly another layer of government, it's another layer of red tape, another requirement. There's already infrastructure in place for the Suffolk County Planning Commission to go over projects of regional significance and to vet them out with representation from every town. This is not -- you know, you want everything to be on an even playing field, you don't want to have an alliance where some towns are going to be members and some towns aren't. And the towns who aren't are never going to get, you know, any benefit, they're never going to get any of the scraps from the table, and this is what's going to happen here.

So I would ask the sponsor, the sponsor and I have had discussions about this, we haven't agreed on much, but I would ask you to consider a tabling motion as something to get a little bit more input from the towns and to try to gain support from -- you know, from the towns. They do have -- they all have active planning departments and they all have long-range visions for their communities. It doesn't mean that they're not willing to coordinate on a regional basis, but this -- they're very uneasy with this alliance and for that reason right now I couldn't support this, but I would like to see if the sponsor would consider a tabling motion. I mean, the amendments were made really last Friday on a holiday weekend, and I don't think it's unreasonable to give people a little time to take a look at this.

LEG. LINDSAY:

Through the Chair, in response to Legislator Krupski. Why do you think they're so resistant to collaborating and meeting together on these projects that are deemed regionally significant?

LEG. KRUPSKI:

There's no reason they can't do that today. They don't need an alliance.

LEG. LINDSAY:

In your opinion, are they doing that today?

LEG. KRUPSKI:

Yes.

LEG. LINDSAY:

They are.

LEG. KRUPSKI:

Sure.

LEG. TROTTA:

Absolutely.

LEG. LINDSAY:

That's not been what I've seen in the projects that are going forward. So the way that everything has been developed across the County for the last 40 years have been mutually agreed upon and collaborated on and people working together across County, town, villages lines?

LEG. KRUPSKI:

If it was in the town's best interest, I would say yes. And if they felt it wasn't in their best interest, maybe they didn't want to collaborate on purpose.

LEG. LINDSAY:

But the premise of the bill is just to have the people get together in the same room on a quarterly basis.

LEG. KRUPSKI:

Well, there's no reason they can't do that now.

LEG. LINDSAY:

But they're not. They're not doing it now.

LEG. KRUPSKI:

Maybe it's not in their best interest to do that. They all have their own -- every town is so different and, you know, the letters of opposition come from very different towns.

LEG. LINDSAY:

What is the harm of just meeting and collaborating on an issue? You don't have to take the County's advice. You can sit in the room and say to the County, *We don't want to hear anything you have to say*, end the meeting, that's it. So what's the harm of just putting people together to discuss what is mutually beneficial to everybody in the communities that we serve?

LEG. KRUPSKI:

I don't know why you couldn't do that today, why you couldn't call a meeting of the --

LEG. LINDSAY:

Because it's not happening.

LEG. KRUPSKI:

So you need a law to make people come to a meeting?

LEG. LINDSAY:

Unfortunately, yeah, that's the sorry state that we're in right now.

LEG. KRUPSKI:

That's hard to support, having law making people -- have different towns, separate elected officials come to the table, especially when some -- you know some won't join the alliance and that won't serve the whole County. We should be having representation from the whole County, you should really get consensus from every town and village in the County to support something that's going to really promote their plans and visions for their community.

LEG. LINDSAY:

So under your premise, what we should do is just hand -- when the towns or other municipalities come to us looking for help or assistance or funding, we should just hand them that money, ask them to meet, they say, *No, we don't want to meet*, and then we just give them the money anyway?

LEG. KRUPSKI:

Is that how it works today?

LEG. TROTTA:

It's two weeks.

LEG. KRUPSKI:

I mean, there's a big project here in Lindenhurst about -- for some sort of 97-unit development project, I mean, how did that go forward?

LEG. LINDSAY:

Haven't they --

LEG. KRUPSKI:

I assume everyone sat down and met and agreed that public money should be spent here. We're spending a lot of State and Federal money there.

LEG. LINDSAY:

I wouldn't be so careful to make those assumptions. I would be a little bit more cautious in making those assumptions, because I've seen larger projects than that where there is no collaboration. When you cross over multiple towns, when you cross over with the MTA is another municipality, and all these groups, even though they should have, their interests should be aligned, aren't working together.

LEG. KRUPSKI:

But maybe -- see, and that's another problem with this alliance. Who's really going to make the decision on what's regionally significant? And how is it significant? It could be significant in a good way, it could be significant in a bad way, and I think that's why the towns are nervous. They feel that maybe some of these that are deemed regionally significant by others aren't going to be in their best interest.

LEG. LINDSAY:

Legislator Krupski, didn't you also submit a bill in the last two years to have the Treasurer, the Comptroller and the budget department meet on a quarterly basis just to discuss what we all thought they should have been discussing already?

LEG. KRUPSKI:

Yes, those are County employees.

LEG. LINDSAY:

Right, but were those -- don't we all agree that those County employees should have been meeting already but they weren't?

LEG. KRUPSKI:

Well --

LEG. LINDSAY:

It's the same premise.

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LEG. KRUPSKI:

No, it's not. These are separate elected officials and separate municipalities.

LEG. LINDSAY:

Right, but wouldn't you -- wouldn't a reasonable person think that they get together and discuss those different items that you're asking them to discuss?

LEG. KRUPSKI:

Not when it -- wait, what --

LEG. LINDSAY:

I'm talking about your prior bill on --

LEG. KRUPSKI:

Yes.

LEG. LINDSAY:

-- requiring that the Comptroller and the Treasurer --

LEG. KRUPSKI:

Because those are County -- they're part of the County government.

LEG. LINDSAY:

I understand that, but I'm speaking of the logic of making them get together, that it takes a law to make them get together to collaborate; it's the same premise.

LEG. KRUPSKI:

They were already meeting but they didn't have to submit a report to us, and now that bill made them submit a report.

LEG. LINDSAY:

Couldn't you have just called them and asked them to submit that report to you?

LEG. KRUPSKI:

Well, I didn't. But they were already County employees. This is a different level of government that we're --

LEG. LINDSAY:

I understand it's a different level of government, but it's the same premise or logic that you would naturally believe that all these groups, all these different municipalities are meeting and working together to make these projects flow and what would be in everybody's best interest.

LEG. KRUPSKI:

When you say, *In everyone's best interest*, I think that's where the concern is. I mean, really, if we table this for one cycle and got -- you could speak to -- certainly the Supervisors would be happy to speak to you, I'm sure, and the Mayors, so you could give them some assurance as to how this legislation would affect them. I think -- I don't see where two weeks would -- is going to be some sort of a big problem here.

LEG. TROTТА:

DuWayne?

P.O. GREGORY:

Are you done, Bill?

LEG. LINDSAY:

Yes.

P.O. GREGORY:

Okay, I have Legislator Browning.

LEG. BROWNING:

This was something I wasn't sure where I was going with it and sitting here listening to everybody. I'd like to start with we're creating a law to force other municipalities and other elected officials to come to a table. We can't make them. So if we make this law and they don't participate, what does that law do to them? We can't force other elected officials to come to a table, so, and there's no penalty of thousand dollars or you go to jail. So that's -- that's where I'm trying to figure out is where the law is.

And my second question is we've heard from Brookhaven and Islip, and I've asked you before about let's say Ronkonkoma Hub, that the County is saying we support 100%, we want to see this happen; however, if the Town of Brookhaven and Islip are saying they don't want to participate in this, so does that mean that if we have jump start money, that they don't get any money for -- from the County for this project to help it move forward?

LEG. TROTТА:

Yes.

LEG. LINDSAY:

Through the Chair, just to address your two questions, starting with your first question. We're not even saying the elected officials have to get in the same room together, we're just saying they have to have representation. And if they represent --

LEG. BROWNING:

Either way they represent their Supervisor.

LEG. LINDSAY:

Right. So the fact that they couldn't meet four times in a year or send a representative to meet four times a year, I mean, it's so sophomoric at this point that we even have to have this law or even have this debate because it's not going on and happening at the current moment.

LEG. BROWNING:

Right, but the law -- it doesn't -- you can call it a law, you can call it what you want, they don't have to participate. So if you make a law or you just call them up and say, *Look, we want to get together*, and they can say no. There's no difference between one way or the other. So that's what I'm saying, is the law, there's no penalty, there's no -- other than you don't get money, that's the only penalty that I can see.

LEG. LINDSAY:

What other -- I don't understand what other penalty you'd want to imply -- apply to it.

LEG. BROWNING:

No, I'm just saying. The point is if you make a law that they can just disregard, then why bother; right?

LEG. LINDSAY:

I think that the likelihood of them, anything we could do to get them at the table just to help and make these projects move faster. The overwhelming premise of this law was we have over a billion dollars in projects that are sitting on the sideline right now that are waiting to be moved forward.

LEG. BROWNING:

Right.

LEG. LINDSAY:

One of the biggest threats that we have to our region is the length of time it takes for private investment -- not public investment; private investment -- to be allowed to develop some of these projects. That's why we're getting beat all over the country, that's why we're losing companies, that's why we're losing population. That is the biggest issue that we have. When you can move or relocate your company or take your money and invest it in another community where you can mull the project along at a much quicker speed and get a much faster return on that investment, that's why we're losing those type of -- that type of investment, that's why we're losing population as a result of it.

LEG. BROWNING:

Right. I mean, I don't oppose the concept of what you're trying to do. But to say you're going to make it a law to try and force --

LEG. LINDSAY:

But how else can we --

LEG. BROWNING:

But even that law is not going to force them to participate.

LEG. LINDSAY:

It's not, but at the same time it's an opportunity or a chance to get people together that have -- you know, to get their interest aligned and to try to move some of these projects forward.

LEG. BROWNING:

Okay, so on to the second part, say Ronkonkoma Hub.

LEG. LINDSAY:

Uh-huh.

LEG. BROWNING:

The Heartland Project. Now, Islip says they are not going to participate, Brookhaven says they're not going to participate.

LEG. LINDSAY:

The Ronkonkoma Hub, my understanding is, and I'll defer to the County Exec's staff, that the Town of Brookhaven and the Town of Islip have already signed agreements to participate and work together on those projects.

LEG. BROWNING:

Okay. So even though they have signed agreements, they don't -- and they choose not to participate in the alliance, that's not going to make a difference.

LEG. LINDSAY:

It's based on each project as they go forward. So it's based on projects of regional significance.

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We're not asking other towns to sign on today and say *We want to be part of this alliance*, we're doing it on a project by project basis.

LEG. BROWNING:

No, I get the concept. But my concern is is that if choose not to participate moving forward to any future projects, does that mean any County funds that we have that we may consider putting into that project, are we -- are they going to be denied any County funds?

LEG. LINDSAY:

I don't think it says that they're going to be denied any County funds.

LEG. D'AMARO:

Yes, it does.

LEG. LINDSAY:

I don't think it says that at all.

LEG. BROWNING:

The other last part that I had some concerns about was the consultants and the issue with having preselected consultants. And, you know, if the County's doing -- say there's a sewer project involved in whatever the project may be and there's a need for a designing plan, you're not going to put out an RFP anymore because you have pre-qualified consultants?

LEG. LINDSAY:

No, you have the option of doing an RFP or using one of the pre-vetted, pre-qualified consultants. But that's the option of the town, that's not us telling them who to use.

LEG. BROWNING:

What if it's a County sewer project?

LEG. LINDSAY:

If it's a County sewer project, then we'd have to use someone that we've already gone through an RFP process to utilize.

LEG. BROWNING:

But we still have to go through the RFP process because -- I'll give you an example. The Mastic/Shirley Sewer Project, we have a consultant that's been working with us since day one for the past eight years, but now we're in different stage and an RFP went out for a consultant, and I believe -- so why would this be any different than what we're currently doing? Is there a difference?

LEG. LINDSAY:

There is a difference, because the one that's internal, that's not -- we're not imposing that upon a third party or another municipality, and I'm not familiar with, as you are --

LEG. BROWNING:

No, this is a County project.

LEG. LINDSAY:

Right, I understand that. But I'm not as familiar with the process that you've gone through so far, so I don't know if part of that was on planning and now the next is on construction and that's where the RFP is. But that's not the intention of having that pre-vetted list of consultants for the towns to use. It's really purely optional; if they want to use it to expedite the process, that's their purview, it's not us telling them this is who you have to use.

LEG. BROWNING:

Again, I don't oppose the concept, I think it's good. But when I'm hearing that half of the towns are supporting it, the other half doesn't. I would like -- again, it's something that's going to effect the towns and the Town Supervisors and their departments. That I think what would be good is to -- maybe even after the new year, we'll have a new Supervisor in Southampton -- that you would have an opportunity to have an informational meeting with them and maybe have them work with you on the bill to say what can work for them. So I think there is still a little bit more work needs to be done and let's find out why they're so opposed to it and let's get them to the table what you can do. And even if you put the alliance together and you call the first meeting, maybe only five of them are going to show up. You get what I'm saying?

LEG. LINDSAY:

I understand what you're saying. I -- you know, in regards to some of the Supervisors, you know, I'm sorry the Supervisor from Riverhead didn't have more notice on this. I know, understand he was busy with his re-election, but we put this out, we've had private sector groups that have looked through it, we've even revised it on a suggestion from some other groups. My sense is that if we talked -- the more we talk to them, I don't know that they're ever going to agree to it.

LEG. BROWNING:

And that's possible and I'm --

LEG. LINDSAY:

I just think it's a perpetual issue and they're so resistant to getting them together.

LEG. BROWNING:

Is there a reason why this needs to be done before the end of the year?

LEG. LINDSAY:

Other than the fact that we have over a billion dollars of money that we desperately need pumped into our local economy sitting idle? Yes. I mean, that to me is the overwhelming motivation for this and that's the reason that we need to get this through, to try to get that money back into our economy.

LEG. BROWNING:

But it doesn't prohibit you from, say, giving it another month or two and maybe --

LEG. LINDSAY:

No, it doesn't. But it also doesn't prohibit us from, if we passed it today, amending it at a future date if we had to, which I would be open to.

LEG. BROWNING:

Well, I think there's many a times I've done a bill and I've said, "*Well, why can't we pass it and amend it later,*" and my colleagues not being comfortable with that, I've gone back to the drawing board.

LEG. LINDSAY:

I would feel very comfortable going on the record today saying that I will put through and sponsor the amendment legislation.

LEG. BROWNING:

Been there, done that (*laughter*).

LEG. LINDSAY:

Well --

LEG. BROWNING:

So that's why I'm saying, I think that it would be -- I think a nice thing to do and a good thing to do is to sit down with the people who are affected and ask them, you know, *How do you feel about it? Where do you stand on it, and what can I do? What would you like me to change that could bring you to the table?*

LEG. LINDSAY:

I would assume some of them would say *I just want you to give me a blank check and I don't want to hear anything you have to say.*

LEG. BROWNING:

And that's okay, and that's okay. But when you get that -- when you sit at the table and you get that answer and you come back to me and say, *They don't care, they want the blank check.*

LEG. LINDSAY:

They could show up four times a year and give us that same message and get the money at the same time.

LEG. BROWNING:

Now you're making me feel like this bill's doing nothing, but I want you to convince me it's doing something.

LEG. LINDSAY:

It could go further. To me, any time you can get people together in a room, good things can come out of it, whether they agree or disagree, as long as you get them talking. They're not talking right now. There is no information being exchanged back and forth and that's a problem. If you speak to the developers, you speak to the people who are trying to plan and put these projects together, they're tell you firsthand, one, the right-hand doesn't know what the left-hand is doing, and there's no mutual collaboration and there's effort to try to fix that, and that's all I'm trying to do is get them in a room together to try to make that happen.

LEG. BROWNING:

Right.

LEG. LINDSAY:

It might not be successful, but at least it's an opportunity.

LEG. BROWNING:

I really would like you to go back and ask that question of each of the Supervisors, take a look at the bill, tell me what you disagree with in this bill and what can I do to make it work for everybody. And again, you may get half of them will still say, *Absolutely not, don't want anything*, but at least you can come back to me and say, *You know what, I got no support*. And then, like again, I would consider supporting it if you're not getting the cooperation from them. But again, it's not -- even that law is not going to force all ten of them to come to the table, all ten towns. So I would support a tabling motion to work on it and get back to me with a response from each of the Supervisors, what they're uncomfortable with and what would they agree to.

P.O. GREGORY:

Okay. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

I don't think any of us could disagree with the idea that these areas talking to each other, the various, you know, levels of planning, the town, County, sitting down at a table, that's a good thing, we all agree. I don't think anybody's going to say that's not a good thing. There should be more joint planning, we all know that.

The idea of conditioning County money on joint planning? Okay. I mean, I could agree to that, I think that's fair. Inartful language -- if I use that term, I'm not sure that's the best way to describe it -- that is creating some confusion here is making some people think that it's usurping, in some way, local control, which the sponsor is telling me it doesn't do that at all. Counsel is telling me it doesn't do that at all. You know, I would love to see this language changed, I would have suggested, and I did suggest that we, you know, get a CN that adds in a particular clause, but it doesn't sound like that would have the support, so my feeling is that that's probably not the best way to go. Which then leads me to go okay to the sponsor. Can we, assuming this bill passes today, bring everybody still together and will you accept some changes that make it very clear that the intention of the bill is to not take away local control in any way and that those provisions of procurement have nothing to do with the town, it's only the County. And that being part of an alliance, you know, will not mean that you have to follow the same procurement period.

LEG. LINDSAY:

Absolutely, yes.

D.P.O. SCHNEIDERMAN:

Okay. Thank you.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Legislator Krupski, Legislator Browning, Legislator Trotta have said most of what I wanted to bring up. The sponsor said that if you get people in a room and they talk, that's always a good thing. So why didn't we get the six Supervisors that already said they don't support this in the room today so we could chat about it? There needs to be communication between the Supervisors so they feel confident. I've also spoke to village officials, a lot of them are not confident.

I've read every iteration and every amendment to this bill. My -- I'm not going to vote for it. My opinion on what it is now is it's watered down quite a bit. There is the fear -- and I'm thankful that it's watered down. We can't -- what we're forgetting here is all the money we have in piles, the Federal funding, the State funding, the County funding are the people's money. There already is a mechanism to deal with town planning officials, village planning officials that do not communicate; vote them out. We can't dictate the schedules of departmental people in towns four times a year, once a month; we can't dictate that, that's not in our purview. My suggestion is we table it, we get the Supervisors together and we act like grown-ups and we talk before we demand that other people talk. Thanks.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Well, I want to start off by commending the sponsor for the bill. I'm listening to the debate back and forth. I understand the need for clarity in legislation like this, but I think this bill is clear as a bell. I don't think it could be more clear. In fact, I think if you amend it and put additional language in it, it's just going to raise a whole host of other issues. Right now the bill really doesn't affect the

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towns, in my opinion, at all. Not one bit does this effect any town. We're not telling them how to vote, we don't get a vote, we don't have a seat at the table, we have nothing. Other than if you have a regionally significant project, you must meet four times a year; that's it, which the sponsor has repeated and over and over and over. So it's a little disheartening. And the reason why you might have six Supervisors against this is because they're misinformed. I mean, isn't that apparent when you have a Supervisor come to this body this morning and put in writing, *"The proposed legislation not only compels towns to divest each zoning authority, it also removes the town's discretion in selecting these professionals"*; that's patently false. I mean, you can't make this up. How dare you put that in writing! Read the bill before you come here and talk about it.

Let's go to another one. *"Local voices will be lost in the clamor of regional interest"*. What does that mean? Why, because you're going to take some County funding on a project that effects three different towns and we want you to sit in a room and talk about it? Give me a break.

"It is the antithesis of good planning to take the control over zoning decisions out of the hands of the town". What? You're not. Read the bill before you come in and put this stuff in writing, do me a favor.

So let's go back to the bill itself. What does it say? The way I look at it is that we are trying to force the cooperation. We are trying to say if a project is going to effect a significant, however and whatever the criteria is for regionally significance, if you get that designation, and you want -- the County has already made a policy decision to fund or partially fund some of that project. So this is not about making that decision, that decision's already been made, okay? Then we're saying if you want that funding from the County, all we ask is you take your Planning Commissioner, whoever it is, and send them to a meeting. What -- that's like the -- if you look up good definition in the dictionary, this is the bill you're going to find. If you look up good government in the dictionary, this is the bill you're going to find.

The suggestion that we cannot put any string attached to County funding no matter how innocuous is ludicrous and it's in derogation of your responsibility here. Of course we can put strings attached to government. And by the way, this is like the fittest, most fragile string ever in the history of government ever put against funding.

Go to the State level, go to the Federal level. Boy, oh boy, talk about common core? You want to talk about strings attached to funding? Holy cow! This is done all the time, folks; all the time. This is how we control our taxpayer money. We say if you want those funds, if you want the County taxpayer money that we sit here and debate about ad nauseum year after year after year, then you are going to come to the table and have a discussion. Wow. Wow. So what do you conclude from that? You conclude this legislation compels towns to divest each's zoning authority. No, it doesn't. It doesn't. It doesn't.

There's no -- I want to take a quick look at the bill.

LEG. TROTТА:

Whoa, maybe you should.

LEG. D'AMARO:

Specifically --

*(*Laughter*)*

I have, I have.

(*Laughter*)

Well, I appreciate good debate, that's okay. I can take a joke, that's fine. All right, so looking at Section, specifically, 1009, C-3, which is on page three. Well, C-2, of course, is the requirement that you meet quarterly if you're a part of the alliance; you're only part of the alliance mandatory if you're in a regionally significant project.

But the next section says, "*The alliance will represent neither a fiscal nor funding obligation agreement*"; that's really important. That's the clarity in the bill that you're looking for that says we're not deciding who gets funding or who doesn't get funding, that policy decision is made at different levels within the County. We're not making that decision in this bill. That's one thing.

Section 1001-10, it says this is the requirement that "*Municipalities engaging in planning and implementation of projects of regional significance must be a member of the alliance,*" must be. I think that's great. I think that's great. If you're -- we've had experiences in this County where we've have had, for example, big box stores going up, effecting two or maybe three towns. They never sat in a room together and even talked about the development. You would think it would be different, but it's not. That's what happens.

The next section I want to look at is the whole procurement provision of this bill has nothing to do with the towns. Read it, read it. Subsection B of 1065-13 subsection B, it says -- it talks about pre-qualifying to assist the County and these alliances with planning and design. It doesn't say you the town must hire the consultant that we choose. Where does it say that in this bill? It doesn't. It doesn't.

Subsection E, it says, "*Therefore, there is hereby established and adopted a policy of pre-qualification of Consultants to perform Professional Services for the County.*" You want clarity? It's in black and white, *for the County*. It doesn't say for the town, it doesn't say maybe the town should think about using these consultants, nothing of the kind. So what did the bill do? It created a program that said if you're regionally significant and you want County funding, come to the table. Just talk, talk to one another, all right? And by the way, we have pre-qualified consultants for the County. If you want to take a look at them, go right ahead, but if you don't it doesn't affect anything, as long as you show up at the meeting.

So I really would urge my colleagues to consider that the bill is clear. It's clear as a bell. It basically -- it's a good government bill, in my opinion. I think it goes absolutely in the direction when we're talking about County funding, we should at least require that the effected municipalities are talking to each other. I don't see the harm in doing that. I think it's a very, very low hurdle to jump.

I don't think that it in any way, shape or form effects zoning power, planning authority, nothing, nothing of the sort. And I would urge everyone to seriously consider voting for this today. I think it needs to be done today, because why put it off? What's the point? What's the point of putting this bill off today? Why? We're not usurping zoning authority. What's going to change if we put it off? We're going to put in a little more language that's going to make it less clear than it is right now? I think that's exactly what we shouldn't be doing. So I urge you to think about that. Thank you.

LEG. HAHN:

(Applause).

P.O. GREGORY:

Okay. Legislator Hahn, who's clapping over there.

LEG. HAHN:

I don't know if you caught it, but I was applauding.

LEG. D'AMARO:

Thank you.

LEG. HAHN:

It's very hard to follow him. I think he won the debate club back in college. But I agree, I would say ditto, and that's not often true with Legislator D'Amaro and I, but I agree with his passion about this. And I do believe that the Town Supervisors were misinformed, I do believe it's the responsibility of the sponsor, you know, to reach out to them and make sure they know that they were misinformed. But I wholeheartedly agree with the intent here, you know, as Chair of the Environment, Planning & Agriculture Committee. You know, we are trying to encourage, foster, hold out a carrot for cooperation and collaboration on regionally significant projects; big, big, big, big, big projects that effect a lot of people, they should come to the table and talk. And I don't think anyone -- we're talking about professionals here. I don't think anyone would come to the table and say, "*I don't want to be here, screw you.*" I think professionals coming to a table would -- sorry, nobody liked that? It wasn't the F bomb.

*(*Laughter*)*

I think people come to the table and they recognize, you know what? You might not all agree, but there -- when you get together and talk, as we see here all time, we share ideas and, you know, people have -- and you network and you learn about opportunities and you learn about things how they went wrong somewhere else and how they went right somewhere else and you learn about different ways to get things done, and I really think there's value there and I think everybody here knows that. And I think it's okay that we say if we're going to invest our money, we want you to plan with other people; I think that's okay for us to say that. Don't take our money then if you don't want to do it. I don't think this is -- again, I agree with Lou again. It's not a big, thick string, this is something that's really important, it should happen between Nassau and Suffolk, it should happen -- you know, not that we give them money, but we should -- all kinds of regional planning should require this discussion and talking before things of big regional nature get done. So I commend the sponsor and once again, I applaud Legislator D'Amaro's arguments earlier.

P.O. GREGORY:

Okay. Trotta. It's 12:30, we're coming on the lunch hour, so if you can be brief.

LEG. TROTTA:

Lou left a few things out when he was reading his sentences. When he started reading 1001.10, he left out the fact, in order to be designated -- eligible for designated County services you've got to join, which I'm okay with. I'm for this a hundred percent, however there were definitely gray areas. You said the Supervisors were misinformed; how about they weren't informed at all? No one -- you're talking about getting people to sit down to talk about people and they were never notified, they were never brought in a room and said, *What are we doing here?*

LEG. LINDSAY:

How did they respond to the bill if they weren't notified?

LEG. HAHN:

They've been coming here multiple meetings.

LEG. TROTTA:

Because I was called on the Thursday before -- the Friday before Thanksgiving that this was

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changed. I called him up at home, the Supervisor, and he said, "*Forget it, I'm out of here. How could they be throwing this down our throat?*" You're talking about getting people in a room to do something together so there's cooperation, yet you're force-feeding them on a Friday before Thanks -- after Thanksgiving to come in on a Tuesday.

There's no rush for this. I absolutely -- I disagree with Legislator D'Amaro, there's a gray area there. I want to know -- what's the point of not putting it off a week, getting the Supervisors' input and saying, *Listen, okay, we're going to put a statute in there that says if you want to, you can use your own people who are more concerned with your local issues rather than someone that the County's been using.* Let the town -- make it clear that the town has the ability to do that. If it's not clear, why would we do this? Why would we force this down their throats?

LEG. LINDSAY:

I disagree that it's not clear. I think you've heard from the Legislative Counsel --

LEG. TROTТА:

No, what's the point of --

LEG. LINDSAY:

-- and we just heard from the County Attorney that it is clear.

LEG. TROTТА:

Well, let's make everyone feel comfortable, get together with them, show them what you want to do and get their ideas and your ideas and plan for a good bill rather than forcing it. You're saying you don't want bills forced on the County, well you're forcing this on them. So give them two weeks. Meet with them, I'll get the Supervisors in, talk to us, we'll go out and talk to them and we'll get it straightened out.

I have an e-mail from Jon Schneider from the County Executive's Office with recommended changes that aren't in here. That this was done on November 18th saying, *Okay, if you don't like this, this is what we're thinking of doing;* well, they're not in there. So clearly the County Executive's Office is up in the air on this.

LEG. LINDSAY:

No, they're not. No, they're not. Don't misrepresent the County Executive's position on this.

LEG. TROTТА:

Would you like me to read it to you?

LEG. LINDSAY:

You can read me whatever you like, but I'm telling you right now you're misrepresenting what their position is by saying they're against this or they're up in the air on this.

LEG. TROTТА:

No, I said there were changes in it that weren't there.

LEG. LINDSAY:

And you said they were up in the air on the bill.

LEG. TROTТА:

Well, it's different than what's in the bill than what's on this e-mail.

LEG. LINDSAY:

Why don't you ask the County Executive's representatives to stand up and tell them their position rather than you give your interpretation of their position.

LEG. TROTTA:

Well, I have it in writing here.

LEG. LINDSAY:

Well, we have them live here and they can answer whatever question you may have.

P.O. GREGORY:

Would someone like to come forward and maybe you can read the e-mail?

*(*Laughter*)*

LEG. LINDSAY:

We'll compromise.

P.O. GREGORY:

See, we're compromising.

MR. BEKOFSKY:

The County Executive's Office is obviously for this bill. You can read the e-mail, I believe that some of the changes are in there. I think they're all in there, but I will double check. I have the e-mail.

LEG. TROTTA:

Okay. Number two, it says, *"Add the following clause; no funding allocations would be impacted by the results of any meeting of the alliance"*; is that in there?

LEG. LINDSAY:

Yes.

LEG. TROTTA:

Where?

LEG. CALARCO:

Let's call the motion.

LEG. LINDSAY:

If you go to 1001, Section 9, number three, *"The Alliance will represent neither a fiscal nor funding obligation agreement. Any endeavor involving reimbursement or contribution of funds or other resources between the parties or other parties will be voluntary and addressed in accordance with applicable laws, regulations and procedures, including those for government procurement."*

LEG. TROTTA:

That doesn't say no funding allocation would be impacted by the results of any meeting of the alliance. It doesn't say it at all. And deleting -- I don't know if it deleted the WHEREAS clause, *extremely uneffective government*, they were going to delete that. Do you have this e-mail, Bill?

LEG. LINDSAY:

I'm familiar with it.

LEG. TROTTA:

So, you know, clearly there's issues. All we're asking for is two more weeks, get it straightened out, put something in there that says, *Hey listen, if you want to use one of your own local vendors, do it.* This isn't brain surgery. Two weeks -- it's safe to say that there's no regional significantly (sic) plans that are going to be thwarted by the fact that we don't do this in two weeks. And I think it would be irresponsible to our constituents not to get it right, and to our Supervisors. This isn't -- you know, we're not asking for three months here, we're asking for two weeks. I don't see a problem here. It's to make the rest of us feel comfortable and to make more than half the Supervisors who are against it feel comfortable. You know, you're arguing we should get along and we need to do this and you're not doing it. You're saying, *Oh, let's do this, let's get together,* and you're not doing it. So what does that -- what message are you sending to us?

LEG. LINDSAY:

Again, you're misrepresenting my thoughts now. We have done that, we have reached out to them, that's why we have changed and made changes to the bill and watered it down even further. This is a much more watered down version than the original bill, because of the conversations that we had with the Supervisors.

LEG. TROTTA:

So, but you changed it on Thanks -- you know, the Friday after Thanksgiving. Give us two weeks, we'll go over it and get it right.

LEG. LINDSAY:

I'm sorry that they weren't working, I guess, Monday or Friday or what have you, but we watered it down even further based on their recommendations.

LEG. TROTTA:

Well, I think that you should give time and then add one little sentence that makes us all feel comfortable that the towns still have the ability to choose who they want. Because while, you know, the lawyers may say it's clear, down the road you never know what happens.

So I just think that's -- if you're for that and if you're saying it's okay, I don't see any reason why -- you say, *You know something? We'll give you two weeks, we'll get it in, we'll put that little clause in to make you feel comfortable and we can bring it to the Supervisors, read it to them, they feel comfortable, then we're all okay.* It's called planning properly. Otherwise all you're going to do is create tension between them. Why create tension between the towns, the six towns and the County by beginning this bill and forcing it down their throats? So now we're starting off on the wrong foot to begin with. So it would be irresponsible for us to pass this today and not do it right. We would be doing exactly what you don't want to do.

P.O. GREGORY:

I'll tell you what. We've got about four, actually five people that want to speak. It's 12:35, we're going to break for lunch and then we'll come back at 2:30 for the public hearing.

LEG. CALARCO:

Can we just call the vote?

MR. NOLAN:

You can't just call the vote.

LEG. CILMI:

People want to speak.

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P.O. GREGORY:

Right.

LEG. CILMI:

I have something different to add.

P.O. GREGORY:

All right, so we stand in recess.

*(*The meeting was recessed at 12:36 P.M. *)*

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

*(*The meeting was reconvened at 2:35 P.M. *)*

P.O. GREGORY:

All right. Mr. Clerk, please do the roll call.

MR. RICHBERG:

Good afternoon.

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

LEG. SPENCER:

Here.

LEG. D'AMARO:

Here.

LEG. STERN:

Here.

LEG. MC CAFFREY:

Present.

LEG. TROTTA:

Here.

LEG. KENNEDY:

Here.

LEG. BARRAGA:

(Absent)

LEG. CILMI:

(Not Present)

LEG. MARTINEZ:

Here.

LEG. LINDSAY:

Here.

LEG. CALARCO:

Present.

LEG. ANKER:

(Not Present)

LEG. HAHN:

Present.

LEG. MURATORE:

Here.

LEG. BROWNING:

Here.

LEG. KRUPSKI:

Here.

D.P.O. SCHNEIDERMAN:

Here.

P.O. GREGORY:

Here.

LEG. ANKER:

Here, Jason.

LEG. KENNEDY:

Jason.

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

Okay. All right. We're now in the Public Portion. We have the first Public Hearing, ***I.R. 1564 - A Local Law Establishing a Drug Stewardship Program for Suffolk County (Hahn)***. I don't have a card for this public hearing. Is there anyone in the audience that would like to speak on this matter? Please come forward. Okay. Seeing none, Legislator -- where is she? All right. So I'll make a motion to close.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Fifteen. (Not Present: Legislators Hahn and Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1657 - A Local Law to Clarify Affordable Housing Requirements at Developments Connecting to a County Sewer District (Calarco). I don't have any cards for this public hearing, but is there anyone in the audience that would like to speak on this matter? Please come forward. Okay. Seeing none, Legislator Calarco?

LEG. CALARCO:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Calarco, I will second. All in favor? Opposed? Abstentions?

LEG. HAHN:

Reconsider.

MR. NOLAN:

You want that recessed?

LEG. HAHN:

Yeah, yeah.

MR. RICHBERG:

Fifteen -- 14, sorry. (Vote Amended to 15 - Not Present: Legislators Hahn and Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

Okay. You can't, because you weren't on the prevailing side. Can she? She was not here. Oh, okay, gotcha. All right. Sorry.

LEG. HAHN:

What are you trying to do, Presiding Officer?

P.O. GREGORY:

I was just trying to be very --

D.P.O. SCHNEIDERMAN:

You don't want to close?

P.O. GREGORY:

-- by the rules. I wasn't against it, I'm just saying.

(*Laughter*)

Motion to reconsider by Legislator Calarco, second by Legislator Anker to reconsider I.R. 1564.

LEG. HAHN:

Yeah. I was hoping to recess that. Thank you.

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Fourteen. (Vote amended to 16 - Not Present: Legislator Cilmi/Absent: Legislator Barraga)

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P.O. GREGORY:

Okay. I.R. 1564 is before us. Motion to recess by Legislator Hahn, second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Fourteen. (Vote amended to 16 - Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

Okay. **1691 - A Local Law to Strengthen the Code of Ethics (Trotta)**. I don't have any cards. Is there anyone that would like to speak on this matter? Please come forward. Okay. Seeing none --

LEG. TROTТА:

Motion to recess.

P.O. GREGORY:

Motion to recess by Legislator Trotta, second by Legislator McCaffrey. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1802 - A Local Law Authorizing the County Executive to Execute Agreements for the Sale of the John J. Foley Skilled Nursing Facility to the Brookhaven Memorial Hospital Medical Center (Browning).

LEG. CALARCO:

Motion to close.

LEG. BROWNING:

Motion to close.

P.O. GREGORY:

Motion to close by Legislator Browning, second by Legislator Calarco.

LEG. CALARCO:

Cards? Public opinion?

P.O. GREGORY:

I'm sorry. I don't have any cards. Is there anyone who would like to speak? Seeing none, motion by Legislator Browning, second by Legislator Calarco to close. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1815 - A Local Law Establishing a Domestic Violence Fatality Analysis Commission (Hahn). I don't have any cards. Is there anyone that would like to speak on this matter? Please come forward. Okay. Legislator Hahn?

LEG. HAHN:

So, unfortunately, I want to -- I do want to recess this one. I understand the timing and everything, but there was another change that needed to be made, so.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1822 - A Charter Law to Increase Oversight of Park Violation Determinations (Hahn).

I don't have any cards on this public hearing. Is there anyone who would like to speak on this matter? Please come forward. Okay. Having seen none, Legislator Hahn?

D.P.O. SCHNEIDERMAN:

Recess it.

LEG. HAHN:

I thought I said motion to recess, right?

P.O. GREGORY:

On 1822.

LEG. HAHN:

Oh, yes. That one, too. Thank you. Motion to recess.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1925 - A Local Law Authorizing the Establishment of a Local Development Corporation known as the Recreation and Economic Development Corporation of Suffolk County (Co. Exec.). I don't have any cards for this public hearing. Was there anyone that would like to speak on this matter? Please come forward. Okay. Having seen none, okay.

MS. SANTERAMO:

We were hoping to close this hearing.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1928 - A Local Law adopting a Requirement for the Registration of Alarm Systems (Co. Exec.). I don't have any cards for this public hearing. Is there anyone who would like to speak on this matter? Please come forward. Okay. Seeing none, what is your pleasure,

Administration?

MS. SANTERAMO:

We would like to close this one, too.

P.O. GREGORY:

Okay. I'll make a motion to close I.R. 1928, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1929 - A Local Law to amend Chapter 155 of the Suffolk County Code, Clarifying Funding Sources for the Operation of the Suffolk County Landbank Corporation (Co. Exec.). I don't have any cards on this matter. Is there anyone that would like to speak on it? Please come forward. Okay. I will make a motion to close.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen. (Not Present: Legislator Cilmi/Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1930 - A Local Law to Establish new Procedures for the Auctioning of Real Property owned by the County (Hahn). I do have two cards, L. Von Kuhen and Jennifer Appel.

MR. VON KUHEN:

Good afternoon I am Von Kuhen, Senior Vice President for Real Estate Development and Rehabilitation for Community Development Corporation of Long Island.

Community Development Corporation of Long Island invests its resources, talents and knowledge in the people of Long Island, helping them to achieve their dream of an affordable home in a vibrant community. Since its inception 46 years ago, CDCLI has created 1,928 affordable homes for renters and homeowners, assisting more than 161,000 Long Islanders, while investing \$1.1 billion within the communities they call home.

I'm here in connection with I.R. 1930. This resolution seeks to have nonprofit housing developers to attend a County pre-auction and buy properties from the County for affordable housing purposes. Recently, there was a prior similar resolution which sought to assist nonprofits by permitting a direct transfer to the nonprofit, provided they paid the County. We were not in support of that resolution, and, fortunately, it was withdrawn. For similar reasons, we do not favor I.R. 1930.

First, the County already has a very good program in place to assist with creating affordable housing, the 72-h program. It is the most viable program for creating affordable housing. Under this program, nonprofits work with the towns to identify suitable properties and uses for development as affordable housing, which may include homeownership or rental. The current resolution limits use to homeownership. Towns and nonprofits need the flexibility to develop programs that make sense for their communities. Towns are closest to their residents and can plan with the nonprofit how best to develop the properties. This program has worked well for many

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years. If it ain't broke, don't fix it.

Second, as a practical matter, it is difficult for nonprofit affordable housing organizations to come up with out-of-pocket funds to acquire properties and then rehabilitate them and sell or rent them at an affordable price. The proposed pre-auction process would escalate prices and force nonprofits to bid against each other. Therefore, offering the properties at a separate pre-auction is not likely to yield good results. As previously mentioned, the better way is the current way, transferring properties pursuant to 72-h at little or no cost.

Redevelopment of these properties require substantial investment of government and private resources, often costing more than the final appraised value of the property. The subsidy that Suffolk County provides this redevelopment effort by conveying the property for free or a nominal cost has been a much needed resource to make these projects viable. The other burden of paying the back-taxes on the property may render the program nonviable.

In conclusion, we commend Suffolk County in its efforts to create affordable housing through the 72-h program, and we look forward to working with you on its continuation. An additional auction process is not necessary, nor is it viable. The proposed enhancements would reduce the County's ability to support financially viable affordable housing, and would interfere with the spirit of County, Town and community partnership that has been key to the program's success. Thank you.

P.O. GREGORY:

Thank you, sir. Legislator Hahn has a question for you.

MR. KUHEN:

Yes.

LEG. HAHN:

I just want to make sure that you understand, this in no way changes the 72-h program. So the 72-h program would continue as is. Right now, these are properties that the Executive deems too valuable to be given to the towns, I guess, you know, for 72-h purposes. So these go to the -- these are properties going out to auction, because someone in the Executive Branch or some -- I guess, decided that they want the money for these homes instead of giving them away for affordable housing purposes. So this would just allow -- at the auction, we would be able to get -- recoup the upset price if affordable housing agencies chose to go and bid on them. They do -- some agencies do so already and, you know, come to these auctions and have -- have to bid against other speculators and others in the auction --

MR. KUHEN:

Can I just respond to that for a minute? I think the issue that we have in that -- in that process is how those properties are decided that are going to go for direct sales to nonprofits, versus those that go to auction. I mean, we have been in positions in the past where there's been hundreds of properties that had to be taken off of the auction list due to intervention by the not-for-profits. There doesn't seem to be a clear and open process by which it would be determined which lots would be conveyed in what manner.

P.O. GREGORY:

You have a question, Legislator Browning? Are you done, Legislator Hahn?

LEG. HAHN:

Sure.

P.O. GREGORY:

Okay. Legislator Browning, you have a question?

LEG. BROWNING:

Yeah. I'm just -- I think there might be a little confusion over what the process is. I mean, I know that having spoken to some of the nonprofits, they really don't get to select the property. The properties are selected by the County and they're offered to the town, and then the town in turn works with the nonprofits. So, actually, the nonprofit really doesn't have a choice.

MR. KUHEN:

I would beg to differ with that. We have traditionally acquired properties both through the Town of Brookhaven and the Town of Babylon, and those properties were all coordinated in discussion between the town and us as a not-for-profit before it was decided where the properties would go.

LEG. BROWNING:

I'm sorry, but I missed what your organization's name was.

MR. KUHEN:

CDC, Community Development Corporation of Long Island.

LEG. BROWNING:

Oh, you're CDC?

MR. KUHEN:

Yes.

LEG. BROWNING:

Okay. And the -- so then you know that when you're getting property from the municipality and that the property that the County transfers over to the municipality is generally not a habitable structure, correct?

MR. KUHEN:

Correct.

LEG. BROWNING:

So this gives the nonprofit the opportunity, because many of them at times have some additional funds through fundraising, and whatever, that now they have some additional funds that they want to go to the auction and purchase additional properties and maybe a habitable structure at an auction. But the problem is, is that when they go to that auction, they're having to compete with other individuals, individuals who have more money to -- and can outbid them. So what we're trying to do is they're saying, "We have additional funds, we'd like to be able to buy a habitable structure, but we're always getting outbid on this." And I personally -- my district, we know what's happened in my district over years was speculators taking them and turning them into slum rentals. And I've done a lot of work to try and prevent that, but this is another opportunity for a nonprofit to be able to take one of these habitable structures and work with a first-time homeowner, rather than turning it into another bad rental.

MR. KUHEN:

I understand what you're saying. I question whether there are many housing organizations that have funding available that would be prepared to go to an auction. And I believe that this resolution would favor some nonprofits other than others, meaning those who have the money in their pockets to buy the houses.

LEG. BROWNING:

No, I don't think so. I think that you -- you know, CDC would equally be able to go purchase properties the same way as the other nonprofits. If we pass this, it gives you a -- more choices, better choices than having to go to an auction and bid against some guy that's got a lot of money.

MR. KUHEN:

I still disagree with that because of the fact that there are some not-for-profits that do have a fund of money that they raise in certain ways that they have as free cash that they could buy properties. Others of us are dependent on government programs and so forth where we don't have the money in our pocket to buy the property outright.

LEG. BROWNING:

Well, we still want to expand -- obviously, we want to improve and expand an opportunity to provide more affordable housing.

MR. KUHEN:

I appreciate that.

LEG. BROWNING:

And this is another opportunity to be able to do that.

MR. KUHEN:

I would encourage, if you could, perhaps --

P.O. GREGORY:

You should remain, you know, questions. We don't want to debate the bill.

LEG. BROWNING:

Okay. No, that's why I'm trying -- sorry, I lost the question part.

MR. KUHEN:

You know, and just in response to that, I would think that it would be appropriate for a group from the Legislature to meet with a group of not-for-profits to discuss the 72-h law and the auction law and talk about the merits of what would be best done to revise the auction process.

LEG. BROWNING:

Thank you.

P.O. GREGORY:

Okay. Anyone else? Okay. All right. Thank you. Jennifer Appel.

MS. APPEL:

Good afternoon. Jennifer Appel. I'm the General Counsel and Program Advisor to the Long Island Housing Partnership. We are also another affordable housing developer. We've been in existence for over 25 years. And I can tell you that we echo most of the concerns that CDC has with this program.

The 72-h program is a very successful and innovative way for the County to provide affordable housing. I can tell you, since its inception, the partnership has developed and gotten over 350 families into housing by this program. And I would agree with Mr. Kuhen, is that we don't understand how this model of now having a not-for-profit or not-for-profits compete against each other and then have to pay for property fits in a model of getting affordable housing to a family. We have now incurred costs of acquisition, which for a budget in which you have to get a home to

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someone probably for under \$200,000, is very, very difficult to make that budget work, if we're now incurring 10, 20, 30, 40, 50,000 to just acquire the property.

Another concern that will make it even more difficult with this auction process is, as Mr. Kuhen pointed out, most of these homes need subsidy to get into them, and most of the subsidies require a match for us to get the subsidy. Right now, the 72-h program, the value of that property counts as a match. So, in essence, we could be even losing more subsidy if we now have to go pay for the property. So I agree at this point with Mr. Kuhen, that perhaps some further discussion with how the 72-h program could work better to get more not-for-profits involved in that process, instead of creating a whole other program, would probably be the best. Thank you.

P.O. GREGORY:

I have a question for you.

MS. APPEL:

Sure.

P.O. GREGORY:

So I didn't hear clearly. I didn't hear your concern about the match. How is that? Explain that again.

MS. APPEL:

So if we get a donated property that's maybe worth -- the land is worth \$100,000, New York State will say, "If you want a grant for 100,000, you have to show a match, a monetary match from the not-for-profit," and we can -- the value of that land is our match. We don't actually have to actually come out-of-pocket with that money.

P.O. GREGORY:

Right.

MS. APPEL:

So it's extremely helpful to pull in the subsidies for the first time home buyers.

P.O. GREGORY:

Right. Because right now, as I understand your programs, and I guess probably some of the major other housing programs, a great share of your resources are spent on the renovation --

MS. APPEL:

Yes.

P.O. GREGORY:

-- not the acquisition.

MS. APPEL:

Yes.

P.O. GREGORY:

So, okay, all right.

MS. APPEL:

Thank you.

P.O. GREGORY:

Thank you. Oh, ma'am, Legislator Hahn has a question for you.

MS. APPEL:

Sure.

LEG. HAHN:

So are you under the impression that this eliminates the current 72-h process? Because --

MS. APPEL:

Yeah, no, we don't think it eliminates. We're just -- I think we're under the impression -- we're not sure what not-for-profits this is going to benefit, now weighing how most of us operate and how we acquire and build affordable housing.

LEG. HAHN:

Because, George, if I'm --

MS. APPEL:

That's what I think, we're just at a loss.

LEG. HAHN:

And I guess this is just -- if George can clarify, I mean, this in no way changes what currently goes on in terms of allowing the 72-h process and giving properties to towns for affordable housing purposes. I mean, we -- you know, nothing in this bill says that that will not continue as is.

MR. NOLAN:

Right, there's -- you know, it's a separate program, and it's not really impacted or affected by this bill, at least not directly.

LEG. HAHN:

Do you go to the auctions currently?

MS. APPEL:

We do not go to the auctions.

LEG. HAHN:

Okay. Thank you.

P.O. GREGORY:

Okay. That's all the cards I have. Is there anyone else that would like to speak in this matter? Please come forward.

LEG. TROTТА:

I have a question.

P.O. GREGORY:

Oh, for the --

LEG. TROTТА:

The County Executive.

MR. NOLAN:

This is a public hearing.

P.O. GREGORY:

This is a public hearing.

LEG. TROTТА:

Oh, never mind.

P.O. GREGORY:

Okay. All right. That's all the cards. No one else wants to speak. Legislator Hahn?

LEG. HAHN:

Motion to close.

P.O. GREGORY:

Motion to close I.R. 1930.

LEG. BROWNING:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

Okay. Let's get back to I.R. 1659, on Page 7. I believe I was at -- Legislator Krupski was next on my list.

LEG. KRUPSKI:

Thank you. So I have just kind of a general comment. I've seen -- a lot of the Legislators think that five or six Towns that we've heard from that are against this legislation are uninformed. And there's two Towns that haven't been heard from. And wouldn't it make more sense if the whole intention of the bill is to communicate better? Wouldn't it make more sense to table this for two weeks and actually communicate with these Towns that are, quote, unquote, uninformed and then you could inform them, and maybe you'd bring them on board, maybe you wouldn't. But at least you'd have taken an honest shot at bringing them on board, talking to them, you know, face to face, and so that they could explain to you their concerns and you could explain the intention of the law.

P.O. GREGORY:

Okay. Legislator Browning.

LEG. BROWNING:

Oh, okay. Last thing is I want to remind again, when we put in a bill and it affects a department, if we do not call that department and we put that bill in, the first thing we're going to have standing up at this podium would be the County Exec's Office and the department heads saying, "Well, hold on a minute, we'd like to discuss this with you." That's how simple it is. We're just asking -- I mean, I did ask Bill if he had a sit-down with the Supervisor in my district and he said he did not. That's all I'm asking is have that sit-down.

Now I agree with the concept. I don't think it's a bad idea, I think it's a good idea, but when I find out that my Supervisor has not had that conversation or been involved in a conversation and is being told, "Here's the bill, take it or leave it," look at how it happens here. How many of us around this horseshoe have put in a bill and the department comes or the County Exec's Office comes and

says, "Well, you didn't talk to the department," and we have to amend the bill, and we have to work with them, and we have to table it? It's the exact same idea, it's the exact same concept. Let's make sure that everybody's been at the table, understands the bill. And if they say they don't know what the bill is and they don't understand anything, then maybe we need to take the time to let them understand.

P.O. GREGORY:

Okay. Legislator Anker.

LEG. ANKER:

So I had a conversation last night with a business person who owns quite a few businesses here on Long Island. He's got one foot in Florida and he's got one foot here, and he's ready to go, he's ready to leave. And we're talking about probably hundreds of millions of dollars that will be leaving Long Island.

We complain constantly about our young adults are leaving Long Island. We complain constantly that we're not able to bring them jobs, that we're trying to create a better economic situation here in Suffolk County, and here is something that will do just that.

Now we're looking at a communication problem, evidently. And it makes me think, there was a show, Murphy Brown, and they got together -- I think it sounds familiar to some of our Legislators here. And they were placed -- yeah, they were placed in one room and they were -- they were basically forced to work it out, forced to come up with solutions and resolve problems, and that's what this alliance will do.

You know, like you said, it's a shame that it's taking, you know, this type of situation to get people to meet together at the table. You know, I'm a mother of three children. Sometimes you have to force the issue to get things done. And, you know, to do this for adults, it's almost shameful. It really is shameful that we have come to this point where we're trying to do what with we can for Suffolk County and improve the economy, and we have legislation to force people to come together to make decisions and to be part of the solution and to resolve problems.

Another example of what has happened as far as getting people together here on Long Island is the Long Island Coalition of Aquifer Protection, that's LICAP, and that was addressing the water situation. We know we have issues with our groundwater, and here we have put together a coalition or an alliance of people to address this issue. Again, we know we have an issue with our economic sustainability here on Long Island and we're doing exactly just that.

We have 1.5 million people here in Suffolk County. That's larger than some states. If they can't get together and figure out how we can create a better economy, then they're going to continue to have problems. And as in the business world would say, every minute counts, every minute is a dollar that we could either be making or saving, and, again, here's an opportunity to do just that. Thank you.

P.O. GREGORY:

All right. Thank you. Legislator Spencer.

LEG. SPENCER:

Thank you. I had a couple of questions with regards to the bill to the sponsor, or to Counsel. I noticed with the amended copy, the title changed. And some of this may have come out in committee. I didn't have the benefit of the transcript yet. What was changing the title to amending Chapters 101 and 165 of the County Code, as opposed to the original title that was establishing a Regional Planning Alliance? What was the thought process that went into that? Was it a different

way of being able to move this forward?

LEG. LINDSAY:

Through the Chair, Legislator Spencer, part of the reasoning behind it was to show that this was part of the master plan. When we created the master plan, it was included in the master plan that we all voted in favor of it. Not only was it just included in that, but it was highlighted as part of the master plan. So I wanted to make it clear that it was a step, the next step after the master plan was adopted. And, you know, I'm sure there'll be other steps after this, but this would be the first.

LEG. SPENCER:

Sure. That makes a lot of sense, and that's what I kind of understood, but I wanted to kind of see if that's kind of what your thoughts were. And I, you know, went to our Supervisor in Huntington and we've had a lot of conversations back and forth, and, definitely, I think the time issue was a concern. But he's had a chance to kind of look at everything and he sees the benefit of it and is supportive of this. So I am -- it had been very difficult for me otherwise without having the Supervisor of the town which I represent.

It mentioned a pre-qualified list to implement projects. And, currently, is it your understanding that this isn't subject to competitive bidding because these are kind of specialized services that are needed that would be very difficult for a competitive bidding process?

LEG. LINDSAY:

No. It's my understanding that it's just creating a list of already pre-vetted, that have already gone through the RFQ process, so they've already been pre-qualified and allowed to participate. Right now, throughout the County, we don't have a mechanism in place similar to what's in place with the State, where the County can go and piggyback off of a State contract, utilizing a vendor or a contractor who's already been -- gone through the RFP process to expedite things. We don't have a mechanism for that to happen. This would create that mechanism for these projects that are considered regionally significant. And, again, it's just voluntary, it's not -- it's not mandatory. It's just if it's there, it's a resource there if they want to take advantage of it.

LEG. SPENCER:

So that pre-qualified list doesn't have to be utilized?

LEG. LINDSAY:

Correct.

LEG. SPENCER:

Okay. All right. So, if -- and if there was a new company, you know, we're talking about -- talk about economic development. Would they have to wait through the two-year cycle, or they would be vetted as an ongoing process and could be -- could they be added to that list?

LEG. LINDSAY:

I believe they would have to wait through the two-year process, but I'd ask George for additional clarity on that.

LEG. SPENCER:

Okay.

MR. NOLAN:

Yeah, that's way it looks. It says that every two years they're going to go through this process again to qualify consultants.

LEG. SPENCER:

But since it doesn't -- is it -- so, if we don't need to go to that list, what's the purpose of having -- the list makes it more convenient or more efficient?

LEG. LINDSAY:

It makes it -- yeah. If they want to expedite the project and get it going faster, then they can utilize one of these prescreened vendors, as opposed to going through the process of doing an RFP and the time that it takes in order to do an RFP.

LEG. SPENCER:

And with the alliance as it's set up, you know, it seems that there's interested stakeholders, and I see that in the bill it's laid out a kind of who would be on this alliance. Who chairs the meeting or how is the agenda driven? Is that -- will there need to be further clarification later on as far as -- so you're saying, well, it's -- and I agree with what you're saying, and, again, I'm totally getting the answers to questions that I need to be able to speak intelligently about what this process is and what I'm supporting. So, you know, these questions are strictly meant to get, you know, those answers on the record for me.

LEG. LINDSAY:

Sure. No, and I appreciate it.

LEG. SPENCER:

So how does this -- you know, so you're saying that they need to be in the same room and we want them to communicate. Is there a designated chair, and is there an agenda, and how is that agenda driven, or is that something -- because I'm also -- I want to be careful in terms of not having an unintended consequence that this alliance, which is a simple conversation, could potentially be an area where you have nonelected officials that are able to drive really the projects of regional significance, and, you know, how do we stop that from being hijacked? Because we -- you know, we're the elected body, so I think that would be my concern in that particular question. Is there any thought about that?

LEG. LINDSAY:

Yeah. I believe the mechanisms are already in place, whether we adopt this legislation or not, to deem projects regionally significant either through our Planning Department or through the Regional Planning Board. They have made those determinations in the past, and I'm sure they'll continue to make those determinations going further, whether or not we pass this legislation.

In terms of micromanaging the meetings, that's not my intent of the legislation. I didn't want to include anything in there telling people what they're going to talk about and who's going to -- who's going to drive the conversation. I would look for -- towards our Planning Department at times to lead, but also at times to follow some of these other municipalities who may want to lead the conversation and develop the direction in which these projects will go. I mean, ultimately, the towns are going to make those decisions and those determinations. We, all we're doing is, you know, buying the coffee and supplying the space to get everybody in the room together.

LEG. SPENCER:

Sure. And I think my concern, and I was part of one of the sponsors of the LICAP plan, too, where we were having a similar conversation, and a whole lot of consideration went into not only who was going to be part of it, but, you know, voting members and how business was going to be transacted. And so if -- and I'm just thinking, again, from a supportive point of view where you have a group of people in the room that maybe they have different interests, you know, strongly, one strongly opposed, one that's strongly for. And there, you know, is -- is there a vote? Does this alliance transact business by a majority vote or not? Are there voting members? Is there a -- and maybe

these are some of the details that we could do with this and may need to be clarified. But I think -- I don't want us to be naive to think that, "Oh, we're just forcing them to talk." You know, it's a simple conversation, that there has to be some sort of guiding principle or border as far as conflict resolution when it comes to different regions that may have a competing interest, and how is that -- how is this conflict resolved?

So these are some of the things I am willing to work on or look at. But I think I appreciate the bill stepping back, so that it's -- I don't like the term "watered down," where it's not having -- where it's so defined where it creates a lot of unintended consequences. But if it's too vague, that once these people get into the room, who's going to stand up and say -- and call the meeting to order? And, you know, how is the agenda set, and can things be squelched in the agenda in a conversation that is unpopular, or can it be filibustered in someone that has, you know, maybe a different interest in mind? And I guess these are things that we have to figure out.

MR. NOLAN:

Legislator Spencer, if I could.

LEG. SPENCER:

Sure.

MR. NOLAN:

I would just add that, you know, what this bill calls for is each time there's an alliance, there's going to be an Intermunicipal Agreement where I think maybe a lot of these issues will be fleshed out, that has to be agreed to all parties. And I think, like any Intermunicipal Agreement, they'll probably have to come back here for us to look at it as well. I believe that's the position the County Executive has taken as well. So the type of issues you're raising might be resolved. That way, when the town or the village and the County and the stakeholders sit down and negotiate, maybe those are some of the questions they'll look at as well.

LEG. SPENCER:

That gives me a lot of comfort, that if those issues were going to be coming before us, because we're the elected representatives of all of the regions. So I know you put a lot of work into this, and I -- you know, I applaud your efforts. I'm also -- you know, there are other Long Island think tanks that are looking very carefully at this that have also weighed in positively. I do think it's a step in the right direction. And I hope that I can ask questions that are difficult now that would allow us to be able to kind of resolve these. But I do think there's the potential that we can pass this and work out some of these issues, maybe if there needs to be clarification. So, you know, thank you, appreciate it.

P.O. GREGORY:

Okay. Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. I have agree with much of what's been said on this issue, actually on both sides of the debate. But there's something that has sort of been missing, I think, in the dialogue that I felt it necessary to point out to remind us of, and that is that presently, when a municipality comes to the County and asks the County for assistance, financial assistance in some way, it's not like the County Executive just writes a check to that person or to that municipality. There's a process by which that happens. There are strings attached currently, it's called the Legislature. They come to us and they go through a committee process, and we get to ask questions, and one of those questions might be, "Have you worked with Suffolk County Regional Planning Council? Have you worked with the Long Island Regional Planning Council? Have you worked with your neighboring towns to ensure that this project of regional significance meets with those other

municipality's plans?" We have that opportunity and we have the opportunity to either provide funding or to deny funding based on the interest that we receive. So I just didn't want that reality to be lost within the discussion today. Thank you.

P.O. GREGORY:

Thank you. Legislator Stern.

LEG. STERN:

Thank you. As I review the legislation and discuss, you know, some of the underlying reasons behind its introduction, this is a Legislative initiative that is 100% based in reality. This is, fortunately or unfortunately, what is going on when it comes to regionally significant projects, and in how so many situations they have an impact that reach well beyond the lines of any particular town.

We've all seen many examples in the areas that we represent of a process that, unfortunately, works exactly backwards, where these big, grand plans are approved, they go forward, only to have the critical infrastructure concerns considered after the fact. And if we don't think we have an important role to play, we are certainly mistaken, because how many times has Legislature been faced with the question of what is going to be the required infrastructure, especially if there are County roads or sewer projects that are involved, that we are then called upon to not just render an opinion on, but to vote and utilize County funds after these big decisions have already been made? This is an attempt to not necessarily reverse it, but at least to put both of those considerations at the same pace.

You cannot have an ongoing situation where you have big, bold initiatives that are approved without the appropriate ongoing consideration for the infrastructure and the support that's required to fulfill the original vision.

In looking at the language of the legislation, I know Legislator D'Amaro had taken us through a very good analysis before, but, you know, here I'm looking at Section 3 in 1009 -- 1001-9, excuse me. "The alliance will represent neither a fiscal nor funding obligation agreement." I would agree. To me, that is very clear, and our Counsel has suggested that that is the case.

Before, I don't recall which one of my colleagues had made the comment that this would result in a joint planning effort. I don't necessarily agree. I don't -- it doesn't call for a giant planning effort, it calls for some meeting time. In fact, it is defined here in the bill that they'll be working on a project to, and I'm quoting here, "To discuss and address objectives." It doesn't lay out any formal procedure that has to be followed. It doesn't rise to the level of required joint planning process. It is simply a meeting to discuss and address objectives. What takes place during the course of those conversations would be left up to the parties who are participating, but this legislation doesn't call for or mandate any specified procedure that has to be followed. Again, it is defined here in the legislation itself as a discussion, a meeting to address objectives.

The comment was made before, I don't recall who, by a member of the public. Essentially, the point was that, yes, these might be big projects, but at the end of the day, it is the particular town that makes those decisions, that is the one that is impacted, that those town residents are the ones that are impacted. Let me respectfully disagree. When you have a project of regional significance, depending on where it is situated, you are making a much larger impact than just the particular town where the address happens to be. And depending on which town, and depending on where it's situated, State infrastructure is involved, Federal infrastructure is involved, certainly County and local infrastructure is involved. All of those levels of government have an important role to play. These types of projects certainly go well beyond impacting just those residents and just those businesses that happen to lie on one side of the town line, when so many other residents, and so many other businesses, and so many of us who are simply passing through that part of town are

impacted as well. That's the intent, as I understand it, of this legislation.

Let me also just point out for the record here, Legislator Spencer had indicated that we've been speaking with the Town Supervisor of the Town of Huntington. I think everybody here should have received the correspondence from Supervisor Petrone, and this is his understanding of the legislation. First, that the legislation in no way usurps the Town's local control over land use and zoning. Two, that the procurement policies outlined in the legislation relate to the procurement of services by Suffolk County with Suffolk County funding only. The Town maintains the right and authority to retain outside professional services under its own procurement policies, if Town funding or sources of funding other than County funding is utilized for a particular study or phase of the project. And if there are procurements that involve the expenditure of both Town and County funding, the Town will be included as a partner with equal decision-making authority for procurement and selection of pre-qualified consulting services, which going to -- I think what our Counsel had mentioned, that that would be part of an agreement that would be made among the parties during their negotiations to determine what responsibilities would be going forward.

Those are the comments. The bottom line here in this correspondence is that the Supervisor of the Town of Huntington is supporting the legislation and I will be as well.

P.O. GREGORY:

Thank you, Legislator Stern. Legislator McCaffrey.

LEG. MC CAFFREY:

Thank you. I just want to go back to what we started speaking about before, and then I just want to go back to the sponsor for a minute, because I thought I heard something, I want to make sure I heard it correctly, an exchange between him and Legislator Spencer, and that was where it said that the pre-qualified list doesn't have to be used. Is that -- did I hear that right or did I take that out of context?

LEG. LINDSAY:

No, it's correct.

LEG. MC CAFFREY:

So, yeah, I don't see that anywhere in the bill. And that's what I was looking for and I'm trying to see where it's referenced, it's a pre-qualified sponsor does not have to be used.

D.P.O. SCHNEIDERMAN:

By the Town or the County?

LEG. MC CAFFREY:

I'm not sure how I heard it. I thought it was in context with the towns or the local municipalities.

MR. NOLAN:

You know, this is -- it's going to be a tool for the departments, and they, I guess, want a pre-qualified list of consultants that they'll be able to use. If they have a service they want to hire, they're not -- they don't have to go to this list, they could issue Request For Proposals. If they'd like, they could do that. I don't think the legislation stops them from doing that, but I think, most likely, they're going to use the pre-qualified list because it's faster.

LEG. MC CAFFREY:

So if a municipality came in here and said the people on that pre-qualified list do not share the same vision that we have for our local municipality, can they get funding for that? It appears as though everything on here points to having to be on their pre-qualified list if they want to get resources

from the County, and I can't see anywhere that it says it. I can't understand why we can't table this until we make sure we all understand that that is the case. I'm going back to the email that was to the County Executive from Supervisor Petrone. The last sentence says that "If there are procurements that involve the expenditure of both Town and County funding, which we're talking about, the Town will be included as a partner with an equal decision-making authority. So that is --

MR. NOLAN:

To me, the second part of this resolution has to do with the purchasing, and that's -- you got read that whole section in the context of that Chapter 1065, which is the County's procurement process. The question posed by Legislator Petrone (sic), you know, if we're in an alliance with the Town and there's a question about consultants that are being used, and the Town and the County agree they want to hire consultant and split the cost, that's something they have to agree to separately. This resolution does not require a town to use a vendor that we have pre-qualified. It doesn't really require them to do anything. This has -- remember, this has to be an agreement between the town, the County and the other stakeholders. So, you know, to me, this speaks to the -- how the -- how the County procures consultants for these regionally significant projects and that's it.

LEG. MC CAFFREY:

We have a project, and I'll use, say, the Village of Lindenhurst, where under the guidelines of a 100-unit house -- 100-unit housing development, that would be considered a project of regional significance. If the Village of Lindenhurst didn't want to use somebody on that pre-qualified list to get funding for planning or engineering, or whatever design work that they want to use, which generally the County would pay for anyway under certain circumstances, I won't say they pay for anyway, they can't use anybody that's on that list and expect to get funding. There's nowhere in here that says it doesn't preclude any municipality from receiving funding from the County for someone that is not on that list. Just show me. I don't see anything close to that. I hear vagaries and legal arguments, if you look at this, and you hold it up to the light in a certain way, it could say that, it could say this. Just put it in there and make it comfortable. Tell the Supervisors and the Mayors. Give them two weeks to say, "Hey, look, it's in there, don't worry." I just don't understand what the rush is here.

LEG. LINDSAY:

George, if I can just jump in and just add, you know, currently, the County doesn't reimburse the villages or the towns for their planning expenses. So I think the way you're reading this it's regarding the County having to utilize one of those. That's the requirement. The list of pre-qualified vendors is made available to the towns or the villages if they would like to utilize them and take advantage of the fact that they've already been vetted and gone through the RFQ process.

MR. NOLAN:

Yeah, but, you know, the town may have its own procurement process as well. So, you know, they may not be able to use, under their procurement policies, these people that we've pre-qualified. Again, you know, to me --

LEG. MC CAFFREY:

It doesn't say. Why don't we say all these things?

LEG. LINDSAY:

It doesn't say they have to. You don't say everything it doesn't do. It's not saying it has to. There's a million things it doesn't do.

LEG. MC CAFFREY:

It doesn't say that the County will reimburse under the same circumstances that they do now for the same reasons for somebody on the list, as opposed to somebody that's not on the list.

MR. NOLAN:

I think maybe it's unfortunate. I mean, to me, it's --

LEG. MC CAFFREY:

Supervisors are opposed to this, and most of the Mayors I speak to are, too. The communication has not been good, it's unclear. The purpose is to bring in -- Legislator Krupski said it well. You know, the purpose is to bring these people together and we are disenfranchising them from day one on this. And I don't understand the rush, why we can't wait two weeks. There's no shovels going into the ground right now for these projects.

LEG. LINDSAY:

You keep saying why we can't wait two weeks, but this legislation was initially introduced in July. It was part of the master plan that has been developed for I don't know how long now that they're going through that and putting it together. We've also made revisions based upon the input that we've gotten from these other municipalities.

LEG. MC CAFFREY:

And since July, we haven't been able to get consensus from the majority of the Supervisors in the town or the Mayors in the villages?

LEG. TROTTA:

Have we met them?

LEG. MC CAFFREY:

Yeah, we haven't even met with them.

LEG. LINDSAY:

The fact that we're getting so much resistance I think only leads to the necessity to get these people together in a room and work together, because the will isn't there.

LEG. MC CAFFREY:

So let's do that. Let's regroup, get them in a room, and maybe amend the legislation, so it would be something somebody can live with. Right now, that almost -- the majority of them are really opposed to this, and maybe they don't -- because they don't have all the facts. Let's give them all the facts.

P.O. GREGORY:

Okay. We do have County Attorney Dennis Brown, who -- I guess there's a comment you want to make to a question or something?

MR. BROWN:

Well, only with respect to -- if I may, sir, with respect to the suggestion of Legislator McCaffrey about the bill having to say, or should be drafted in a way that says that the town shall not do this. The only thing -- and with all due respect, sir, the only thing is that I wanted to say that when we draft legislation, it is not the best, it's not the most -- it's not technically the best, it's not the most artful to have a series of powers that are given to the official, in this case with respect to County procurement, but then also say in that same legislation, "But this legislation shall not apply to," because all that will ultimately do is lead to unintended consequences. Because something will come up in the future that nobody has thought about that says, "But, if the County said you could do this, this and this, but you cannot do this," somebody's ultimately going to say, "Well, if the County said you can't do this, that means you can do this," in addition to what it all -- what it all had spelled out affirmatively. So it's not -- it's not the best practice to say, after you've given affirmative powers, to then also give negative powers, or to proscribe or to circumscribe them negatively.

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The only other thing that I would like to add is that you're looking at a resolution that seeks to amend two different chapters of the code, Chapter 1001, and chapter 1065. Chapter 1065, once this resolution gets codified, the Planning Alliance is going to be in Chapter 1001, and the procurement, that's the County's procurement -- that's the County's procurement chapter. The other -- the other section of the law is going to be codified in the section of the law dealing with County procurement only. Again, with all due respect, there is no way that those two resolutions can be read together to somehow require that the -- that the -- that a town or a village be wed to or be required to use County procurement.

LEG. MC CAFFREY:

No. But the idea I'm getting at is that to receive reimbursement under the same circumstances that you would from a certified vendor on the County list, there's nothing that says affirmatively, that says nothing herein contained will prevent them from -- towns or municipalities from receiving the same funds for people that are not on that list. So I'm not asking for a --

MR. BROWN:

The legislation -- again, sorry, sir. The legislation does not say that.

LEG. MC CAFFREY:

Well, I'm not the only one that doesn't understand it. Obviously, a lot of Supervisors and Mayors feel that this is an infringement on their local zoning. And I don't care how we have to write the bill or the legalize and the amending of the -- at the end of the day, as someone who comes from local government, this smells of taking away people's local zoning. And as long as it smells like that, you're going to have the majority of the Supervisors and Mayors of these municipalities and me standing up here saying that it's wrong.

P.O. GREGORY:

Well, we went from procurement to zoning. Which one is it? I mean, you know --

LEG. MC CAFFREY:

Both, both of them, because, listen, if you're precluding --

P.O. GREGORY:

Do you think that us, the County, can just wipe away -- you know, I think we would have to -- it would be a change in the State Law to just eliminate a town or village's zoning powers.

LEG. MC CAFFREY:

I'm not saying that.

P.O. GREGORY:

You can't do that.

LEG. MC CAFFREY:

I am not saying that. I'm saying you will not pay for a consultant or a design expert that shares the vision of the village, but not necessarily that is shared by someone on the County Planning Commission. So say that there's nothing here that precludes the County from reimbursing towns and villages for vendors that are not on that list.

LEG. LINDSAY:

Legislator McCaffrey, today we don't reimburse them for that, nor would we in the future. We're just providing the list that they can select someone off of so they don't have to go through the RFP process, that's it.

LEG. MC CAFFREY:

So there's nothing in here that says that we're going to be reimbursing or paying for these services from the County that are going to be utilized for the towns or county for planning? I thought that was the whole basis for it.

LEG. LINDSAY:

That's not the intent of the bill. There's other -- there's funding in there for infrastructure and for other issues that need to -- that would need to be addressed as part of the project. Reimbursing the town, we're not writing checks to the town.

LEG. MC CAFFREY:

No, I'm not saying for the town, but for the design consultants. I don't mean for the town, but, ultimately, it's just a pass-through to say, "Okay, this is the person we would like to use, and instead of us writing the check, you write the check." And it's pretty much what we're doing under the -- with the people that are on the approved list, right?

LEG. LINDSAY:

Correct. At the end of the day, this is also going to come back to the Legislature for each individual project for us to approve, vote it up or down. So the thought that once we pass this legislation, it's out of our control and this will just proceed without us having any input on it is false. We would still have each one of these individual projects as they come for the funding, we would have input, vote, debate, and so forth on each one of those individual projects.

LEG. MC CAFFREY:

You know, I agree, but we're excluding under here the ability for towns and villages to be able to select the design consultant or the planning people that they want to have because they're not on the list. And there's nothing in there that I can see why they shouldn't -- and I can't understand why there shouldn't be something that says that it doesn't preclude towns or villages from using somebody of their own choice.

LEG. LINDSAY:

You know, I think you have -- both the Legislative Counsel and the County Attorney have already -- as well as me as the sponsor, have already weighed in on that and put on the record that that's not the intent of the law, nor is that how the law is being interpreted the way it's written now. If somehow in the future that changes, I think our own testimony here today would be used to disavow that.

LEG. MC CAFFREY:

Why don't we make it clear, and clear enough that the other Supervisors and Mayors who seem to think that this is hangup were opposed to this?

LEG. LINDSAY:

As the two Counsels, I think it's clear to them. I don't read it the same way. I don't -- you know, I'm not sure why everybody keeps trying to read more into it than what's there.

LEG. MC CAFFREY:

I'm not the only one not reading into. I mean, there's plenty of other local government officials that are reading the same thing into it.

P.O. GREGORY:

Legislator Cilmi.

LEG. CILMI:

So thanks, Mr. Chair. If we could have Dennis Brown come back up to the podium. I think -- I think that I understand what the County Attorney is saying here, Legislator McCaffrey, and it certainly doesn't change some of my questions on other issues in this bill. But, nevertheless, with respect to the issue that you're specifically addressing here, I think what I'm hearing is that the issue of the Alliance is dealt with in Chapter 1001. The issue of the Alliance is dealt with in Chapter 1001, and the issue of procurement is amending Chapter 1065. They're two separate and distinct changes to our laws and they're unrelated. I think that's the -- that's the problem here, is that we have -- we have two different changes to two different -- two different laws being changed here, which -- which relate to each other in subject matter, but don't really relate to each other in terms of their practical application. I think that's what I'm getting from the County Attorney; is that -- is that right?

MR. BROWN:

That's correct. You know --

LEG. CILMI:

So Chapter 1065, the chapter that deals with, and the amendment in this law that deals with procurement doesn't apply to what precedes that in this bill.

MR. BROWN:

That's correct.

LEG. CILMI:

So I think that's where some confusion lies. And it would have probably been clearer to separate these two amendments into different pieces of legislation and just say that they're related in subject matter, but they're two totally different things.

The one question I did have, if I could ask Counsel to address, is if you can sort of reconcile, George, for us Chapter -- in the first part of this resolution, under Section 1001-9(c)(3), the paragraph that begins with, "The Alliance will represent neither a fiscal, nor a funding operation agreement," blah, blah, blah. If you could reconcile that, which some among us have used as a means to say your concern about, you know, receiving funding is unfounded because it specifically says here that you don't have to necessarily be a part of the Alliance in order to receive funding, if you could reconcile that with the following section, 1001-10, Eligibility for County Resources, which seems to say very clearly that unless you are part of this Alliance, you are not eligible to receive County funding.

MR. NOLAN:

Well, I think --

LEG. CILMI:

And they seem to be contradictory in some respects.

MR. NOLAN:

Well, I think the intent is you do have to be in the Alliance in order to get County funding on these project. The paragraph you've read, Number 3, is it seems to me like the agreement, the Intermunicipal Agreement, the matter of funding, the issue of funding is not going to be addressed in that agreement, that's going to be determined separately. So when you enter into the Alliance agreement, money is not going to be dealt with in that agreement. However, you have to have an agreement in order to get funding, which will come by probably through the way we normally do it, which is through resolutions. So I think that's how you reconcile those two sections.

LEG. CILMI:

If this passes and a municipality is asking for funding relative to a regionally significant project, and they're not part of the Alliance, and they come to this Legislature and ask this Legislature for funding, if this law passes, does the Legislature have the ability, or does the County have the ability to fund those sorts of requests?

MR. NOLAN:

Well, this is a resolution that's kind of establishing a policy.

LEG. CILMI:

So the answer would be no?

MR. NOLAN:

Well, the only thing is, if we pass a resolution later that says we're going to give money --

LEG. CILMI:

Right.

MR. NOLAN:

-- it would supersede this resolution, because this is just a mere resolution. So, you know, I would expect the Legislature, having established this policy, would probably try to adhere to it. But could they reverse course by passing a different resolution later? You could.

LEG. CILMI:

So, if we pass this today, the County Executive signs it tomorrow, it goes into law when it's filed, etcetera, and six weeks down the road the County Executive files a bill to fund the Town of Babylon for a regionally significant -- or to fund a regionally significant project in the Town of Babylon, let's say, and the Town was not part of this Alliance, could the Legislature pass that bill? Would some other resolution have to be passed prior in order to sort of reverse course on what was decided today in this bill?

MR. NOLAN:

No.

LEG. CILMI:

We could not?

MR. NOLAN:

No, you could pass it.

LEG. CILMI:

We could pass it?

MR. NOLAN:

Could pass that resolution, yes. If it was a Local Law, if this was in the form of a Local Law, it would be different and you couldn't just do it by a simple resolution.

LEG. CILMI:

Right.

MR. NOLAN:

But this is just a resolution. It establishes a policy, but the Legislator -- a Legislator could introduce a resolution saying, "I want to give money to this town to assist them in this regionally significant

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project and I don't care about the earlier resolution we passed," and if you make a case and convince 10 Legislators, then you can do it.

LEG. CILMI:

Okay, thanks.

P.O. GREGORY:

Thank you. And, Dennis, if I may, as I understand, if there were a procurement requirement, this resolution couldn't obligate the towns to commit to this pre-qualified list without the local approval of the Town Board or Village Board passing a Local Law or resolution themselves, right? They can't just sign away their rights given through General Municipal Law 104, whatever it is, for -- without the Town Board or Village Board resolution authorizing it, right?

MR. BROWN:

Right, right. You know, there's been a modern trend with respect to piggybacking and when subordinate municipalities can piggyback on superior municipalities. But you're correct, that the Town -- that a Town Supervisor or -- would not be able to sign away authority without Town Board approval.

P.O. GREGORY:

Right, right, right. Okay, that's what I thought. Well, you know, I support what Bill is trying to do here. I recall being in a meeting, I don't know, maybe a year ago, and, Tom, I think you might have been there, because it involved a village, let's put it this way, in your district, and it involved a regionally significant project, and the County's looking to invest \$40 million in a sewer line, and this part of your district didn't want -- they didn't -- there wasn't any cost them. They were going to repair the roads, and it was just merely a pass-through, and they even saw the benefit of what it could do for their local residents, you know. I think -- I don't know if you were there, Bill.

LEG. LINDSAY:

I don't think so.

P.O. GREGORY:

You had the Town of Islip that supported it, you had the Town of Brookhaven that supported it, and this one little village said, "No, we're not going to do it," because they were upset because of the Traffic Violations Bureau, and we took away revenue from them, and I thought that was a travesty. What the benefit of that was, we had all these towns and agencies that came together and discussed this important project, and they actually wanted to become the Lead Agency, if you recall.

LEG. CILMI:

And they came together without legislation telling them.

P.O. GREGORY:

Right, but that was the first time.

LEG. CILMI:

In fact, as I recall --

P.O. GREGORY:

But it was important that you had every stakeholder in the room that saw this -- they were being harmed, because Islip and Brookhaven saw the benefit of this, but for this little village of how many people, said, "You know, we have a gripe with the County," is pretty much what they said, "and we're not going to go along with this, because we have a gripe with the County, and everyone around us is going to be impacted, negatively impacted," because they wanted to settle some -- you

know, because they lost some revenue.

LEG. CILMI:

That's not what they said, Mr. Chairman, that's not what they said.

P.O. GREGORY:

I'm paraphrasing, but that's --

LEG. CILMI:

No, you're not even paraphrasing.

P.O. GREGORY:

Oh, absolutely.

LEG. CILMI:

Your fabricating.

P.O. GREGORY:

No.

LEG. CILMI:

They did not say that they didn't want to do this. They did not say that they didn't want to enter into this agreement because they had a gripe with the Traffic and Parking Violations --

P.O. GREGORY:

No. They said, "You're taking away revenues from us," because --

LEG. CILMI:

It had nothing to do with that.

P.O. GREGORY:

Absolutely.

LEG. CILMI:

They did not say that it had to do with that.

P.O. GREGORY:

Absolutely.

LEG. CILMI:

They said that it had to do with they don't want their streets ripped up by a sewer line, if what we're talking about is the same thing.

P.O. GREGORY:

Oh, no, no, no. There was no cost to them. We would open up the -- open up the street in Holbrook, wherever it is, Old Nichols Road.

LEG. CILMI:

Johnson.

P.O. GREGORY:

Johnson, and we would pay for it. Islip said, "Excellent, we can do it, we can use the" -- "we can use this project." And they said, "You know what, we can even see the benefit if you put even a

pumping station here," and blah, blah, blah, and, "This would be great for residents. Oh, by the way, we're going to apply for Lead Agency, and we're still upset with you guys because you took," whatever, I don't know how many thousands dollars, because you -- on Exit 58 and the -- I think it was a ridiculous display of government power, and that's, in a sense, where the tail was really wagging the dog.

We have to -- you know, we have resources. We have to think at the County level more in a regional approach. I think their concerns were valid, they're a small village and revenue that they get is important, but I don't think that's the forum to bring up that type of concern. But I think it's important that there's a forum to have a dialogue. And from what I'm hearing, from what Legislator Lindsay is saying, is that it happens, but it doesn't happen enough. And I think we don't assert our influence enough in this field, because we do bring money to the table. We can't affect your zoning, we can't affect your procurement, but we do have monies. We don't have a lot of money, but, you know, we -- we want to have -- you know, we want to think in a bigger, more regional approach, and this is the only way that we can think of doing it. It doesn't harm anyone to come to a meeting. It doesn't obligate you to agree to -- you know, it doesn't obligate you to -- if you show up to a meeting four times a year, do you have to agree with this Ronkonkoma Hub, or whatever the project? Is there any blood oath that you have to give if you come through the doors and agree to -- it doesn't even say that you have to stay at the meeting, it just says you have to come, right?

LEG. LINDSAY:

(Nodded yes).

P.O. GREGORY:

Does it say that, you know, you'll be negatively harmed? I think -- I think what's missing is, again, we have a finite pool of money. There's an assumption that if you come to the meeting, that you're going to get money. I don't think we have enough money for all these projects. I think you can be -- I think there's a -- you can be a member of the Alliance and still not get money, because there's just not enough money. So to assume that you have some right to get money where -- simply because you're part of the Alliance I think is false. I think the benefit is the coordination and the collaboration. And, yes, there's monies available that potentially you may be able to get, but that shouldn't be the driving motivating factor. And as much as we can from a County level to help implement the planning, and design, and all those things, I think regionally would benefit from it, but I don't think anyone's harmed from -- you know, from a conversation.

So, you know, I agree with Legislator D'Amaro, what he said earlier, that, you know, this is -- you know, it doesn't really go far enough in some respects, but I think it's a good starting point. And I think there's fears and concerns about changing zoning laws, which you can't -- I mean, that's just -- come on. You know, we're not going to do that through a resolution, we don't have the power to do that. The State Legislature hasn't empowered us to change village and town zoning laws. You know, I think there's -- I think there's some concerns out there that haven't -- that are illegitimate. I don't know why they exist. But, you know, I understand from a local level, they want to have -- exert as much control as they can, but I think, from a County level, we have to exert as much control as we should be able to, particularly when it comes to regionally significant projects. And I think this goes in the right direction in trying to bring people to the table without unnecessarily stepping on their local powers.

So, all right. Legislator Krupski is next on the list.

LEG. KRUPSKI:

Thank you. I've got a couple of questions. Oh, the Alliance, this Alliance, the meetings, will they be open meetings? Will they be posted? And I don't mean posted by having a -- you know, legally posted in the doorway at some, you know, County building where the public really doesn't have

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access to see that. Will it be posted in a manner in which people will actually be able to see? And will there be minutes and will those minutes be available?

LEG. LINDSAY:

Legislator Krupski, I don't -- there's nothing in the legislation that addresses that, and I would leave that up to the interested parties to determine how they want to conduct the meetings. I don't want to tell them how to conduct their meetings, I just want to have them meet.

LEG. KRUPSKI:

So it doesn't have to be in the public eye, it could be discussing the disbursement of public funds, it could be done in private and there won't be any minutes available?

LEG. LINDSAY:

When we're reaching Intermunicipal Agreements now, we -- are those meetings -- when it comes before the Legislature, that's when it's open to the public, so they can have comment on that before any money or any funds are allocated.

LEG. KRUPSKI:

Okay. When they -- is there any openness to letting the towns have a rep on the group that's going to select the qualifying consultants?

LEG. LINDSAY:

Absolutely. They could bring -- they could bring anybody to me that they want, but if they want to get somebody on the --

LEG. KRUPSKI:

Well, they don't know where the meeting is or when it is. How can they --

LEG. LINDSAY:

We haven't even agreed that we'll have a meeting, and that's the point we're at. And that's what this legislation is all about, is trying to be the adult in the room and the leader in the room as the County to say, obviously, there's a problem with the way we do development projects here in the County. All we need to do, we need to get together and talk about it and discuss them on an ongoing basis.

LEG. KRUPSKI:

No. I mean, the -- getting back to qualifying the consultants, though, there's a group here that's mentioned by position that it's going to vet these consultants. Is there --

MR. NOLAN:

They're County -- they're County personnel.

LEG. KRUPSKI:

So there's no -- there's no intent on having any of the partners of the Alliance have any say on how that's being done?

MR. NOLAN:

These are -- this speaks to the County's procurement. You know, the town or the villages are the people, you know, that's -- they don't belong there.

LEG. KRUPSKI:

Who -- and who sets the price for the consultants? I mean, how do you agree how much to pay these people?

MR. NOLAN:

Well, according to the resolution, you know, for each particular time they -- somebody is going to be hired, they're going to take solicitations.

LEG. KRUPSKI:

Well, say -- use an example, like say a traffic consultant, you need a traffic study, so you're going to need traffic consultants for a lot of these projects. So how would you go about setting a standard price? You're going to have 20 applicants and you're only going to want to pick two, say. So how do you --

MR. NOLAN:

There's going to be another committee that's -- they're going to issue a solicitation, and this committee is going to judge those as they come in, and it will be subject to appropriations, you know, what's agreed to through that process, but always subject to the appropriations being there to pay the people.

LEG. KRUPSKI:

Is this going to require additional County staffing for all these committees?

LEG. LINDSAY:

I'll defer to the Planning Department, but I don't think so.

MR. NOLAN:

Both committees involve County personnel, you know, so that suggests it would be people already on the County payroll. So I don't necessarily agree or think that it's going to require additional personnel, but I don't know definitively.

MS. SANTERAMO:

Yeah. At this point in time, we're already working. We don't anticipate hiring people for this purpose.

LEG. KRUPSKI:

Thank you. Okay. And the last thing, would you consider supporting agriculture in Suffolk County as a regionally significant project?

LEG. LINDSAY:

Is that question to me?

LEG. KRUPSKI:

Yeah, sure.

LEG. LINDSAY:

I do consider it regionally significant. Obviously, it's a major industry here and throughout the County. I don't see anything here that precludes that, but that wasn't a purpose of when we set up the legislation. I don't know of any regionally significant developments that revolve around that agriculture. If there was one that did come up, I would be in favor of it being part of the Alliance, if it wanted to be.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Legislator Calarco.

LEG. CALARCO:

Thank you. You know, actually I think Legislator Cilmi helped clear up a lot of questions in his comments there in terms of, you know, this procurement is specifically in a section of law that's going to deal with County procurement. It doesn't tell the towns or villages anything that they must or must not do, it's in a very completely separate section of our code. But, also, I think I'm missing something here on this whole debate. I just don't get it. You know, what we're saying is that if you want to qualify for County funding, that we would like you to come in to quarterly meetings to talk about this regionally significant project that you, the municipalities, are interested in supporting.

And the questions about us having consultants that are going to come in that don't share the same vision as the municipality, the reality is if the town or village doesn't want the project to happen, guess what, guys, it doesn't happen, they don't come to the table. They certainly don't come to us asking us to give them money for the project, and that's the only hook we have. The reality is, is all the angles that this County has taken in terms of furthering economic development goals, or workforce housing goals, or any of the other goals that we've had in this County have always been cared approaches. We say, "Here's some money, we're getting that out there. Who wants to take it to do what we think is a good thing to do?" And that's what we do, and that's how we approach, that's how we've always approached it, and we're continuing to approach it that way. We're saying, "Here's some money." We got jumpstart money, we got workforce housing money, we -- you know, hopefully, we might even have some money, you know, and down the road, we're looking at doing some money for a Start-Up NY project. We have all this money we want to make available to you guys for some projects that we think are going to be good for the County as a whole and we'd like you to come to the table. And if a town or village doesn't want it, they don't have to take it.

You know, a developer could go to them and say, "I want to do this project, I think it's going to be great," and the town can say, "You know what, we don't think it fits in the vision of our town, or doesn't fit in the vision of our village," and the developer is left, you know, on the hook, and the town and village certainly doesn't come to us asking for any of that money. And the reality is, we don't release any of those money until the town or village gives full approval to the project. So it's going to be the project that they support, that they think fits the code and does what they think is right for their area.

So to ask them to come into us quarterly to have a meeting so we could have some updates, and the progress and where it is -- you know, I hear in our committee with the Workforce Housing Program all the time, "How can we have so many projects in the hopper for this workforce housing money, but we have all this money sitting there waiting to happen?" Because the projects haven't progressed, for whatever reason. And all we're asking is to be able to help make them progress, either through a meeting or it's -- maybe the Health Department is holding it up and we know. Maybe it's something with the State that we could help further assist with, or maybe it's just a matter of the project not being right, but that's all we're doing here. We're not saying to folks, "You have to do the projects we want you to do." They don't want to do it, they don't have to do it. They don't have to take our County money, they don't have to join the Alliance. They could go about doing business as usual. But if they want the money for a program that we think is good regionally for a project that's regionally significant, that they obviously must want, or they wouldn't ask for the money, then come have some meetings with us, that's all we're saying. I don't think that's asking an awful lot.

P.O. GREGORY:

Legislator Trotta, then Legislator Kennedy, then we'll call the vote.

LEG. TROTТА:

I've heard things like every stakeholder in the room paved the way, but since July, no one has reached out to a single Supervisor, Mayor, Village Leader and said, "Hey, what's going on with this?"

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The sponsor of the bill I would think would have responsibility to get these things paved out. What really stinks about this, besides that, is that now in the eleventh hour and the 59th minute, we're being forced to say, "Oh, we can't wait two weeks," which puts the hair on my back up, saying something's wrong.

So, clearly, if you wanted to get this passed, and we're very close to each other, we just want to say that, "Hey, we got to make sure that the town has the ability to choose their own people." Something stinks that you don't want to do this, because two weeks, as we all know in this room, doesn't make a hill of beans of difference. Nothing's going to happen between now and then. So I want you to think about that when you vote. All the people are saying, oh, it's nice, and nice, and nice, for every stakeholder, we're going to pave the way. Think about the fact that you're not giving it two weeks. And that since July, no one reached out to my Supervisor or the Brookhaven Supervisor to try to get this done.

So, in the realm of working together and paving the way, and everyone in the room is a stakeholder, wouldn't it make sense to give it two weeks? Clearly, if you want to try to force this down our throat, it could only back us into a corner more and say, "Hey, something's wrong." You know, in my old business, this stinks. There's something wrong with this. Prove to me that it's not. Table it and we'll get it taken care of in the next two weeks.

One other note, a question. Aren't -- to the Counsel, George.

MR. NOLAN:

Yes.

LEG. TROTTA:

Aren't resolutions supposed to be addressed one item at a time, and that they should be in two separate resolutions?

MR. NOLAN:

That's a requirement for a Local Law, not a resolution.

P.O. GREGORY:

Legislator Kennedy.

LEG. KENNEDY:

Projects of regional significance, I hope you're aware that every single waste treatment center -- waste treatment facility improvement is a project of regional significance. We have one aquifer, everything goes into the one aquifer. So we are adding, by doing this bill, tremendous amount of overhead. We are -- we are -- we're making things that are difficult to begin with more confusing, adding more layers to it. I don't know how you can say that even the basics of fixing a waste treatment plant or an upgrade is not of regional significance when we only have one aquifer.

P.O. GREGORY:

Okay. All right. So we have several motions, right? We have a tabling and an approval?

MR. RICHBERG:

That is correct.

P.O. GREGORY:

Can I have all Legislators to the horseshoe? Who's the tabling?

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MR. RICHBERG:
Trotta and McCaffrey.

P.O. GREGORY:
All right. Tabling motion goes first. Roll call.

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

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. SPENCER:
No.

LEG. D'AMARO:
No.

LEG. STERN:
No.

LEG. KENNEDY:
Yes.

LEG. BARRAGA:
(Absent)

LEG. CILMI:
Yes.

LEG. MARTINEZ:
No.

LEG. LINDSAY:
No.

LEG. CALARCO:
No.

LEG. ANKER:
No.

LEG. HAHN:
No.

LEG. MURATORE:
Yes.

LEG. BROWNING:
Yes.

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LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

No.

P.O. GREGORY:

No.

MR. RICHBERG:

Seven. (Absent: Legislator Barraga)

P.O. GREGORY:

Okay. Approval motion, roll call.

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

LEG. LINDSAY:

Yes.

LEG. MARTINEZ:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MC CAFFREY:

No.

LEG. TROTTA:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

(Absent)

LEG. CILMI:

No.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

LEG. KRUPSKI:

No.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Mmm.

(*Laughter*)

No, yes.

MR. RICHBERG:

Ten. (Absent: Legislator Barraga)

P.O. GREGORY:

Okay. All right. ***I.R. 1895 - Extending authorization for the Town of Southampton Stormwater Abatement Project in the Reeves Bay Watershed and authorizing Water Quality Review Committee approved changes (CP 8240.325)(Co. Exec.).***

D.P.O. SCHNEIDERMAN:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman.

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga).

D.P.O. SCHNEIDERMAN:

Jason, cosponsor.

P.O. GREGORY:

1910 - Accepting New York State Water Quality Improvement Projects Round 11 Grant Funds, amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection and amending the 2015 Capital Budget and Program and

appropriating funds in connection with the Carmans River Fish Ladder Project (CP 7180.310) (Co. Exec.). Motion by Legislator Browning?

LEG. BROWNING:

Yup.

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

P.O. GREGORY:

I.R. 1679 - Appropriating funds for acquisition of Land for Workforce Housing (CP 8704) (Co. Exec.).

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco, I'll second.

LEG. MC CAFFREY:

On the motion.

P.O. GREGORY:

On the motion, Legislator McCaffrey.

LEG. MC CAFFREY:

Is this the Copiague project?

LEG. CALARCO:

No.

P.O. GREGORY:

No.

LEG. MC CAFFREY:

No? Which one is this?

LEG. CALARCO:

This is a -- this is just the general land acquisition fund that is going to go into an account, and will have to come back to us for approvals on specific projects.

LEG. MC CAFFREY:

Thank you.

P.O. GREGORY:

Okay. So we have a motion and a second.

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

Oh, I'm sorry. Legislator Krupski.

LEG. KRUPSKI:

Do we have any idea where this land is going to be, and who makes the decision on where it's going to be?

LEG. CALARCO:

There is no specific land project tied to this resolution in -- at this point in time, but I'm sure somebody from Economic Development can speak to some of the projects that are in the pipeline. Well, ultimately, any project's got to come back to us for approval.

MS. KEYES:

Hi. Yeah, Legislator Calarco is absolutely correct, the individual project requests have to come back for approval. That being said, we have a number of requests in for land acquisition monies from projects in Bay Shore, Riverhead, Islip. So there's a number of requests there throughout the County, but none of them are at a stage where we would be asking to come back for the actual allocation.

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

LEG. KRUPSKI:

So this -- when it comes back, how fully baked is that request? I mean, is it just a strict up or down vote and then we don't have any input, or is it more like this project's going to come through? How does that -- mechanically, how is that going to work.

MS. KEYES:

It varies at the stage at which -- it really depends on a project by project basis. It's at the point at which the developer really needs the firm commitment from us. So it can -- it really depends on a project by project basis. But certainly there's -- that's the opportunity for input at committee and, you know, that's when we really come for the input. And we do -- we are making a concerted effort to work with whoever -- whoever the project is, the Legislator in that district, to make sure that they're aware and involved in the process before it even comes to committee at this point.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

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

LEG. TROTТА:

Opposed.

MR. RICHBERG:

Sixteen.

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LEG. CILMI:

Opposed.

P.O. GREGORY:

Fifteen.

MR. RICHBERG:

Fifteen.

*(*Legislator Kennedy raised her hand in opposition*)*

MR. RICHBERG:

Fourteen.

P.O. GREGORY:

Raise your hand if you're in opposition.

*(*Legislators Trotta, Cilmi & Kennedy raised their hands*)*

MR. RICHBERG:

Fourteen (Opposed: Legislators Cilmi, Kennedy & Trotta - Absent: Legislator Barraga*).

P.O. GREGORY:

IR 1679A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$1,000,000 Bonds to finance the cost of acquisition of land for Workforce Housing (CP 8704.214); same motion, same second. Roll call.

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

LEG. CALARCO:

Yes.

P.O. GREGORY:

Yes.

LEG. SPENCER:

Pass.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:
(Absent).

LEG. CILMI:
No.

LEG. MARTINEZ:
Yes.

LEG. LINDSAY:
Yes.

LEG. ANKER:
Yes.

LEG. HAHN:
Yes.

LEG. MURATORE:
Yes.

LEG. BROWNING:
Yes.

LEG. KRUPSKI:
Yes.

D.P.O. SCHNEIDERMAN:
Yes.

LEG. SPENCER:
Yes.

MR. RICHBERG:
Thirteen.

P.O. GREGORY:
Okay. I notice we still have Marianne Garvin in the back, so I'm going to make a motion to take IR 1871 out of order.

MR. RICHBERG:
Fourteen (Opposed: Legislators Trotta, Kennedy, Cilmi - Absent: Legislator Barraga).

LEG. CALARCO:
Second.

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

LEG. KRUPSKI:
Motion. Oh, to take it out of order, I'm sorry.

P.O. GREGORY:

Yeah. What was that; did you say no?

LEG. KRUPSKI:

No, I'm in favor of taking it out of order.

P.O. GREGORY:

Oh, okay.

LEG. KRUPSKI:

On the record.

P.O. GREGORY:

You jumped the gun, you've got to hold your fire. Geez. All right, so 1871 is before us.

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

Okay. I'm going to make a motion to approve ***IR 1871-15 - Authorizing funding of infrastructure improvements and oversight of real property under the Suffolk County Affordable Housing Opportunities Program (Copiague Commons) (County Executive).***

Do I have a second?

LEG. CALARCO:

Second.

P.O. GREGORY:

Second, Legislator Calarco. On the motion?

LEG. McCAFFREY:

On the motion.

P.O. GREGORY:

Legislator Krupski and Legislator McCaffrey.

LEG. KRUPSKI:

Thank you. So what is this project? Could someone give us a description? And \$750,000 is for -- it's new construction, but what's the money for?

MR. SMAGIN:

How are you doing, Legislators? So I actually have the co-developers here who will be able to speak in detail regarding the project. It's an 80-unit project located in Copiague, the address is 55 Railroad Avenue. So in regards to the 750,000, it would be used for infrastructure costs that, like I stated, the co-developers behind me could speak on.

LEG. KRUPSKI:

Sure. Thank you.

P.O. GREGORY:

Excuse me. Can you just state your name for the record?

MR. SMAGIN:

Sure, sorry about that. Assistant Director of Real Estate, Jason Smagin.

MR. HANDELMAN:

Hi. I'm Allan Handelman, Vice-President at Conifer Realty. The infrastructure program funds infrastructure on the site, so that would include utilities, sanitary, water, paving, hardscape and landscaping and parking and curbing; anything that's at the ground level and below.

LEG. KRUPSKI:

And what's your role in this, sir?

MR. HANDELMAN:

My role is that of a project management role. So in this particular project I was involved in identifying the site, working with the town with regard to local approvals, working with my colleague Maryann Garvin on local approvals, working with the architect, engineers, with contractors and implementing the project, and ultimately turning the keys over to property management.

LEG. KRUPSKI:

So who pays your salary?

MR. HANDELMAN:

Conifer Realty pays my salary; I'm staff at Conifer Realty.

LEG. KRUPSKI:

Thank you. So, this is a proposal to borrow 750,000 for landscaping on the site here?

MR. HANDELMAN:

Not exclusively landscaping. It includes infrastructure, it includes everything that occurs from the surface of the property down.

LEG. KRUPSKI:

How many of the units will be affordable?

MR. HANDELMAN:

At this point, 80% of the units are targeted to be affordable. Our goal is to have 100% of the units affordable on our about 100% of area median income and below.

LEG. KRUPSKI:

In perpetuity?

MR. HANDELMAN:

The regulatory agreements are typically 30 or 50 years.

LEG. KRUPSKI:

Which is it?

MR. HANDELMAN:

Well, I can speak to the State which is our primary funding, financing source, it's a 30-year regulatory period. I defer to the County, I believe it's --

LEG. KRUPSKI:

Who vets the applicants, the residents? You know, who qualifies the residents?

MR. HANDELMAN:

Our property management staff, we have a compliance department that does that. There's a couple of components that are in play. One is we need to qualify them from an income standpoint, and that's fairly well regulated by the Federal government; and then the other thing that we do is we vet the tenants based upon a credit scoring process which includes credit history, criminal background check and landlord tenant verification.

LEG. KRUPSKI:

And you do that for 30 years?

MR. HANDELMAN:

Yes.

LEG. KRUPSKI:

Who pays you to do that for 30 years?

MR. HANDELMAN:

It's built into the rent structure. It's something that we do as a matter of course.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Legislator McCaffrey, and then -- okay, I've got a few people.

LEG. McCAFFREY:

Thank you. Will these be rentals or purchases?

MR. HANDELMAN:

These are all rentals.

LEG. McCAFFREY:

These are all rentals. Congrer (*sic*) Realty, is that the contractor?

MR. HANDELMAN:

It's Conifer Realty --

LEG. McCAFFREY:

Conifer?

MR. HANDELMAN:

The contractor is Conifer-LeChase which is a joint venture between Conifer and LeChase Construction.

LEG. McCAFFREY:

You'll be prescribing to the apprenticeship language and the prevailing rate language that we currently have in the County provisions?

MR. HANDELMAN:

We're going to be participating with the Town of Babylon in the first source housing -- First Source Housing Program which provides for an apprenticeship training. That's the primary engine in terms of local employment and participation.

LEG. McCAFFREY:

Is someone from the County here, or from the town that can say is that the same as what we do in the County, the same?

MR. Keyes:

Our program is a First Source Labor Direct Entry Program whereby the town provides for the training through union certified pre-apprenticeship program of local residents and residents who have perhaps have obstacles to employment. Their agreement with the developer, they will be designated as targeted workers for the First Source for labor on the site, so when a trade comes on the site, they draw from the pool of our precertified, preapprentice graduates.

MS. MAHONEY:

Can you state your name, please?

MR. KEYES:

Yes, I'm sorry. Jonathan Keyes, Director of Downtown Revitalization for the Town of Babylon.

LEG. McCAFFREY:

And that's run through the union apprenticeship programs?

MR. KEYES:

Yes. As a matter of fact, we have a class going on right now that's about a block away from the development site in downtown Copiague at the electricians.

LEG. McCAFFREY:

Okay. And they come under the prevailing wage provisions?

MR. KEYES:

That I'm not able to speak to, I'm not familiar with that in detail, to be perfectly honest.

LEG. McCAFFREY:

Could you speak to it, sir?

MR. HANDELMAN:

Yeah, the project is not subject to prevailing wages.

LEG. McCAFFREY:

So it will not be?

MR. HANDELMAN:

It is not, no.

LEG. McCAFFREY:

I know you said it's not subject to, but will it be?

MR. HANDELMAN:

No, it will not be.

LEG. McCAFFREY:

It will not be.

MR. HANDELMAN:

That being said, currently we're working on a project in Coram which we have a significant union participation. And that's the way we do business, we work with major subcontractors and have an open bid process and we work very well in that regard.

P.O. GREGORY:

Are you good? Kevin, are you finished?

LEG. McCAFFREY:

Yeah, I'm done. Sorry.

P.O. GREGORY:

Okay. Legislator Browning, you were next on my list.

LEG. BROWNING:

Thank you for asking that question, Kevin, because I was going to ask the same as far as paying prevailing wage, because I thought if we are providing funds for a project, that that would be required. And again, because it's an affordable housing project, does the Town of Babylon work with you? Because I believe at the committee meeting, which I wasn't there, was there mitigation fees or any kind of infrastructure improvements or changes you had to make for the project; and if so, how much?

MR. KEYES:

Yes, we've been working with the developer. Essentially, the way that our zoning, our recently adopted zoning for downtown Copiague is set up, there is an as-of-right density that is permitted, and then there are -- there's an incentive bonus, a density bonus that's provided if the developer agrees to provide certain incentives in a whole range of possible categories. So in one instance, the First Source Labor Program, we have some improvements that are pertinent to the site connected to the downtown area. So yes, to answer your question.

LEG. BROWNING:

How much did that -- how much was that?

MR. KEYES:

There was a range of values associated with it. Do you remember the total --

LEG. BROWNING:

So what was your total cost on that mitigation fee, or whatever you want to call it?

MR. KEYES:

Do you know a number?

MR. HANDELMAN:

I don't have the number off the top of my head, but it's in the range of four or \$500,000.

LEG. BROWNING:

Okay. And again, explain why -- because I didn't quite hear everything you said; explain why you do not pay prevailing wage. Because I don't know if Counsel or there's someone else who could explain to me why prevailing wage doesn't apply if we're going to provide funding, because I thought any time we do give money that it is required.

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MR. SMAGIN:

I apologize, Legislator Browning. We're actually having the County Attorney, who's in the back, come forward to be able to speak on this. It should be a few moments before they get there.

LEG. BROWNING:

We can wait.

MR. SMAGIN:

Okay.

P.O. GREGORY:

Do you have any other --

LEG. KRUPSKI:

I've got a question, while we're waiting.

P.O. GREGORY:

I have a list.

LEG. KRUPSKI:

Go ahead, I'm sorry.

P.O. GREGORY:

Legislator Trotta?

LEG. TROTТА:

Who's going to own this?

MS. GARVIN:

Marianne Garvin, CDC of Long Island. We are in a joint venture -- CDC of Long Island, the not-for-profit, with Conifer Realty, our for-profit partner -- and so together we are creating an LLC for our two entities plus investors who buy the tax credits. So that's the private investment which is the bulk of the financing for this job, so that entity will own the project.

LEG. TROTТА:

Is the Town of Babylon giving you any money?

MS. GARVIN:

The Town of Babylon IDA is giving us some consideration in the form of a pilot.

LEG. TROTТА:

So you're not going to even be paying taxes.

MS. GARVIN:

We're getting a reduction in taxes.

LEG. TROTТА:

A pilot is different than taxes. You're not paying real estate taxes, you're paying a pilot.

MS. GARVIN:

We're paying a pilot.

LEG. TROTТА:

How much is the pilot?

MR. HANDELMAN:

It's a -- the pilot would be -- I believe it's a 30-year pilot that starts off and steps up to the point where it starts paying full taxes on or about year 20.

LEG. TROTТА:

Do you have the exact figures, what it starts at?

MR. HANDELMAN:

I do not have that right here, I can provide that.

LEG. TROTТА:

This -- what's the name of the company that's going to own it, the for-profit company?

MR. HANDELMAN:

It's set up as a structure that all low income housing tax credit projects are structured where 99.9% of the ownership is held by investment members which are typically -- the primary investors in these situations are banks.

MS. GARVIN:

The investor is Capital One and they will own 99% of the --

LEG. TROTТА:

So Capital One is going to raise money, they're going to build these apartments.

MS. GARVIN:

No. We are the managing members and we will be building the apartments.

LEG. TROTТА:

You're going to build the apartments for Capital One.

MS. GARVIN:

Capital One is making an equity investment by buying the tax credits.

LEG. TROTТА:

How much?

MS. GARVIN:

We can give you that, hold on.

MR. HANDELMAN:

It's about approximately \$9.5 million.

LEG. TROTТА:

That's what it's going to cost to build the 90 apartments?

MR. HANDELMAN:

No, we're also borrowing money from Citibank and it's being raised by bonds that are being issued by the New York State Housing Finance Agency.

LEG. TROTTA:

What's the total cost of this project?

MR. HANDELMAN:

Total cost of the project is 33 and a half million dollars. The other source of funding that's in here is there are CDBG Funds which are -- CDBGDR Funds which are disaster relief funds that have been allocated to the State from the Federal government to support affordable housing and other related things.

LEG. TROTTA:

What is the rent going to be?

MR. HANDELMAN:

The rent varies, but the tax credit rents would be -- for a one-bedroom apartment, the rent would be \$1,193 for a one-bedroom apartment and \$1,431 for a two-bedroom apartment.

LEG. TROTTA:

For a two-bedroom you said?

MR. HANDELMAN:

That's correct.

LEG. TROTTA:

So you're doing about \$375,000 a unit and you're not going to be -- and this is like -- how much -- is this all the money you're getting from us is \$750,000.

MR. HANDELMAN:

That's all the money that we're getting from you, correct.

LEG. TROTTA:

But you're not paying taxes on the building.

MR. HANDELMAN:

We're paying payment in lieu of taxes.

LEG. TROTTA:

And what is that? You don't know what that is.

MR. HANDELMAN:

I can get that for you. But that was something that was negotiated with the Town of Babylon IDA. It's consistent with other pilots that have been provided by the Town of Babylon and the IDA and other IDAs throughout the --

LEG. TROTTA:

I'm just having trouble with a for-profit company getting a tax break where, you know, I don't know why they're getting a tax break. You're going to be making money on this.

MR. HANDELMAN:

The intention is to reduce the operating expenses so that there can be -- so that the rents can be lower.

LEG. TROTТА:

How much do you think you're going to make on this? You're not doing this to lose money, obviously.

MR. HANDELMAN:

No, that's -- although it has happened. Construction development are not without risks.

LEG. TROTТА:

I mean, you must have a business plan. What do you think you're going to make?

MR. HANDELMAN:

What do I think we're going to make? I think that we're going to be making about 1.6, \$1.7 million.

LEG. TROTТА:

A year.

MR. HANDELMAN:

No.

LEG. TROTТА:

Over 30 years?

MR. HANDELMAN:

The way that these deals are structured, the primary income comes in up front in the form of a developer fee. There's little or no increase in the asset because rents are restricted.

LEG. TROTТА:

Well, the rents have to at least cover the note that's coming in.

MR. HANDELMAN:

The rents do cover the note that's coming in and it's targeted generally to have a 1.2 debt service coverage and try and maintain that throughout the compliance period of 30 years.

LEG. TROTТА:

What is your yearly income? I mean, the rents are going to go up, I'm assuming, at some point.

MS. GARVIN:

The rents are tied to the area median income, and so they are restricted and there's no guarantee that they will go up year after year. And so it's really important to have the expenses associated with operating the development to be as reasonable as possible because the rents do not go up a lot. And that's the whole idea behind this affordable housing project, that the rents, as you saw, were very below market and we're passing that benefit on to the people that we're trying to --

LEG. TROTТА:

But you're not doing this out of the goodness of your heart, you're doing this to make money.

MS. GARVIN:

Well, CDC of Long Island --

LEG. TROTТА:

My question is how much money are you making?

MS. GARVIN:

-- is doing this because it's our mission to increase the supply of affordable housing, that is the reason why we're doing this. That is the reason why we've been in a joint venture with Conifer Realty, among other for-profit developers, on producing very large scale developments like this. We have done other smaller real estate developments, single family houses, the cottages at Mattituck in Mr. Krupski's district years ago using the Land Acquisition Program.

LEG. TROTТА:

I'm trying to determine how much money, yearly income you're going to make.

MR. HANDELMAN:

First of all, what we're doing is we're implementing public policy. This public policy has been established by both the Federal and State governments and County governments, so that's what we're doing. It's a business like any other business, and that's what we do.

The annual cash flow in year one is projected to be about \$90,000, which is a -- which is what's going to be required by the lenders to provide the financing.

LEG. TROTТА:

Ninety thousand dollars for the year?

MR. HANDELMAN:

Correct.

LEG. TROTТА:

For profit.

MR. HANDELMAN:

For profit, and it's --

LEG. TROTТА:

You'll collect about \$1.5 million a year in rents, somewhere around there, and you're going to make 90,000, you're going to make less than 1% on it? No, 10%. Okay, thanks.

P.O. GREGORY:

Legislator Muratore.

LEG. MURATORE:

Thank you. Question; this project in Copiague, it's going to be sewerred?

MR. HANDELMAN:

That's correct, it's within the sewer district and it's served by DPW and the street.

LEG. MURATORE:

Okay. Now, because you guys built Wincoram also, you were behind that project?

MR. HANDELMAN:

That's correct, yes.

LEG. MURATORE:

And are you having any problem with the sewers there? I mean, I know we've been doing upgrades to STP 11. Are you having any problems there with sewage, or not being able to rent the apartments?

MR. HANDELMAN:

No, not the same. As part of our agreement to connect to Sewer District 11, Wincoram Commons as well as Island Green Associates agreed to rebuild a municipal pump station -- Pump Station 3 which serves the surrounding area -- and that's scheduled to go on-line within the next couple of weeks. There have been some delays there, but --

LEG. MURATORE:

Yeah, they're trucking it out right now, right?

MR. HANDELMAN:

No, no, it's not --

LEG. MURATORE:

It's not being trucked out?

MR. HANDELMAN:

No, no, the flow is limited. We've connected 43 units and we've been given permission to connect another 42 units as of now. I anticipate that the Pump Station 3 will be up and functional within the next couple of weeks, in which case we'd be able to connect the balance of the units.

LEG. MURATORE:

So 43 apartments are connected to the system right now.

MR. HANDELMAN:

Correct.

LEG. MURATORE:

Out of how many? I forget how many.

MR. HANDELMAN:

It's 176.

LEG. MURATORE:

Out of 176, we only have 43 rented.

MR. HANDELMAN:

Well, there's another 42 that we're hopefully getting a Certificate of Occupancy as of today.

LEG. MURATORE:

So even when you get that, you still won't be at 50% rented. Close.

MR. HANDELMAN:

We'll be close. But we anticipate having Certificates of Occupancy and fully connected to the sewer system by the end of the year.

LEG. MURATORE:

So what was the problem there? What happened here?

MR. HANDELMAN:

We ended up -- one of the risks, one of the real risks within development and construction, there's a timing risk and who you select. In this case, we had an open competitive bid for a sewer contractor and we accepted the low bidder who is a sewer contractor that has worked for DPW and there's been significant delays, from my point of view, that's his responsibility.

LEG. MURATORE:

Okay, thank you.

MR. SMAGIN:

I just want to state that we do have the County Attorney here with the response to the prevailing wage issue that was brought up.

P.O. GREGORY:

Okay, sure.

MR. NOLAN:

Come on up, Bob.

P.O. GREGORY:

So before Mr. Braun speaks, you know, I think it's important to say that this is a project that's gotten local -- it's in my district, it's gotten local community support. There was some concern in the beginning, but I think the town and the developers, the codevelopers have worked well with the local community to allay those concerns. As mentioned earlier, the incomes that they're targeting is, what, 45,000 to 60 or 65,000? So these are, you know, middle-income families that are -- you know, we're trying to find housing for them, and it's an area that's under redevelopment. The Town of Babylon has a revitalization plan they've been working on for, what, nine years now, Jonathan, about, thereabouts?

MR. KEYES:

Yeah. I think just to reiterate, and I'll take the opportunity presented now, that yeah, this is directly pursuant to the 2009 Copiague Vision Plan that was developed with significant community input. So not only has the vision plan been presented to the community, but this particular project has been presented on five separate occasions to the community and has great support from the town and the residents of Copiague.

P.O. GREGORY:

Right. Thank you. Mr. Braun, there was a question about -- well, Kate, you had a question regarding the prevailing wage, I guess?

LEG. BROWNING:

(Laughter) What was the question?

MR. BRAUN:

About prevailing wage, as I understand.

LEG. BROWNING:

Yeah, prevailing wage, why we are providing funds for infrastructure improvements. Generally when we provide any monies, there's usually a prevailing wage agreement.

MR. BRAUN:

When there's a Public Work -- Public Works is involved, we're required to insist that the contractors pay prevailing wages; this is not that. This is a loan to the developer. It actually has to be paid back in this instance at the end of 30 years. During the time that the loan is outstanding, we have the right to enforce affordability requirements on the project after it's completed. And this infrastructure money doesn't get paid to the developer until the work is completed, until the COs are issued, and it's our private property. So it's not -- it serves a public purpose in that it provides affordable housing, but it's not a Public Work that would require the payment of prevailing wages.

LEG. BROWNING:

Okay. Well, then that's -- a second part to the question, Mr. Keyes, would be then if we're providing \$750,000 for infrastructure improvements, yet Babylon is charging them mitigation fees, if you waive the mitigation fees then they wouldn't need the County's funds.

MR. KEYES:

Well, no, with all due respect, that's not quite correct. The improvements that the County's infrastructure funding, as far as I understand, are for on-site improvements, which are within the property boundaries. What the town is looking for is not a fee, but is rather work to be done immediately adjacent to the site that will help the project better connect to the downtown area and help advance our revitalization goals. So they are offset amenities that connect the site, the development site to the downtown corps that we feel make for a better project and better connected to the community.

LEG. BROWNING:

But who is doing that work?

MR. KEYES:

The developer will be doing that work.

LEG. BROWNING:

But you're charging them somewhere up to a half million dollars?

MR. KEYES:

We're not charging them, that was a reflection of the value of the work, which, you know --

MR. SMAGIN:

That's how much it costs.

LEG. BROWNING:

Right. You're telling them --

MR. KEYES:

So that's the plan for the work. And it's provided as a density bonus, so the developer is providing that particular amenity in exchange for the density that the town has provided, so there's already an offset for that particular component of the development.

LEG. BROWNING:

I just feel when it's an affordable housing program, that there's some way that you can work out that they wouldn't have to pay those fees.

MR. KEYES:

If we did not -- yeah, I understand your point. The intention is that the development, like I said, be well integrated into the downtown areas. So if these offset requirements weren't imposed, we'd have a beautiful development that is nevertheless isolated from downtown and doesn't advance any walkability goals or economic development goals for the downtown area. So the intention in seeking these amenities and providing a density bonus in exchange was to advance a community-wide goal of revitalization.

MS. GARVIN:

I put this in my public statement earlier, but just to reiterate that CDCLI Funding Corporation, an affiliate of CDCLI, is also contributing \$350,000 to the overall project to help with the -- cover the cost.

LEG. BROWNING:

Right. But again, it would be nice if they didn't have to pay that half million and then you wouldn't be asking us for money to do the other work.

MR. KEYES:

I would argue that we're getting a much better, wholistic project by doing it this way. If we didn't provide -- if the developer didn't provide these off-site amenities, the number of units they would be permitted to build would be reduced because of the zoning. Therefore, they would see a reduction in income stream, so there's still a hit on the project if the amenities aren't provided by virtue of the fact that we're reducing the number of units that are permitted under the zoning. So then, you know, they still have to make it up on the other end. So this adds value.

LEG. BROWNING:

Okay. So again, I'd like to go back to the prevailing wage issue and how Conifer works. Are you -- what other funding does Conifer receive, or do you receive for this affordable housing program; what other State/Federal funds? And do you hire locally, do you have a local preference, and do you -- so you don't do prevailing wage at all in any of your projects; is that what I'm understanding?

MR. HANDELMAN:

We're not obligated to pay prevailing wages on any of the projects that we work on. However, a significant --

LEG. BROWNING:

I'm sorry, can you repeat it? Because I didn't hear your first part.

MR. HANDELMAN:

We're not obligated to pay prevailing wages on this project or any of the other affordable housing projects that we've worked on in Suffolk and Nassau County. What we do do is we, as a goal, is to have a good level of union participation where there are -- where our union wages are being paid, and we've achieved that in every project that we've worked on. There was another question?

LEG. BROWNING:

So what -- you receive HUD money, right?

MR. HANDELMAN:

There's some money from HUD from CDBG, which is a Federal Housing, Federal source. We have some funds that Citibank is contributing. The primary engine for affordable housing in Suffolk County, New York and throughout the country is the Federal Low Income Housing Tax credit. And that's --

LEG. BROWNING:

Does HUD require prevailing wage; no?

MR. HANDELMAN:

No.

LEG. BROWNING:

They don't. Okay.

MR. HANDELMAN:

Again, in certain situations, HUD does require prevailing wages; in this particular situation it does not.

LEG. BROWNING:

Okay. And again, are your employees, the people who are doing the construction work, are they Long Island residents, are they Suffolk County residents? Where are they coming from?

MR. HANDELMAN:

They're primarily Long Island residents, all the subcontractors that we work with are Long Island based.

LEG. BROWNING:

Are there any from other -- Upstate, other states? What do you have?

MR. HANDELMAN:

Not that I'm aware of in terms of subcontractors. The subcontractors, it's important to -- it's important to be part of the community, it's important to have a responsive subcontractor base, and that's really only achievable if somebody's office is right around the corner.

LEG. BROWNING:

Okay. I think I got all the answers. Thank you.

P.O. GREGORY:

And you did say that you would be using the pre-apprenticeship.

MR. HANDELMAN:

The program --

P.O. GREGORY:

The Town of Babylon Pre-apprenticeship Program.

MR. HANDELMAN:

That's correct.

P.O. GREGORY:

Right. Legislator Kennedy.

LEG. KENNEDY:

Okay, first I have a question for Mr. Braun; is he still here?

MR. BRAUN:

I am.

LEG. KENNEDY:

Okay.

MR. BRAUN:

You found me.

LEG. KENNEDY:

Do we have a contract written already?

MR. BRAUN:

We have a draft of a contract. And in fact, we are -- I found out today they're targeting what they call a preclosing in about just over two weeks from now. But we don't have a final absolute draft, because in a situation like this there are four or five different sets of legal eyes looking at all the

documents and they keep going around in a circle. I counted this morning, as a matter of fact; I have 97 different documents that Conifer has sent me which are revisions of revisions of revisions from the other parties, the other lenders and the other agencies involved. So we don't have a formal, final contract as to everything, but we do have a development plan and a development agreement which has not yet been signed subject to what the Legislature does with this resolution.

LEG. KENNEDY:

Okay. My concerns, along with the lack of prevailing wage and the lack of an approved apprenticeship program by the Town of Babylon, apprenticeship program, are not with this project. But we're taking piles of money at a time, \$750,000 as a County, and we're plopping it in a project that we don't know exactly what each penny is going to be used for.

MR. BRAUN:

Well, by the --

LEG. KENNEDY:

Do we have the ability, as the County, to audit where every penny of that 750, is that --

MR. BRAUN:

Before any money is paid, the project will be done. The COs, the Certificate of Occupancy will have been issued, all the infrastructure will be in place, all the bills for the expenses that went into the infrastructure will have been reviewed, both by the County, the Administration and by the Comptroller. And at that point, the amount, up to the amount of the development agreement will be paid. If it turns out, for example, that the developer spends less money on infrastructure than was anticipated and doesn't have bills to support the full amount of this subsidy, then only the amount that can be supported will be paid. And the County at that time also gets a promissory note and a mortgage and certain easements and covenants and restrictions on the land and so forth to make sure we're able to enforce the affordable housing provisions for 30 years. And at the end of 30 years, because this is a low income tax credit project, that money actually has to be repaid. It's not the kind of a subsidy that can be forgiven.

LEG. KENNEDY:

Oh, it's not.

MR. BRAUN:

No. Because for the tax credit investor to be able to claim the tax credits, they'll have to have a real obligation to repay the money and that's in 30 years.

LEG. KENNEDY:

All right, thank you.

MR. BRAUN:

You're welcome.

P.O. GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

So I want to start off by complimenting you guys. It's not easy to put a project like this together. You have the County, the developer, the development corporation, the town, Federal, State, banks; you have to get everybody to agree.

LEG. KRUPSKI:

A real alliance.

LEG. D'AMARO:

So it's very -- you know, we all talk about workforce housing, affordability issues on Long Island; you're trying to solve, you're trying to solve that problem and I think you deserve some credit for doing that.

I don't have a problem with the development company or someone making a profit, as long as it's reasonable and as long as you are, in fact, meeting our affordable or workforce housing goals, and I think you're doing that. But I have a couple of questions, very quick. What's the name of the entity that actually will own the land?

MR. HANDELMAN:

I believe it's Copiague Commons, LLC.

LEG. D'AMARO:

So it's an LLC?

MR. HANDELMAN:

Correct.

LEG. D'AMARO:

And who are the principals or members of that LLC?

MR. HANDELMAN:

It would be CDC of Long Island and Conifer Realty.

MS. GARVIN:

Actually, CDC of Long Island is a not-for-profit, and under New York State law we have to have a for-profit entity be a partner. And so we created a wholly-owned subsidiary, CDC Copiague Commons, Inc, and that's the comanaging member of --

LEG. D'AMARO:

So CDC has indirect ownership.

MS. GARVIN:

Correct.

LEG. D'AMARO:

Okay, that's fine. So this land is owned by this LLC which is owned directly or indirectly by Conifer and CDC; correct?

MS. GARVIN:

Yes.

LEG. D'AMARO:

Okay. Who are -- I'm sorry?

MS. GARVIN:

And the investors, Capital One.

LEG. D'AMARO:

Well, that's what I'm getting to. You mentioned earlier about the bank taking a 90% stake, equity stake?

MS. GARVIN:

Ninety-nine percent.

LEG. D'AMARO:

Ninety-nine percent. Where is that equity stake injected into this ownership scheme?

MS. GARVIN:

It gets injected, there's an agreement, an investment agreement and we get some of that during the construction phase, and then -- because we have an initial closing which is going to happen on December 16th.

LEG. D'AMARO:

Okay.

MS. GARVIN:

And we get according to the agreements that the County Attorney just alluded to, there are payments made over the course of the construction. And then after the job is completely leased up for a period of time, then there's a second closing which is a permanent closing.

LEG. D'AMARO:

Right.

MS. GARVIN:

And it's at that point that we have the 30-year term beginning.

LEG. D'AMARO:

Right, I understand that, so that's how you're injecting the capital. But what entity is given back in return? What ownership interest is given back for that capital coming in during the construction and permanent financing?

MS. GARVIN:

It's this creation of this Copiague Commons LLC, that is the ownership that will own the complex.

LEG. D'AMARO:

So Copiague Commons LLC which owns the land, which is not separate from the development, it's all one project, right?

MS. GARVIN:

Correct.

LEG. D'AMARO:

Eventually this bank, as it injects capital into the project, in return is going to get direct ownership of Copiague Commons LLC?

MS. GARVIN:

No, they get a tax credit to shelter their profit, basically, from the Federal government.

LEG. D'AMARO:

Okay.

MS. GARVIN:

And so this is -- you know, the Low Income Housing Tax Credit Program is administered by the IRS.

LEG. D'AMARO:

Right.

MS. GARVIN:

And that's --

LEG. D'AMARO:

So the deal from the Feds is if they -- if this bank invests, obviously they have a return on that investment and that some of it will be sheltered, and that's the incentive --

MS. GARVIN:

Correct. And they are not active managing members or anything like --

LEG. D'AMARO:

Or investor.

MS. GARVIN:

They're not actually members at all. They're investors --

LEG. D'AMARO:

Right.

MS. GARVIN:

-- to provide the equity.

LEG. D'AMARO:

So they'll increase their margin somewhat by having this tax credit.

MS. GARVIN:

They -- you know, they like this. There are very few multi-families developments that come to fruition on Long Island. It's a hard place to do business.

LEG. D'AMARO:

It is.

MS. GARVIN:

And as you mentioned before, it takes a lot to put a development like this together and then perform under the contract. And so the -- and these lenders, these banks have community reinvestment obligations.

LEG. D'AMARO:

Right.

MS. GARVIN:

And so this is a way, it's a safe way they make some money.

LEG. D'AMARO:

Uh-huh.

MS. GARVIN:

And they get a lot of CRA credit for doing this to support affordable housing.

LEG. D'AMARO:

And then Copiague Commons LLC is going to do a lease/leaseback with the IDA --

MS. GARVIN:

Correct.

LEG. D'AMARO:

-- and that's how you get into your pilots.

MS. GARVIN:

Correct.

LEG. D'AMARO:

So it's a little complicated, to say the least. Let me ask you a question, just to switch gears very quickly; and I guess this would go to the gentleman from Conifer. It says that you will be -- market the development and processing the requirements, the applications for ultimate renters. And it says that -- the information I have says that 71 units will be affordable to households earning up to 60% of the HUD, I guess that's AMI, adjusted median income?

MR. HANDELMAN:

The area median income.

LEG. D'AMARO:

Can you tell me, for that 79%, what is the actual number for household income to qualify? And then the same question for the 100% of the HUD AMI. I'm just curious what the -- where the numbers are today.

MS. GARVIN:

I have that. So the 60% AMI is from \$45,780 up to \$65,400 depending on family size.

LEG. D'AMARO:

Okay.

MS. GARVIN:

So it could be a family of one, two, three or four, and that's why there's that range.

LEG. D'AMARO:

Okay.

MS. GARVIN:

And then I have the other one as well. The 100% area median income for a family of one is 76,300 and goes up to four persons and that's 109,000, that's the range.

LEG. D'AMARO:

Uh-huh. So if you make in those ranges, you would qualify at least for the income eligibility aspect.

MS. GARVIN:

For -- yes.

LEG. D'AMARO:

For different units.

MS. GARVIN:

Yes, exactly.

LEG. D'AMARO:

Right.

MS. GARVIN:

And that's really critical and that's the most important, you know, initial screening threshold. You can't make over the limits depending on your family size.

LEG. D'AMARO:

Uh-huh.

MS. GARVIN:

And then after that it's very important, you know, we're building a community that, you know, is very important to us, and so we do the other screenings that Allan Handelman mentioned earlier, that include a criminal background check, a credit check and a check on prior residences, you know, with prior landlords, and we've been very, very successful with this for both CDC and Conifer. It's not just that we're developing this complex and then flipping it or leaving it. You know, we own it and manage it for the life of the project. We're invested in it. We're invested in the community, we're embedded in the community, and so these ties last a long time. And it's because both entities feel that way that we're able to partner over 15 years and do as many housing units as we have done. And I certainly invite all the Legislators to, you know, come on the road with us and see our earliest development in East Patchogue that was built more than 15 years ago, it looks like it was built yesterday; you know, we maintain the developments.

LEG. D'AMARO:

Uh-huh. Yeah, I know, it's a good project. Like I said, it's very complicated to get the interest and to jump over all the hurdles, they're pretty high, to get something like this done. The bank coming in and taking the tax credit, gets an incentive for that real capital that you need to build the project, I would assume, and then the permanent financing.

And the 45,780, which is the low end of qualifying based on these HUD guidelines, or 60% of the HUD guidelines, and then the 100% of HUD guidelines; who sets that ratio; how is that set?

MS. GARVIN:

HUD --

LEG. D'AMARO:

By the County; does the County set that?

MS. GARVIN:

It's by Long Island and HUD sets these guidelines.

LEG. D'AMARO:

They publish those numbers.

MS. GARVIN:

They publish the numbers annually.

LEG. D'AMARO:

Yeah, okay.

MS. GARVIN:

And when this program was created by Reagan, President Reagan back in 1986 --

LEG. D'AMARO:

Right.

MS. GARVIN:

You know, the IRS runs the program.

LEG. D'AMARO:

Right.

MS. GARVIN:

But they use the income guidelines that are set by HUD.

LEG. D'AMARO:

Right. What's the total cost of the project, in a round number; total cost?

MR. HANDELMAN:

Around thirty-two five, 32 million.

LEG. D'AMARO:

Thirty-two million. So from our perspective being Suffolk County, for a \$750,000 investment and some infrastructure improvements to compliment that program, that's another piece of the puzzle that gets a \$32 million workforce housing project built in Suffolk County. I think that's pretty cool, to tell you the truth. So, good luck to you.

MS. GARVIN:

Thank you.

MR. HANDELMAN:

Thank you.

LEG. D'AMARO:

Thank you.

P.O. GREGORY:

Okay. Oh, Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. I had a follow-up question. How big is the site, the lot size?

MR. KEYES:

Just shy of two acres.

MR. HANDELMAN:

I believe it's like 1.9 acres.

LEG. McCAFFREY:

And then in terms of going back to the prevailing wages. So the County is making -- we're giving \$750,000 for infrastructure improvements, and I might need Bob to come back and answer this. Would that be covered under the prevailing wage laws for at least the infrastructure improvements and the guidelines that the County sets?

MR. BRAUN:

The infrastructure improvements on the private property is not considered a Public Works job; so strictly speaking, our prevailing wage requirements don't apply to that.

In addition, we're not having it built. It will be finished before we put any money into it, and the money we're putting into it is not so that we become the owner, but maybe a loan. So for all those reasons, it doesn't seem that the prevailing wage requirements apply to this type of program.

LEG. McCAFFREY:

And just to the developer, to Conifer. You did the Coram project; did they use any of the apprenticeship language or pay prevailing wages on that job?

MR. HANDELMAN:

There was no apprenticeship program per se in Coram, nor did we pay prevailing wages. But for the infrastructure that was done, our primary subcontractor was a union contractor who was paying union wages.

LEG. McCAFFREY:

Would you be doing that -- would that be your intention on the Copiague project for the portion that we're lending you?

MR. HANDELMAN:

I can tell you our experience with particularly site contractors and the type of equipment and the type of skill set that's associated with that, our experience has been much more positive when working with a union contractor.

LEG. McCAFFREY:

Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Yes, we do.

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

LEG. CILMI:

Opposed.

MR. RICHBERG:

Sixteen (Opposed: Legislator Cilmi - Absent: Legislator Barraga).

P.O. GREGORY:

Okay, IR 1680A, Bond Resolution --

MR. NOLAN:

No, 1680. We're up to 1680. We just did 1871.

P.O. GREGORY:

Oh, I'm sorry. All right, I apologize, I apologize. I'm sorry.

All right, *IR 1680-15 - Appropriating funds for Infrastructure Improvements for Workforce Housing/Incentive Fund (CP 6411)(County Executive)*.

LEG. CALARCO:

Motion.

P.O. GREGORY:

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

LEG. CILMI:

Opposed.

LEG. KENNEDY:

Opposed.

LEG. TROTTA:

Opposed.

LEG. KRUPSKI:

On the motion? See, I wasn't quick enough on the motion that time.

P.O. GREGORY:

Oh, I'm sorry. All right. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So can we get any answers on -- where am I here -- where the 2.5 million is going to be spent?

MS. KEYES:

Hi. This is the same -- this works, this program works the same as the Land Program. So we have requests in for this fund for over \$7 million in requests. Right now we have \$4.3 million that is not already earmarked. We have requests in for projects across the County; Amagansett, Riverhead, Southampton, Yaphank, Huntington. There's new requests coming in for this fund in particular every day. But again, it's the same thing where we are really making a concerted effort to work with the Legislator where the project -- who represents the area where the project is happening so that they're involved in the process before it goes to committee, before we're requesting specific project approval. This 2.5 million is not for any specific project, this is for the overall fund so that we can come closer to covering all of the requests we have. We still won't be able to presently cover all the requests, but this, you know, makes it so that we're able to continue operating and sort of in good faith when the requests do come in.

LEG. KRUPSKI:

Well, I appreciate, you know, the notification when something happens, you know, in the district. When would I expect that?

MS. KEYES:

We're making an effort -- Jason and I, myself, are overseeing this program now. We're making an effort basically when the request comes in; that's how we're operating now, so that there's an awareness that that project is even being considered.

LEG. KRUPSKI:

You said you had a request come in from Riverhead, so when would we get that notification?

MS. KEYES:

Well, that's the -- that specific request, that predates me, but that was for -- for instance, the Riverhead projects, there's a number of them.

LEG. KRUPSKI:

No, I don't need to know the specific ones.

MS. KEYES:

Okay.

LEG. KRUPSKI:

Not now, but I'm saying when would I be notified?

MS. KEYES:

As soon as -- the next time those projects have any sort of movement. So we're in conversation constantly with the towns who really are the drive -- not the driving force, the developer is the driving force of any of these projects, but they deal directly with the town first and then we sort of know that project is moving along, so that's something that we're going to be looking to get approval on. That's when we would reach out to you and let you know, *Hey, this is moving, this is alive*. Some of these projects have been dormant, you know, for a couple of years.

LEG. KRUPSKI:

Just to avoid -- well --

MS. KEYES:

But I'd be happy to --

LEG. KRUPSKI:

No, no, just to promote better communication in the future, if you could -- and I think it probably would be a good idea, probably every Legislator would appreciate, anyone that you have on that list, any project.

MS. KEYES:

Sure.

LEG. KRUPSKI:

Even if it's dormant, for whatever reason, if you can send us a list of those projects just so we're kind of in the loop.

MS. KEYES:

Uh-huh.

LEG. KRUPSKI:

A lot of the conversation today focused on communication between different levels of government, so I'd appreciate it.

MS. KEYES:

Absolutely.

LEG. KRUPSKI:

I don't need to know them today, but, you know --

MS. KEYES:

I can give you the list. I can give everybody the list --

LEG. KRUPSKI:

That would be great.

MS. KEYES:

-- yes, of what we have, absolutely.

LEG. KRUPSKI:

Thank you.

P.O. GREGORY:

Okay. All right, so we have a motion and a second for IR 1680.

All in favor? Opposed? Abstentions.

LEG. CILMI:

Opposed.

*(*Legislators Kennedy, Trotta & Muratore raised hands in opposition*)*

MR. RICHBERG:

Thirteen (Opposed: Legislators Muratore, Cilmi, Kennedy & Trotta - Absent: Legislator Barraga).

P.O. GREGORY:

Okay, ***IR 1680A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$2,500,000 Bonds to finance the cost of infrastructure improvements for Workforce Housing/Incentive Fund (CP 6411.314)***; same motion, same second. 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. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

No.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

MR. RICHBERG:

Twelve. *Thirteen (Opposed: Legislators Muratore, Cilmi, Kennedy & Trotta - Absent: Legislator Barraga).*

P.O. GREGORY:

Okay. ***IR 1812-15 - Adopting Local Law No. -2015, A Local Law amending Chapter 563 of the Suffolk County Code to modify the laws relating to Septic Industry Business Training (County Executive).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

Second by Legislator Muratore.

LEG. TROTTA:

On the motion?

P.O. GREGORY:

On the motion, Legislator Trotta.

LEG. TROTTA:

What kind of training is it?

LEG. McCAFFREY:

You don't want to know.

*(*Laughter*)*

LEG. CALARCO:

This particular resolution sets a couple of different standards related to how these individuals in the industry would be regulated and the licensing that they would receive from the County. There's very different types of folks out there operating that address different types of this industry and they have different licenses that come with it. This is something that was actually worked on with the department and the industry themselves and I think they had a spokesman here earlier this morning speaking in favor of this particular resolution.

LEG. TROTTA:

Is this *(inaudible)*?

LEG. CALARCO:

So, yeah, it deals with some of the new systems. Because of these new systems that we are testing that are going to come out and they have their own specialties and then there's people who just maybe, you know, deal with old school septic systems and they treat those kind of systems and there's folks that deal specifically with people who run sewers. I think there's a whole bunch of different categories that are out there and this gives each one their own specialized license within the greater category.

LEG. TROTTA:

Are we going to be charging for these new licenses?

LEG. CALARCO:

I think there is a fee associated with each stamp, so to speak, that you have on it, but it is something that the industry felt very comfortable with.

LEG. TROTTA:

Do we reach out to the industry?

LEG. LINDSAY:

They developed this legislation in consultation with the Consumer Affairs Department.

LEG. TROTTA:

How do you know so much about the sewers?

LEG. CALARCO:

Because they came to committee and spoke.

LEG. TROTTA:

Oh, thanks.

P.O. GREGORY:

Okay. Any more questions? All right, we have a motion, a second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

Okay, page eight, ***IR 1909-15 - Amending the Classification and Salary Plan to add New Titles: Community Development and Planning Specialist; Business Intelligence Applications Analyst; Business Intelligence Systems Developer; Senior Business Intelligence Systems Developer; Principal Business Intelligence Systems Developer (County Executive).***

LEG. CALARCO:

Motion.

P.O. GREGORY:

Motion by Legislator Calarco.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Kennedy, cosponsor.

LEG. KENNEDY:

Oh, no.

LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

I'm only kidding. All right, second by Legislator Schneiderman. On the motion, Legislator Kennedy.

LEG. KRUPSKI:

On the motion.

LEG. KENNEDY:

I did not get --

P.O. GREGORY:

Your mic's off.

LEG. KENNEDY:

I did not get sufficient backup information. Now what I know, and correct me if I'm wrong, is that all the budgeted, non-filled positions in different departments went to pay for these positions; is that correct? Who do I ask this question of?

LEG. CALARCO:

This is -- I'll speak to the resolution, but --

P.O. GREGORY:

The Commissioner is here.

LEG. CALARCO:

-- the Commissioner of Information Technology is here and can speak to the titles specifically in a better fashion, but these create titles and they do not come with any funding to necessarily fill these titles. There's no money associated with these titles. It doesn't even create a position, it just creates the title in our classification.

COMMISSIONER MEZZANOTTE:

Correct. This isn't actually any positions, it's creating the titles within the Civil Service position classification so that we could fill them in the future.

LEG. KENNEDY:

Okay. So we just completed our budgeting and these positions are not in our budget, so how are you going to -- how are we going to pay for the salaries? Is it coming from the positions that are funded but not filled in departments?

COMMISSIONER MEZZANOTTE:

So there's -- what we're creating is four titles within Civil Service. We're looking to fill one position which would replace an existing consultant that's performing this task. These are qualifications and experience that don't exist within any of the current IT titles.

LEG. KENNEDY:

So then no one's performing the task.

COMMISSIONER MEZZANOTTE:

Today we have a consultant performing the task. We have one position that's funded in the 2016 Operating Budget that would be earmarked to fulfill this title.

LEG. KENNEDY:

But are you answering the question; am I missing something? How are we going to pay for the positions? Where is the money coming from?

COMMISSIONER MEZZANOTTE:

For the one position that we plan to hire --

LEG. KENNEDY:

All right.

COMMISSIONER MEZZANOTTE:

-- in 2016 --

LEG. KENNEDY:

And eventually the rest of them will be hired.

COMMISSIONER MEZZANOTTE:

Well, we're only creating four titles, we're not looking to fill four positions. We're establishing titles so that as we move forward with looking at more data governance and looking at ways that we can make data more meaningful, that we have those these titles available to us in order to do that function.

LEG. KENNEDY:

Okay. So the one position we're hiring in 2016, does that require a civil -- is it on the testing realm or is it not?

COMMISSIONER MEZZANOTTE:

We would fill it provisionally and we would administer a test I guess within one-year or whatever timeframe is required.

LEG. KENNEDY:

One year. And the same thing for all the others; as the years go by and you hire someone else, they will all be tested positions that are filled provisionally first.

COMMISSIONER MEZZANOTTE:

Correct. And to be -- you know, basically we don't know exactly what level. There's four levels here that range from a Grade 21 up to a Grade 30; as we recruit for the titles, we don't know what level we would fill, so that's why we're looking to establish the four titles, but we're only looking to fill one position.

LEG. KENNEDY:

And the person you're hiring in 2016 is already a consultant, or is already being moved over?

COMMISSIONER MEZZANOTTE:

Well, we have a consultant on board that we would be interested in recruiting but, you know, that's a matter of whether or not we can afford the person and if she's actually interested.

LEG. KENNEDY:

And which position is it that we're going to hire in 2016?

COMMISSIONER MEZZANOTTE:

The position that we're looking to fill is the Principal Business Intelligence Systems Developer.

LEG. KENNEDY:

A Grade 30, that's a lot of money, and depending on what step.
Okay, thank you.

P.O. GREGORY:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. One of the titles is Community Development Planning Specialist; what is -- what's the intention there?

MR. BEKOFSKY:

There are two positions with that title, those have a certain background in neighborhood design, so they're new titles that that background isn't a requirement in existing Civil Service titles.

LEG. KRUPSKI:

What would they be doing?

MR. BEKOFSKY:

They'll be working on the mutual planning alliance and other economic development initiatives.

LEG. KRUPSKI:

So I thought -- I was told earlier when we had the lengthy planning alliance discussion that there wouldn't be any new positions needed to accomplish this, but now you just said that we're going to be hiring new people to run the new planning alliance.

MR. BEKOFSKY:

No, these aren't new positions, these are just creating the titles. They're not -- and these were in our operating budget. They'll be doing a number of things, I'm sure they'll be working on.

LEG. KRUPSKI:

So we're establishing new positions.

MR. BEKOFSKY:

No, these are new Civil Service titles that didn't exist.

LEG. KRUPSKI:

That will be filled.

MR. BEKOFSKY:

Well --

LEG. KRUPSKI:

You wouldn't be establishing a title or a position if you didn't intend to fill them.

MR. BEKOFSKY:

Well, no. No, that's not true. We have vacant positions right now that are earmarked. So basically we can't fill all the positions that we have today, but we also have positions that don't have -- or we have needs for levels of expertise that --

LEG. KRUPSKI:

Thank you. I think you answered the question. Thank you.

MR. BEKOFSKY:

Sure.

P.O. GREGORY:

Anyone else?

LEG. BROWNING:

Okay. There were positions that we approved in the budget; there were positions that we did not approve for the budget. Are any of these positions similar to the ones that we did not approve in the budget, that you guys asked for and we said no?

MR. BEKOFSKY:

We request -- our department requested seven positions in the department, three were these Community development and Planning Specialists, you approved two. The other ones are very different, one was an Economic Development Specialist, one was a Contracts Management Analyst,

one was a Real Estate Tech, two very different titles.

LEG. BROWNING:

Okay, but there's a Community Development Planning Specialist; isn't that one that you guys asked for in the budget when we were doing the budget?

MR. BEKOFSKY:

We asked for three of the -- we asked for three of the Community Development titles, we were awarded two per the budget. But again, these are -- this resolution is creating the titles, not filling the positions. This is a cost neutral resolution.

LEG. BROWNING:

So you want to create titles but you're not hiring anybody for these jobs, only one.

MR. BEKOFSKY:

No, there is an opportunity with the expertise in-house to potentially move them into these titles to free up lower titles.

LEG. BROWNING:

I'm just trying to understand why, if we're going to create titles but we're not filling them, why you're even bothering.

MR. BEKOFSKY:

It gives us flexibility to bring on the right resources, or use people who maybe are in titles that don't reflect their backgrounds to be in this. Again, this is cost neutral. We need that flexibility in the department to bring on the right teams.

LEG. BROWNING:

Right, I see what you're saying. These are titles that don't exist in the County right now. So you're looking to hire one, and the other one potentially is somewhere down the road, but we don't have the money in the budget to fill these positions. Maybe Robert, can you help me out to figure out what they're trying to do?

MR. BEKOFSKY:

We're working within our own -- with the existing budget that you give us.

MR. LIPP:

Exactly. What we had stated in the Working Group is it will allow them to work within their budget and hire as they so choose within the confines of their expenditures that we adopted.

LEG. BROWNING:

Okay, thanks.

P.O. GREGORY:

Okay.

LEG. CILMI:

DuWayne?

P.O. GREGORY:

Yes, Legislator Cilmi.

LEG. CILMI:

I'm not sure who to ask this question of; somebody from the Administration. I'm not sure that it's appropriate, though, to ask either Lou or the Commissioner, so maybe if Katie or somebody from the Executive level could answer. But, you know, we asked a lot of questions in committee on this and I was led to believe that these were simply titles, and that in order to fill any of these titles, the Administration would have to, you know, present a budget amendment and the Legislature would then have to adopt that amendment; is that true?

MR. LIPP:

I think I could answer that. In the Working Group --

LEG. CILMI:

Right.

MR. LIPP:

-- the conversation was that we would allow them to work within the limits of what we were adopting in terms of salaries for their budget. And in terms of the Community Development and Planning Specialist, as was already stated, we need to add that to the Salary & Classification Plan in order for them to be able to fill that position, should they want to.

LEG. CILMI:

So let me ask you a question. One of the things that we hear from County employees and from others is that, you know, we just don't have enough employees in certain positions to do some of the necessary work that we are required to do in the County, and in some cases those positions are funded positions but they're unfilled. Will the Administration be able to take funding -- I guess I'll ask you, Robert. Will the Administration, if this is authorized, be able to take funding from other filled, unrelated positions and apply that funding to these positions? And therefore fill these positions, or fill positions within these titles that the Legislature has no control over, at least not until our next budget process?

MR. LIPP:

Right, to some extent that's true. The Administration moves money around as need be, whatever need be means. So for instance, there are limits, like for instance 10% of unfunded expenditures you're allowed to move around. They also freeze funding. There's also housekeeping resolutions at the end of the year to adjust, should they overspend specific line items and they pay for it with unexpended surplus expenditures. So the answer -- the short answer is a yes.

LEG. CILMI:

Yes, okay. So could I ask, then, if somebody from the County Executive's Office, I saw Lisa walking up a minute or two ago. Is she still here? Hi, Lisa. How are you doing?

MS. SANTERAMO:

Good. How are you?

LEG. CILMI:

Great. Can you say, is it the County Executive's intention to utilize funding that's budgeted for other positions, to fund positions that would apply to these titles?

MS. SANTERAMO:

It is my understanding that we are going to be using -- you know, for instance, in IT; they have certain funded vacant positions; we're going to be earmarking positions up to fill as needed. This gives flexibility. This is a creation of the titles, but we're going to work within the budget for those departments, if that answers your question.

LEG. CILMI:

Okay. So it's your intention, then, to work within departmental budgets --

MS. SANTERAMO:

Yes.

LEG. CILMI:

-- to fill these positions. It is your intention to create positions, or I know we're just creating titles here, but it's your understanding that you're looking to fill these titles within the confines of the current budget.

MS. SANTERAMO:

I believe that -- the bulk of these titles are IT titles. I believe the Commissioner said he's looking to fill one title but needed to show a -- in committee, he talked about needing to show a path. So if we recruit someone, we need to have other titles to show that they could possibly move up within IT. So we would be creating these positions, the IT Commissioner said he was looking to fill one with a current funded vacant position next year by earmarking it out. So I can't speak on behalf of the Commissioner, but he had said he was looking to fill one right now and over time possibly have the flexibility to fill others within his budget.

LEG. CILMI:

Okay. Do we have your -- before the Commissioner, because I do have a follow-up, then, for the Commissioner, but before he comes to the microphone. Is it your commitment, then, on behalf of the County Executive that you will only use money that's currently budgeted within IT to fill IT -- these IT positions?

MS. SANTERAMO:

That is my understanding. I have been advised that that is what the intention was, that this was going to be a cost neutral bill that we would work within the department budget.

LEG. CILMI:

Okay. Okay, let me just go to the Commissioner, then. Hey, Vin.

COMMISSIONER MEZZANOTTE:

How you doing?

LEG. CILMI:

So what budgeted but unfilled positions would you be looking to sort of, you know, use the money from to fill this position?

COMMISSIONER MEZZANOTTE:

We currently have 13 vacancies within the IT department.

LEG. CILMI:

Could you describe what -- yeah, go ahead, I'm sorry.

COMMISSIONER MEZZANOTTE:

They range from Programmer Analyst to Communications Mechanic.

It's quite a range, it covers many different functions within the department. Our plan would be to earmark a Principal Programmer Developer position to this title so we can focus on the data governance aspect of what we need to do in order to take all this disparate data that exists amongst the different systems within the County and make it more meaningful, using a business intelligence tool to do that.

LEG. CILMI:

Right. So you have twelve --

COMMISSIONER MEZZANOTTE:

Thirteen.

LEG. CILMI:

Thirteen budgeted but unfilled positions at this time.

COMMISSIONER MEZZANOTTE:

Correct.

LEG. CILMI:

Is it your position, then, that those positions aren't necessary?

COMMISSIONER MEZZANOTTE:

No, it is not my position that they're not necessary, but I understand that we're working within some significant financial constraints. We've identified six as critical positions that we need to fill.

LEG. CILMI:

And the other seven?

COMMISSIONER MEZZANOTTE:

I'm sorry?

LEG. CILMI:

And the other seven?

COMMISSIONER MEZZANOTTE:

The other seven we're going to delay until, you know, there's funding available, but we're going to work with what we have.

LEG. CILMI:

So why did we -- I mean, we literally just went through a budget process. Why did we fund those positions in the budget if they were unnecessary?

COMMISSIONER MEZZANOTTE:

So to clarify -- and again, maybe this is my lack of familiarity with the budget process here. But there's 13 positions, head counts within my budget, six of them are funded within the 2016 Operating Budget --

LEG. CILMI:

Okay.

COMMISSIONER MEZZANOTTE:

-- as part of what was approved, you know, or adopted.

LEG. CILMI:

Okay, so not all 13 were funded.

COMMISSIONER MEZZANOTTE:

Exactly.

LEG. CILMI:

Okay, six of them were funded.

COMMISSIONER MEZZANOTTE:

So the number is there, but the salary funds are not there.

LEG. CILMI:

Okay. Of the six that were funded, what positions specifically are those?

COMMISSIONER MEZZANOTTE:

I mean, there's a Programmer Analyst, there's -- and they're all basically all entry-level. We're looking to bring them in as Programmer Trainees and Office System Technicians, which are entry-level titles that we could develop and groom into our environment. And then there's a Database Administrator and a Mechanic title. So a total of six, and this one makes the sixth title.

LEG. CILMI:

So not too long ago this Legislature adopted a resolution, which I sponsored, directing, I believe, your department, in cooperation with the Department of Public Works, to develop an app, a mobile app as well as a web portal to -- for residents to report different issues; pot holes, for example, graffiti.

COMMISSIONER MEZZANOTTE:

Right.

LEG. CILMI:

Do you know where -- at what stage that's in?

COMMISSIONER MEZZANOTTE:

Yeah, it's actually -- I had a demo of that application yesterday, so the timing of your question's perfect.

LEG. CILMI:

Great. Wonderful.

COMMISSIONER MEZZANOTTE:

I think there are some questions that need to be answered right now with DPW in terms of the functionality, but I expect that we'll have an application that's ready for production prior to the winter season, so somewhere in the next few weeks.

LEG. CILMI:

Okay. Because my concern would have been, or my concern was that you would have said, *Well, listen, we're short staffed in that particular area*, and then, you know, I think you understand where I'm going here. I don't want to steal from Peter to pay Paul, even if it's within your department. I don't want to, at some future date, hear from you that we didn't have enough staff allocated to this particular function, whatever that function may be, because we instead took that money to use it for these -- for this new title or these new titles.

COMMISSIONER MEZZANOTTE:

No, that's not the case. I mean, there's more demand than we can supply, I'll be quite honest with you.

LEG. CILMI:

Right.

COMMISSIONER MEZZANOTTE:

But we do need -- and what we're working towards within the department now is a way to prioritize the demand to make sure that what we're putting our resources towards is really satisfying the County's needs.

LEG. CILMI:

And is it your position that making -- that creating these titles will not either negatively or positively impact that reality?

COMMISSIONER MEZZANOTTE:

No. In fact, I think as we put more focus around governance, data governance, that we'll have the ability to respond to demand in a better way.

LEG. CILMI:

And in order to fill a position that would do that, you need to have the flexibility that these titles would give you; is that fair?

COMMISSIONER MEZZANOTTE:

Yes.

LEG. CILMI:

Okay, thank you.

P.O. GREGORY:

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

LEG. KRUPSKI:

Opposed.

LEG. KENNEDY:

Opposed.

P.O. GREGORY:

I'm sorry. Did you have a question?

LEG. KRUPSKI:

No, I'm opposed to it.

P.O. GREGORY:

Oh, okay.

LEG. KRUPSKI:

I asked my questions. Thank you.

MR. RICHBERG:

Fifteen (Opposed: Legislators Krupski & Kennedy - Absent: Legislator Barraga).

LEG. D'AMARO:

I'm right here.

P.O. GREGORY:

You got D'Amaro behind you?

MR. RICHBERG:

Yes.

P.O. GREGORY:

Okay.

Health

Okay, ***IR 1880-15 - Approving the appointment of Devin Fernandez to the Suffolk County Disabilities Advisory Board – Group D (Barraga).***

LEG. SPENCER:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1887-15 - Amending the 2015 Capital Budget and Program and appropriating funds for the Peconic Bay Estuary Program (CP 8235) and approving the purchase of a replacement vehicle in accordance with the County Vehicle Standard Law (County Executive).

D.P.O. SCHNEIDERMAN:

Motion.

LEG. SPENCER:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1887A, Bond Resolution (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$150,000 Bonds to finance the cost of equipment used for marine monitoring of the Peconic Bay Estuary Program (CP 8235.520); same motion, same second. Roll call.

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

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

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LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Fifteen (Opposed: Legislators Trotta & Muratore - Absent: Legislator Barraga).

P.O. GREGORY:

IR 1902-15 - Accepting and appropriating 50% Federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the Peconic Estuary Program (County Executive).

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Krupski. Was that Lindsay?

D.P.O. SCHNEIDERMAN:

I'll second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

Parks & Recreation

P.O. GREGORY:

IR 1767-15 - Improving wastewater treatment at County Parks (Krupski). Motion by Legislator Krupski.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1793-15 - Amending the 2015 Capital Program and appropriating funds in connection with erosion mitigation at Indian Island County Park Bluff (CP 7192) (County Executive).

LEG. KRUPSKI:

Motion.

P.O. GREGORY:

Motion by Legislator Schneiderman. Oh, I'm sorry, Legislator Krupski.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

Second by Legislator Schneiderman.

LEG. KRUPSKI:

On the motion?

P.O. GREGORY:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

I would just like to thank Commissioner Dawson. This is a difficult erosion problem at Indian Island. There's a vegetative wetland on both sides of the eroded area, and I think they came up with a very good plan to not harden the shoreline, but to mitigate erosion there and to establish a vegetative -- and to keep the vegetative bluff there and to increase it. So I just want to mention that they came up with a very good plan there, and I'm happy to work with them with, you know, getting the DEC permits.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1793A, Bond Resolution (Bond Resolution of the County of Suffolk, New York authorizing the issuance of \$130,000 Bonds to finance engineering costs in connection with the erosion mitigation at Indian Island County Park bluff (CP 7192.110); same motion, same second.

Roll call.

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

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Sixteen (Opposed: Legislator Trotta - Absent: Legislator Barraga).

P.O. GREGORY:

Okay, ***IR 1883-15 Appropriating funds in connection with rewiring of historic buildings at Suffolk County Vanderbilt Museum (CP 7445) (Presiding Officer Gregory).***

LEG. SPENCER:

Motion.

LEG. D'AMARO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1883A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$50,000 Bonds to finance the cost of rewiring historic buildings at the Suffolk County Vanderbilt Museum(CP 7445.316), same motion, same second. Roll call.

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

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Fifteen (Opposed: Legislators Trotta & Muratore - Absent: Legislator Barraga).

P.O. GREGORY:

IR 1884-15 - Appropriating funds in connection with waterproofing, roof and drainage at the Suffolk County Vanderbilt Museum (CP 7439) (Presiding Officer Gregory).

LEG. SPENCER:

Motion.

P.O. GREGORY:

Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1884A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$400,000 in Bonds to finance the cost of waterproofing, roof and drainage improvements at Suffolk County Vanderbilt Museum (CP 7439.316); same motion, same second. Roll call.

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

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:

Yes.

LEG. TROTTA:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

Yes.

LEG. MARTINEZ:

Yes.

LEG. LINDSAY:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

Yes.

LEG. BROWNING:

Yes.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

Yes.

P.O. GREGORY:

Yes.

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1885-15 - Appropriating funds in connection with reconstruction of Vanderbilt seawall (CP 7453) (Presiding Officer Gregory). Same motion same second. All in favor? Opposed?

Abstentions?

MR. RICHBERG:

Seventeen (Absent: Legislator Barraga).

P.O. GREGORY:

IR 1885A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of \$35,000 Bonds to finance the cost of planning reconstruction of Vanderbilt seawall (CP 7453.110); same motion, same second. Roll call.

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

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. McCAFFREY:
No.

LEG. TROTTA:
No.

LEG. KENNEDY:
No.

LEG. BARRAGA:
(Absent).

LEG. CILMI:
This is 1884?

P.O. GREGORY:
Eighty-five.

LEG. CILMI:
1885A? Yes.

LEG. MARTINEZ:
Yes.

LEG. LINDSAY:
Yes.

LEG. CALARCO:
Yes.

LEG. ANKER:
Yes.

LEG. HAHN:
Yes.

LEG. MURATORE:
No.

LEG. BROWNING:
Yes.

LEG. KRUPSKI:
Yes.

D.P.O. SCHNEIDERMAN:
Yes.

P.O. GREGORY:
Yes.

MR. RICHBURG:
Thirteen (Opposed: Legislators McCaffrey, Trotta, Kennedy & Muratore - Absent: Legislator Barraga).

P.O. GREGORY:

IR 1922-15 - To amend the User Fee Schedule for Suffolk County Parks (Presiding Officer Gregory). That sounds like something the Parks Chair is going to make the motion? *(Laughter)*

D.P.O. SCHNEIDERMAN:

No, somebody else.

P.O. GREGORY:

(Laughter). All right, I'll make the motion. Second by Legislator Lindsay. On the motion, anyone? Legislator Kennedy.

LEG. KENNEDY:

Come on up, Commissioner.

COMMISSIONER DAWSON:

Good evening, Legislator.

LEG. KENNEDY:

Hello. Our campers are upset by this bill. They feel that the \$2 increase is per day; is that correct?

COMMISSIONER DAWSON:

It is correct. So on an average weekly stay, it would increase their stay an average of \$14; actually, \$15 because the reservation fee went up by \$1. But if you -- you can't hear me? I'm sorry. If you look at the fees as compared to New York State and as compared to a number of the other municipalities, we are still much lower.

LEG. KENNEDY:

We are. But a golfer is charged \$2 per game, they go away for vacation for two weeks, so that's thirty something dollars and they feel that this bill unfairly effects campers.

COMMISSIONER DAWSON:

I wouldn't say that. Golfers are paying anywhere from \$35 to golf, so.

LEG. KENNEDY:

I know, but we're talking about the increases.

COMMISSIONER DAWSON:

Right, it's a 10% increase across the board. So golfers went -- yes, golfers went up by 10%, campers went up by 10%, the green key's going up 10%.

LEG. KENNEDY:

Campers went up 10% per day, right?

COMMISSIONER DAWSON:

They --

LEG. KENNEDY:

Well, they're very upset. But I just wanted to confirm that this was the case.

COMMISSIONER DAWSON:

Yes, it is.

LEG. KENNEDY:

All right, thanks.

P.O. GREGORY:

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

D.P.O. SCHNEIDERMAN:

Opposed.

LEG. CILMI:

Opposed.

LEG. TROTTA:

You might need a roll call.

P.O. GREGORY:

Okay, roll call.

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

P.O. GREGORY:

Yes.

LEG. LINDSAY:

Yes.

LEG. SPENCER:

Yes.

LEG. D'AMARO:

Pass.

LEG. STERN:

Yes.

LEG. McCAFFREY:

No.

LEG. TROTTA:

No.

LEG. KENNEDY:

No for the campers.

LEG. BARRAGA:

(Absent).

LEG. CILMI:

No.

LEG. MARTINEZ:

Yes.

LEG. CALARCO:

Yes.

LEG. ANKER:

Yes.

LEG. HAHN:

Yes.

LEG. MURATORE:

No.

LEG. BROWNING:

No.

LEG. KRUPSKI:

Yes.

D.P.O. SCHNEIDERMAN:

No.

LEG. D'AMARO:

Yes.

MR. RICHBERG:

Ten (Opposed: Legislators McCaffrey, Trotta, Kennedy, Cilmi, Muratore, Browning & D.P.O. Schneiderman - Absent: Legislator Barraga).

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

PUBLIC WORKS, TRANSPORTATION & ENERGY

P.O. GREGORY:

I.R. 1516 - Approving Ferry License for Beachcomber Freight Service, LLC d/b/a Coastline Freight (Pres. Off.). I make a motion to table,

LEG. MURATORE:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1517 - Approving Ferry Freight rates for Beachcomber Freight Service, LLC. (Pres. Off.). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

Page 9: ***I.R. 1857 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 13 - Windwatch (CP 8123) (Co. Exec.)***. motion by Legislator -- is that Hahn? Is this yours, Windwatch?

LEG. CILMI:

That's me.

P.O. GREGORY:

Okay. Legislator Cilmi --

LEG. CILMI:

Yup, motion.

P.O. GREGORY:

-- makes a motion, second by Legislator Trotta. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1858 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 15 - Nob Hill (CP 8138) (Co. Exec.).

LEG. CILMI:

Motion.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1859 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 20 - William Floyd (CP 8147)(Co. Exec.).

LEG. BROWNING:

Motion.

P.O. GREGORY:

Motion by Legislator Browning.

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1860 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 7 Medford (CP 8150) (Co. Exec.). Motion by Legislator Calarco, second -- I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1861 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 16 - Yaphank (CP 8158). Motion by Legislator Browning, second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1862 - A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 1 - Port Jefferson (CP 8169) (Co. Exec.). Motion by Legislator Hahn.

LEG. HAHN:

Sure.

P.O. GREGORY:

I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1886 - Authorizing execution of reciprocal easement agreements with Gurwin Jewish Healthcare Foundation in connection with the reconstruction of a County recharge basin in the vicinity of CR 4 Commack Road(Stern). Motion by Legislator Stern, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1894 - Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter (County Executive).

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

Motion by Legislator Krupski, second by Legislator Muratore. On the motion anyone?

LEG. ANKER:

(Raised hand).

P.O. GREGORY:

On the motion, Legislator Anker and Legislator Schneiderman.

LEG. ANKER:

You know, as always, I want to say that I'm not in great support of the Vector Plan because they use so much -- you know, with the pesticides and the chemicals. I know there's more that we can do, and I will not be supporting this legislation.

P.O. GREGORY:

Okay. Legislator Spencer. I'm sorry, I meant Schneiderman. Sorry.

D.P.O. SCHNEIDERMAN:

Could I ask Dominick Ninivaggi, the Director of Vector Control, to come forward? I have a couple of questions for you. Let's first start with the mosquito piece. So there's been some concerns raised, as you know, with a larvicide called Methoprene. I know the County has conducted exhaustive literature reviews.

We have done an EIS ourselves and one of the findings was that Methoprene should not be used on the early stages, Stage 1 and Stage 2 larvae. My understanding is the plan and your department continues to use it in formulations with BTI in these estuaries and these salt water environments. Is that -- does that continue to be the practice, Dominick? Is that the way you're using Methoprene? And has there been any movement to reduce Methoprene use in our estuarine environments?

MR. NINIVAGGI:

Well, when we have a mixture out there of early and late stage larvae, if you use only BTI, you'll miss the late stage. If you use only Methoprene, you might miss the early. So that's why we use the mixture, and that's consistent with the long-term plan and the EIS. And, again, it would make no sense to apply them separately and fly the helicopter twice. So that's basically the practical reason for doing that. And it's proven to be very effective, and it's allowed us to greatly reduce our pesticide use in residential areas, which is something that we can all agree on.

So, in general, our pesticide use has been on a downward trend over the years. Some of that is by being -- we're always looking to revise our criteria and looking to see when we really need to use material and when we don't. There might be some long-term changes in the marsh and in the tidal cycles that also resulted in the downward trend.

There's also some -- in the section on using adulticides in response to West Nile Virus, we've kind of sharpened our criteria in terms of when we really need to use adulticides in response to West Nile Virus, because, as we've gone back over the history, it turns out that most years we really see very little human involvement. So most years we don't really need to use a lot of adulticides for West Nile. But, on the other hand, if we see a high year coming, then we need to go ahead and do that. So we're continually looking to sharpen and strengthen our program.

D.P.O. SCHNEIDERMAN:

Dominick, it's been proffered that the mosquitoes that carry West Nile do not typically come from salt water environments, that they're predominantly fresh water, and it's very -- only on rare occasion that those mosquitoes come from salt water or brackish waters. Can you respond to that?

Because that's one of the concerns of why are we using Methoprene in these areas where they're unlikely to produce mosquitoes that carry West Nile Virus.

MR. NINIVAGGI :

Well, mosquitoes that are produced in salt marshes are competent vectors of West Nile Virus, particularly one of the Culex species, Culex salinarius that breeds in the upper part of the salt marsh. So you can't really distinguish that, so it's really kind of a myth that they're not involved with the virus.

Also, of course, our primary salt marsh mosquito, Aedes sollicitans, is the most efficient known vector of Eastern Equine Encephalitis, which is a much more serious illness if it gets loose than West Nile Virus. So what we try to do is prevent these mosquitoes from getting loose in great numbers so they're not out there to pick up the virus. And perhaps one reason why we so rarely find the virus in these species is because we suppress them while they're larvae.

The other thing you have to keep in mind is that the surveillance program for West Nile Virus is not really designed to go out and look at these other species. We primarily look at the species that bite birds, because that's basically a trip wire. That's the most efficient way to do surveillance for West Nile Virus.

D.P.O. SCHNEIDERMAN:

Let me switch topics. Several years ago, this body directed you to expand your work. Really, in a sense, it wasn't an expansion, because the original charge for Vector Control was -- included both insect-borne and tick-borne illnesses. But the plan that you submitted each year, which is what we're reviewing right now, didn't contain a section on tick-borne illnesses, and so we directed you to provide that. This is, I guess, two years since we have passed that. I know I've been working with you on a committee that is -- was put together, assembled to guide you or advise you on that plan. Can you tell us to what extent there's a tick component to this Vector Control Plan? And where -- when are we going to see it rise to the level of our mosquito program?

MR. NINIVAGGI :

Well, our Mosquito Control Plan is -- program is pretty awesome, so it will be a while before it gets to that level. But I think you have to understand that there's a lot of preliminary work you need to do before you go out and implement the widespread Vector Control Program, whether it's for mosquitoes or ticks. There's a lot of preliminary information that needs to be gathered and it takes a lot of resources.

We were able to get a new position funded for this year. Our Entomologist, Moses Cucura, who's done an excellent job as far as working on putting together the information we have, gathering new information, and starting to get the ground work that we need in terms of surveillance. We're deciding what, if anything, we could really do with tick control to reduce tick-borne diseases, because that, I think, is still an open question that's going to require a little bit more work. But one of the things -- but we've certainly -- we know a heck of a lot more about ticks than we did at this time last year, before we had a full-time person working on this. We now have an active surveillance program. We have a program now for looking at the diseases in ticks. We've set up a cooperative program with the State Health Department to test ticks and we're waiting for the results of that.

A very innovative thing that Moses has been able to put together, in cooperation with other entities, is gathering blood samples from deer and testing them for both the tick-borne and mosquito-borne pathogens, which is going to give us a much better picture of the disease picture.

So before we can go out and actually take control measures, we have to have a better understanding of the -- what the problem is.

D.P.O. SCHNEIDERMAN:

I did see -- something came across my desk that -- you know, I had requested a plan for County parks to do the 4-Poster system and what that might cost to -- at least on a trial basis. And it looked like it was pretty well thought through, and there was some very specific costs. So I want to thank you for your participation in that. And, obviously, we're going to need some outside funding to make that happen, but I think that would be a good first step in the County entering the tick control world.

MR. NINIVAGGI:

It's a very daunting challenge. You have to understand that the technology for controlling ticks on a broad scale with environmentally sound means is not nearly as well developed as mosquito control technology. We have a lot of really excellent tools for a variety of situations with mosquitoes. The cupboard is a little bit more bare when it comes to ticks, but we're working on looking at what technologies work. We're also looking at doing some field trials, even with some of the materials we have on the shelf now. So we are working on the problem, but it's not a simple one.

D.P.O. SCHNEIDERMAN:

Okay. Thank you, Dominick.

P.O. GREGORY:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. And thank you for your hard work on the Vector Control Plan, I appreciate it. I've been following that closely for the last few years and I know you're pretty flexible on that. How closely do you work with the DEC on this plan?

MR. NINIVAGGI:

We work very closely with them. And, you know, one of the things that we've been able to do in my tenure as Vector Control Superintendent, which is you're getting near the end, is we've managed to establish regulatory peace with the DEC and now we have a very cooperative effort. We operate under permits we've been put in place for the pesticide end. And we're also a partner with them now in wetlands management. And, as you may know, the County has secured about \$2 million worth of funding for wetlands management work, which will, besides restoring the wetland, will reduce the need for pesticides. And DEC is an active partner with us in actually putting together the project plans and developing them. They actually have properties that they own that they'd like us to work on with marsh management, so we work very closely with them.

LEG. KRUPSKI:

Thank you. And everyone appreciates that, certainly, because when you restore the wetlands, you get other benefits besides not having to spray for mosquitoes.

MR. NINIVAGGI:

Exactly.

LEG. KRUPSKI:

Can you take, or can Moses, you know, take blood samples from road kill deer? Because we have such a problem with road kill on the east end, and, I mean, that's an easy source of a sample, blood sample.

MR. NINIVAGGI:

What he's been doing is working with the various check stations in many places where you have a managed hunt, like on DEC lands, or even on U.S. Fish and Wildlife Service lands. The hunters have to bring the deer into these check stations, and so it's very -- that's a very efficient way of gathering the samples, and they'll go out there and get like 60 samples. That's one of the things that -- I've been very impressed by his ability to work with the wildlife community on that.

LEG. KRUPSKI:

Yes. Thank you.

P.O. GREGORY:

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

MR. RICHBERG:

Sixteen.

D.P.O. SCHNEIDERMAN:

I'll abstain on the Methoprene issue.

MR. RICHBERG:

Fifteen. (Opposed: Legislator Anker/Abstention: Legislator Schneiderman/Absent: Legislator Barraga)

P.O. GREGORY:

Okay. All right. ***I.R. 1903 - Authorizing the County Executive to enter into an Intermunicipal Agreement with the Town of Smithtown for the maintenance of Harned Road from the vicinity of CR 67, Motor Parkway to the vicinity of SR 25, Jericho Turnpike (Co. Exec.)***

LEG. KENNEDY:

Motion.

P.O. GREGORY:

Motion by Legislator Kennedy.

LEG. TROTTA:

(Raised hand).

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

I.R. 1906 - Accepting a donation of twenty to twenty-four (20-24) bike lockers from the New York State Department of Transportation (Co. Exec.). I'll make a motion.

LEG. CALARCO:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

WAYS & MEANS

P.O. GREGORY:

J.R. 1878 - Approving payment to General Code Publishers for Administrative Code Pages (Pres. Off.). I'll make a motion.

LEG. STERN:

Second.

P.O. GREGORY:

Second by -- who is it?

LEG. STERN:

(Raised hand).

P.O. GREGORY:

Oh, Legislator Stern. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1881 - Authorizing transfer of surplus desktop computers to the Vanderbilt Museum (Spencer). Motion by Legislator Spencer, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1896 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 U.S. Bank National Association, as trustee for the Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-3 (SCTM No. 0200-033.00-02.00-016.000) (Co. Exec.). Motion by Legislator Stern, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga)

P.O. GREGORY:

J.R. 1897 - Authorizing the sales of surplus property sold at the October 20 and 21, 2015 Auction pursuant to Local Law No. 13-1976 as per Exhibit "A" (Omnibus Resolution) (Co. Exec.). Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Seventeen.

D.P.O. SCHNEIDERMAN:

Abstain.

P.O. GREGORY:

One abstention.

MR. RICHBERG:

Sixteen. (Absent: Legislator Barraga).

P.O. GREGORY:

Okay. The manilla folder. We have Procedural Motion ***Number 28 - Procedural resolution apportioning mortgage tax by: County Treasurer.*** I'll make a motion to approve.

D.P.O. SCHNEIDERMAN:

Second.

P.O. GREGORY:

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

MR. RICHBERG:

Seventeen. (Absent: Legislator Barraga).

LEG. CALARCO:

What is this?

P.O. GREGORY:

That was Procedural Motion Number 28, it's the manilla folder.

LEG. CALARCO:

Got it, got it.

LEG. KENNEDY:

The big one or the little one?

P.O. GREGORY:

The little -- big one.

LEG. KENNEDY:

I don't have it.

MR. NOLAN:

It's okay, it's mortgage tax.

LEG. KENNEDY:

It's okay, we don't care about that money thing, right?

(*Laughter*)

MR. NOLAN:

It's good.

P.O. GREGORY:

All right. Okay. I'd like to waive the rules to lay the following resolutions on the table as a late

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starter: I.R. 2014, Ways and Means; I.R. 2015, Government Ops; I.R. 2016, Economic Development; I.R. 2017, Budget and Finance; I.R. 2018, Public Safety; I.R. 2019, Ways and Means; I.R. 2020, Budget and Finance; I.R. 2021, Government Ops. Second by Legislator Krupski.
All in favor? Opposed? Abstentions?

MR. RICHBERG:

Sixteen.

P.O. GREGORY:

Okay. That's our agenda. We stand adjourned. Thank you.

(*The meeting was adjourned at 5:47 p.m. *)