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SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
EIGHTH DAY
June 20, 2017

MEETING HELD AT THE EVANS K. GRIFFING BUILDING
IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM
300 CENTER DRIVE, RIVERHEAD, NEW YORK

Minutes Taken By
Alison Mahoney & Lucia Braaten - Court Stenographers

Minutes Transcribed By
Alison Mahoney & Lucia Braaten - Court Stenographers
and
Kimberly Castiglione - Legislative Secretary

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

3
4 *(*The meeting was called to order at 4 p.m. *)*

5
6 P. O. GREGORY:
7 Can I have all Legislators to the horseshoe, please. Good
8 afternoon, Mr. Clerk. Can you do the roll call?
9

04:00PM 10 MR. RICHBERG:
11 Good afternoon, Mr. Legislator.

12
13 *(Roll called by Mr. Richberg - Clerk of the Legislature)*

14
15 LEG. SPENCER:
16 *(Not Present)*

17
18 LEG. D'AMARO:
19 *(Not Present)*

04:00PM 20
21 LEG. STERN:
22 *(Not Present)*

23
24 LEG. McCAFFREY:
25 Here.

26
27 LEG. TROTTA:
28 Here.

04:00PM 29
30 LEG. KENNEDY:
31 Here.

32
33 LEG. BARRAGA:
34 Here.

35
36 LEG. CILMI:
37 Here.

38
04:00PM 39 LEG. MARTINEZ:
40 *(Absent)*

41
42 LEG. LINDSAY:
43 Here.

44
45 LEG. ANKER:
46 Here.

47
48 LEG. HAHN:
49 Present.

04:00PM 50
51 LEG. MURATORE:
52 Here.

53
54 LEG. BROWNING:
55 Here.

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1 LEG. FLEMING:

2 Oh, present.

3

4 LEG. KRUPSKI:

5 Here.

6

7 D. P. O. CALARCO:

8 Present.

9

04:00PM

10 P. O. GREGORY:

11 Present.

12

13 MR. RICHBERG:

14 *Fourteen.*

15

16 P. O. GREGORY:

17 Please mark Legislator Martinez as an excused absence.

18

19 MR. RICHBERG:

04:00PM

20 *Fifteen. (Amended to 17. Absent: Legislator Martinez)*

21

22 P. O. GREGORY:

23 All right. If you would all please rise for the Salute to the Flag
24 to be led by Legislator Sarah Anker.

25

Salutation

26

27
28 Next Legislator Anker will introduce Gina Mingola, a resident of
29 Shoreham, who will sing the National Anthem.

04:01PM

30

31 LEG. ANKER:

32 Today I have Gina Mingola and she is a Shoreham-Wading River
33 resident, a singer, a songwriter and she has performed at my summer
34 concert series. So come on up, Gina.

35

(The National Anthem was performed by Gina Mingola)

36

Applause

37

38

39

40 LEG. ANKER:

41 That was beautiful. Thank you so much, Gina. I also have here
42 today Father Francis Pizzarelli. He is an amazing force to be
43 reckoned with, so watch out for Father Frank as he's affectionately
44 known throughout really Suffolk County and Long Island. Father
45 Frank has been an advocate for so many causes, focusing on the drug
46 addiction issue. He works, again, with Hope House and also he's
47 located a place over in Mount Sinai, Little Portion Friary, to
48 provide a place where our residents can go that are fighting drug
49 addiction and trying to get back on track. As we continue on our
50 journey here in life Father Frank is a solid rock and I'm just so
51 honored to have Father Frank here today. Let's welcome him. Thank
52 you.

04:04PM

53

Applause

54

55

56

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1 FATHER FRANK:

2 You can all sit down for the prayer, it's okay. No, it's not going
3 to be a long one. It's a privilege to offer the invocation at this
4 gathering. Over the past 30 years I've stood in this chamber many
5 a time to offer the prayer and blessing, and I think today more
6 than other times in the past because of where we are as a nation.
7 It is important not to forget to pray, because if we've ever needed
8 prayers, we need it now, and we need those that we put in
9 Washington to rediscover civil discourse. These men and women
04:05PM 10 around this table are doing the hard work every day reminding us
11 that people do care for the concerns that we share. And hopefully
12 they'll continue in a bipartisan way to do what you, their
13 constituents, need to be done for the sake of not only young people
14 but people in general in every aspect of community life. And so as
15 an advocate and also as a clergy person, it is in that spirit that I
16 offer this invocation.

17
18 May God bless you with a restless discomfort about easy answers,
19 half-truths and superficial relationships so that you might seek
04:05PM 20 the truth boldly and love deep within your heart. May God bless
21 you with holy anger at injustice of the exploitation of people so
22 that you might tirelessly work for justice, freedom and peace among
23 all people. May God bless you with the gift of tears to be shed
24 with those who suffer from pain, rejection, starvation, addiction
25 or the loss of all that they cherish, so that you might reach your
26 hand out to comfort them and transform their pain into joy. And,
27 finally, may God bless you with enough foolishness to believe that
28 you can really make a difference in our world so that you are able
29 with God's grace to do what others claim cannot be done. We ask
04:06PM 30 this in God's name, amen.

31
32 *(Amen said in unison)*
33

34 P. O. GREGORY:

35 Now that Father Frank has asked you to sit down, I'm going to ask
36 you to stand up as we recognize a moment of silence. In memory of
37 Jason Cooper, a Cutchogue firefighter who died suddenly on June 7th
38 following an accident. Jason was a new Suffolk resident and member
39 of the School Board. He was a respected member of the community
04:07PM 40 who believed in helping others and giving back. His passing is a
41 great loss to those who depend on him for his experience and
42 advice.

43
44 We are also recognizing a moment of silence for Otto Warmbier, the
45 University of Virginia student who was detained in North Korea for
46 nearly a year and a half, who died Monday afternoon, days after he
47 returned home in a coma.

48
49 Also, please remember the seven sailors who died aboard the U.S.S.
04:07PM 50 Fitzgerald. Gunner's Mate Seaman Dakota Kyle Rigsby, 19, from
51 Palmyra, Virginia; Yeoman Third Class Shingo Alexander Douglas,
52 25, from San Diego; Sonar Technician Third Class Ngoc T Truong
53 Huynh, 25, from Oakville, Connecticut; Gunner's Mate Second Class
54 Noe Hernandez, 26, from Weslaco Texas; Fire Controlman Second Class
55 Carlos Victor Ganzon Sibayan, 23, from Chula Vista, California;
56 Personnel Specialist First Class Xavier Alec Martin, 24, from

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1 Hawthorne, Maryland; Fire Controlman First Class Gary Leo Rehm,
2 Jr., 37, from Elyria, Ohio. We extend our heartfelt sympathies and
3 prayers for their families. And as always, let us remember all
4 those men and women who have lost their lives in service to our
5 country and those who continue to sacrifice to ensure our freedom.

6
7 *Moment of Silence Observed*

8
9 *(Banged Gavel)*

04:08PM 10
11 Okay, we have several proclamations, first being Legislator
12 Krupski, who will recognize members of the Southold Fire
13 Department.

14
15 LEG. KRUPSKI:

16 Good afternoon. And I'm really honored to have members of the
17 Southold Fire Department here today. Since 2011 they had a blood
18 drive -- they've had five blood drives a year with a spaghetti
19 dinner. Michael's wife bakes pies. Anybody who likes pies should
04:09PM 20 come next time they have it, you should definitely come. And
21 they're being honored today not because they have a blood drive,
22 but because the second year in a row they have been the recipients
23 of the Terry Farrell award, which goes to the fire department which
24 has collected the most pints of all the fire departments in Nassau
25 and Suffolk calendar year to calendar year. Last year they
26 collected 615 pints. And when you have a blood drive, you know,
27 they seem kind of commonplace and almost like pedestrian, but if
28 you think about it, the people who need that blood, it's super
29 important that that blood is collected. And from such a small
04:10PM 30 hamlet like Southold to collect that many pints of blood is
31 extraordinary and I thought worthy of recognition. So thank you so
32 much for that.

33
34 *Applause*

35
36 MR. ZWEIG:

37 Al, I'd like to thank you and of course all the members of the
38 Suffolk County Legislature. I would like to just say that while
39 Southold Fire Department hosts this drive, it really is for the
04:10PM 40 whole of the North Fork and for the whole of the community. We
41 have people coming from all over, from Jamesport all the way out to
42 Orient, and it is a community effort and we reach out to that
43 community. And as Al said, blood is so very important and it's so
44 easy to do. We work with the New York Blood Center. They're
45 professionals and we do a job with them. We cooperate and with the
46 community and we invite everybody to come. Our next blood drive is
47 on the 16th of August. It's a Wednesday and Joe McCarthy right
48 there is going to be making a sauce and Pete's going to be making
49 spaghetti and I'm making key lime pie. A good time will be had by
04:12PM 50 all. Thanks very much.

51
52 P. O. GREGORY:

53 Next -- Legislator Krupski has actually two more presentations, one
54 for Karl Grossman.

1 LEG. KRUPSKI:

2 So I think everyone is familiar with Karl Grossman here. He's a
3 journalist for over 50 years and he's written a lot of topical
4 things, and not just on the East End, really all of Suffolk County,
5 and he addresses so many different issues that are so important to
6 the residents and that's why he's been successful and that's why
7 he's really important to the community. And it's nice to be able
8 to honor him and maybe -- Bridget, do you want to say something
9 about the East Hampton Library and how his works are being archived
04:13PM 10 or maybe you want to tell us how that's being arranged?
11

12 LEG. FLEMING:

13 I'm going to let the East Hampton Library speak for itself but I
14 would like to also congratulate Karl Grossman, who has been a
15 remarkable journalist throughout his long career. You look a lot
16 younger than your career says on paper. But certainly I know in my
17 issue area Methoprene, the ticks, public health issues,
18 environmental issues, nuclear dangers, Karl has been on the
19 forefront of uncovering these things and is really like an
04:13PM 20 exemplary member of the fourth estate keeping us on our toes,
21 keeping us informed, now more than ever, reporting true facts with
22 a real insightful approach and I'm deeply grateful as a public
23 official for the work that you do, Karl. So, congratulations.
24 Very well deserved.
25

26 *Applause*
27

28 MR. FABISZAK:

29 We are digitizing all of Karl's articles and also all of the
04:14PM 30 primary research that he used to write all of the articles.
31 So when it's done it will be the largest database of historic
32 documents for Suffolk County, which will certainly be important to
33 all of you. And it's going to be available and ready, about 7,000
34 documents on-line, available and fully searchable and we're
35 continuing to add to it every day. So we're really excited about
36 it and we think you will benefit from it and so will the residents
37 of Suffolk County and we can't wait to continue that work.
38

39 *Applause*
40

41 MR. GROSSMAN:

42 Thank you very much. There's a great deal of deja vu here because,
43 believe it or not, I in this room began covering the Suffolk County
44 Board of Supervisors in 1964 and there were some real giants on the
45 Board of Supervisors. Harry Kangheiser from Islip, Bob Flynn from
46 Huntington. I can go on and on. John Klein, who stayed on and
47 became the first Presiding Officer of the Suffolk Legislature. And
48 I also covered for many, many, many years, still do, the Suffolk
49 County Legislature. And just let me say, journalists must be
04:15PM 50 objective, but objectively speaking, you guys and women have done a
51 tremendous job. If it wasn't for the Suffolk County Legislature,
52 there would be anywhere between 7 and 11 nuclear power plants on
53 Long Island.
54

55 *Applause*
56

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1 On issue after issue the Suffolk Legislature has come up to bat and
2 it's been on the cutting edge, whether it was video display
3 terminals, they're not around anymore which were banned, or the
4 detergent. Issue after issue over -- oh, well, since 1970 you have
5 been there. Thank you.

6 *Applause*

7
8 LEG. FLEMING:
9 Well done, Karl.

04:16PM 10 LEG. KRUPSKI:
11 Just to go over some of the things that -- why Karl's being
12 recognized. He was the recipient of numerous awards, including the
13 George Polk Award, the James Aronson Award for Social Justice in
14 Journalism. He's a Professor of Journalism at SUNY Old Westbury,
15 and he has been published in diverse publications, including The
16 New York Times, the Long Island Press, the Long Island Jewish
17 World, Newsday, In These Times and the Village Voice, just to name
18 a few. And he also has a syndicated column, which I think most of
19 us enjoy in the East Hampton Express, the Shelter Island Reporter
04:17PM 20 and Southold and Riverhead Local. He's a host of the nationally
21 aired television program Enviro Close-Up, and he talked about the
22 nuclear threat to Eastern Long Island, how we could have had
23 nuclear reactors on eastern Long Island which would have forever
24 changed Suffolk County. His voice of reason there certainly was
25 really positive and certainly helped everyone steer the right
26 course for our future. So thank you, Karl.

27
28 *Applause*

04:17PM 29
30
31 P. O. GREGORY:
32 Next we have, again, Legislator Krupski. Also joining him will be
33 Legislators Calarco, Lindsay and Muratore for a proclamation for
34 the Sachem North High School.

35
36 LEG. KRUPSKI:
37 While they're coming up I'll explain. So every year Suffolk County
38 and Nassau County Soil and Water Conservation District have an
39 Envirothon, and it's usually held in Bethpage. And these high
04:18PM 40 schools get together and they have projects. These schools compete
41 and they have different projects and they learn about the
42 importance of soil and water conservation. And if we're going to
43 have -- and we talk about -- an awful lot of our time here at the
44 horseshoe is dominated by water quality and land preservation and
45 how important it is to have clean water, what that means not only
46 for drinking water but also clean water for shellfish and finfish,
47 how it's important for our culture and how that's important for our
48 economy, here the Envirothon provides a nice venue for high school
49 students to understand why it's important and they compete against
04:19PM 50 each other. And this year -- and I would like to mention Sharon
51 Frost, who is an employee of Suffolk County Soil and Water
52 Conservation District, and I think Sharon -- Sharon's here. And so
53 this year Sachem East was the winner. Their teacher is Monica
54 Saleh.

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1 MS. FROST:
2 Sachem North.

3
4 LEG. KRUPSKI:
5 Oh, Sachem North, thank you.

6
7 D. P. O. CALARCO:
8 As opposed to Sachem East.

9
04:19PM 10 LEG. KRUPSKI:
11 Oh, okay. Or Sachem West. Thank you. These students should be
12 recognized for the work that they did, for the projects that they
13 did, and I'm joined with Legislator Calarco, who is also a board
14 member on the Suffolk County Soil and Water Conservation District.
15 And the two other Legislators who represent Sachem North School,
16 Legislator Muratore and Legislator Lindsay, and so maybe you want
17 to present these proclamations to the students since they're your
18 people.

19
04:20PM 20 LEG. LINDSAY:
21 So we constantly debate around the horseshoe of protecting our
22 environment, and one of the number one reasons we have normally is
23 because we want to preserve the environment that we have for our
24 young people. Well, here are our young people who have actually
25 taken an interest in it themselves. This will be their County at
26 some point and it's great to see their excitement and involvement
27 on this very important issue. So I have this first proclamation to
28 Emily Gelardi. Emily, congratulations.

29
04:20PM 30 *Applause*

31
32 And we have Michael Lynch.

33
34 *Applause*

35
36 Isabel Martins.

37
38 *Applause*

39
40 Jack McGlinchey.

41
42 *Applause*

43
44 Erin Maryzek.

45
46 *Applause*

47
48 And last but not least, Emily Watson.

49
50 *Applause*

51
52 *(*Photograph Taken*)*

53
54 *Applause*

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1 P. O. GREGORY:

2 Next we'll have Legislator Hahn. She is going to make a
3 presentation to Ryan Himmelsbach, of the Paul J. Gelinis Middle
4 School.

5
6 LEG. HAHN:

7 Junior High. Hello, congratulations. Hello, everybody. I also
8 attended Paul J. Gelinis Junior High School, so I'm pretty proud of
9 Ryan here. Ryan Himmelsbach is a seventh grader from Paul J.
04:24PM 10 Gelinis Junior High School. He placed first in the 2017 Hofstra
11 Long Island Regional Scripps Spelling Bee against 47 other
12 students.

13
14 *Applause*

15
16 The competition lasted 11 rounds over the course of three hours and
17 Ryan won with the world requiem. Attending the Scripps Spelling Bee
18 has been Ryan's dream for years. With hard work, dedication and
19 consistent studying, which I hear was hours a day that you put in
04:24PM 20 studying, wow, Ryan has learned many new words as you can imagine.
21 During the competition Ryan did see unfamiliar words, but was
22 defiant in piecing them together. Ryan spelled many difficult
23 words in his final, and his final words were, and I know for a fact
24 I'm going to mispronounce some of these even though they're not
25 super long, flautino, menagerie, hamate and caudal. These words
26 are hard for some adults, even me, and I will admit I am really not
27 the number one speller out there. I was thrilled when spellcheck
28 was invented. Yes, I was.

29
04:25PM 30 But this first place win in Long Island gave him a seat to compete
31 in the Scripps National Spelling Bee as the Long Island
32 representative, and this competition took place in Washington,
33 D.C., where he placed 41st. And I want to congratulate Ryan on
34 this wonderful achievement and this is a proclamation for you on
35 behalf of my colleagues and all of the residents here in Suffolk
36 County.

37 *Applause*

38
39 Congratulations and keep up the good work because all that hard
04:26PM 40 work really does pay off. Do you want to say anything to
41 everybody?

42
43 MR. HIMMELSBACH:

44 I just wanted to say thank you for this big honor. It's a big deal
45 to me.

46
47 LEG. HAHN:

48 You're welcome. Congratulations.

49
04:26PM 50 *Applause*

51
52 P. O. GREGORY:

53 Congratulations. Next Legislators Muratore, Kennedy and Lindsay
54 will present a proclamation to the Sachem Aftershock Robotics Team.

55
56 *Applause*

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1
2 LEG. MURATORE:

3 Must be Sachem day here up at the Legislature. Come on guys and
4 girls, come up here. Today I'm pleased to announce that for the
5 third year in a row Sachem Aftershock, FIRST robotic competition
6 Team 263, it's the combined team from Sachem High Schools North and
7 East, attended Robotics Competition World Championship at St.
8 Louis, Missouri. Sachem's team, 263, was honored to participate in
9 the championship again, since out of the active 5300 teams only 400
04:27PM 10 worldwide, that's worldwide ladies and gentleman, became eligible
11 to do so. From April 26th to April 29th, Aftershock competed in
12 the Carson Subdivision against 67 other teams. Leslie will carry
13 on from here. Leslie?

14
15 LEG. KENNEDY:

16 Aftershock earned its invitation to participate in the championship
17 after being regional winners at the SBPLI Long Island Regional.
18 This competition was held at Hofstra University from March 30th to
19 April 1st. The event hosted a total of 55 teams from New York to
04:28PM 20 Brazil. Team 263 was ranked first going into alliance selection
21 and secured the win with a tie-breaking third-round win in the
22 finals. One of the team's mentors, Robert Wentzel, won the
23 prestigious Woodie Flowers Finalist Award at the event.
24 Congratulations. Bill?

25
26 *Applause*

27
28 LEG. LINDSAY:

29 Two weeks prior to that, from March 2nd to March 4th, Sachem
04:28PM 30 Robotics Team 263 competed in the South Florida Regionals in West
31 Palm Beach. They ranked 15th out of 47 teams worldwide that
32 participated. Unfortunately, Aftershock and their alliance
33 partners were eliminated in the semi-finals. However, the Suffolk
34 County Legislature would like to congratulate Sachem Aftershock
35 Team 263, your mentors and your parents for being awarded the
36 regional winners at the SBPLI Long Island Regional for the third
37 year in a row. Congratulations, everyone.

38
39 *Applause*

04:29PM 40
41 MR. WENTZEL:

42 Members of the board, I'd like to thank all these wonderful
43 students that we have, that without these young men and women it
44 would not be possible to have gotten as far as we have. Also with
45 the support of their parents, and many, many parents help out with
46 this whole organization, and also our mentors Mr. {Zafueni}, Mr.
47 Byrne, Mr. Lundstrum and some, believe it or not, and Mr. Tripi,
48 who's a parent and helps out on our software. All these parents
49 get together, they help out and they really make the whole program
04:29PM 50 work together. All right. Ladies and Gentlemen, thank you from
51 all of the students.

52
53 *Applause*

54
55 D. P. O. CALARCO:

56 Next Presiding Officer Gregory will present proclamations to Walter

1 G. O'Connell Copiague High School students.

2
3 P. O. GREGORY:

4 Good evening. It is my extreme pleasure to recognize these two
5 wonderful young ladies. It's always a pleasure to recognize our
6 young people who are doing such wonderful things, and these two
7 young ladies from the Copiague School District, and Copiague High
8 School in particular, have achieved a wonderful accomplishment and
9 I'm pleased to be joined here by the Superintendent of the School
04:31PM 10 District, Dr. Bannon, and then a member of the School Board, Mike
11 Greb, and Dr. Agosta, who is the high school principal.
12 We're here to recognize Sophie Wilson and Jade Dickenson. Sophie
13 and Jade were named semifinalists in this year's prestigious
14 Siemens Competition, the nation's premier competition in math,
15 science and technology for high school students.

16
17 Sophie and Jade were selected from more than a thousand students
18 who submitted innovative individual and team research projects.
04:31PM 19 Walter G. O'Connell Copiague High School Science Chairperson Renee
20 Locker and science teacher Tracy Wenzler, John Borghardt of the
21 Bergen Point Waste Water Facility and Joshua Perry of the South
22 Shore Nature Center were among those who mentored the students on
23 their project "A novel investigation surrounding Geukensia demissa
24 as a probable control mechanism for the invasive species Phragmites
25 australis."

26
27 This is an amazing accomplishment for the school district and a
28 testament to the passion, hard work and dedication of these
29 students. Congratulations on a great project. And they are the
04:32PM 30 first, I say first, Siemens Semifinalists in the Copiague School
31 District of many more to come. Congratulations.

32
33 *Applause*

34
35 Now, I know Jade is going to Cornell -- Sophia is going to -- and
36 Howard. You're going to be a doctor? A veterinarian. Two
37 doctors, two future doctors.

38
39 *(*Photograph Taken*)*

40
41 *Applause*

42
43 D. P. O. CALARCO:

44 Next, Legislator Anker will present a proclamation to Lee Brooks,
45 President of the Ridge Civic Association.

46
47 LEG. ANKER:

48 I have the pleasure to have with me here today Lee Brooks. Lee is
49 being recognized today by the Suffolk County Legislature for her
04:34PM 50 leadership and community advocacy. As the President of the Ridge
51 Civic Association, Lee has advocated for safety and the quality of
52 life for all residents, especially those in the Ridge community.
53 She played a pivotal role in advocating for the demolition of the
54 Ridge Motel East, which was an eyesore and a public safety threat.
55 In addition, she has spearheaded the clean-up of the Ridge
56 Community Park and the installation of sprinklers and created a

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1 Beauti fication Fund that she maintains for the Ridge Veterans
2 Memori al .
3
4
5

6 Lee is also very involved in the Longwood School District. She was
7 the Class Mom for all three of her children when they were at the
8 Ridge Elementary school, and she founded the Longwood Booster Club
9 and the Longwood Robotics Club. And, again, it gives me great honor
04:34PM 10 to present Lee with a proclamation for her wonderful community
11 service. Congratulations, Lee.
12

13 *Appl ause*
14

15 D. P. O. CALARCO:
16 Next Presiding Officer Gregory will present Employ Excellence
17 Awards.
18

19 P. O. GREGORY:

04:35PM 20 Okay. If I could ask Legislator Spencer to join me as we recognize
21 Kevin Markham and Jacqueline Brown. Maybe Legislator Anker as
22 well. So today Legislator Spencer and I join my fellow colleagues
23 in honoring Kevin Markham, Auto Mechanic IV and Fleet Manager from
24 Suffolk County Sheriff's Office as an outstanding Suffolk County
25 employee with the Suffolk County Legislature's Employee Excellence
26 Award. Many County Employees work tremendously hard and are
27 valuable assets to their departments but are not recognized for
28 their dedication, outstanding efforts and achievements. I would
29 like to thank Sheriff DeMarco and Chief Deputy Sheriff Sharkey for
04:36PM 30 participating and nominating Kevin Markham for the Suffolk County
31 Legislature's Employee Excellence Award.
32

33 Kevin has been managing their fleet for six years, which is no easy
34 task considering the number of vehicle. There are over 270 patrol
35 vehicles and a total fleet of over 450 vehicles of all sorts from
36 ATV's to trucks and military surplus equipment. Given the scarcity
37 of financial resources, it has become more important than ever to
38 keep the entire inventory in service much longer than in the past,
39 I think we all know that, with many patrol vehicles in use for over
04:36PM 40 200,000 miles.
41

42 Kevin oversees a staff of four civilian mechanics, supplemented by
43 inmate labor, while working cooperatively with the Corrections
44 staff. He brings years of private sector experience with him,
45 having run his own automotive business. Kevin has implemented a
46 computerized system that tracks vehicle maintenance, inventory
47 control and future service dates.
48

49 He is instrumental in assisting in a layout and design of the new
04:37PM 50 Ford Interceptors. The amount of equipment and technology being
51 installed into vehicles is increasing every year, the challenges of
52 safely and effectively utilizing them in the vehicle is becoming
53 more and challenging due to the smaller footprint. Kevin has
54 worked with our local vendors and Police Technology Management
55 Section to meet these challenges and offers his years of knowledge
56 working in the industry to maximize the space available.

1
2 Through the use of the Federal Surplus Program, the Sheriff's
3 Office is able to procure equipment and vehicles for emergency use,
4 such as Humvees, to assist the Sheriff's Office and County
5 operations. In everyday maintenance Kevin has added responsibility
6 of ensuring these valuable assets are always available.

7
8 He's being joined as well, his fellow colleague, Jacqueline Brown,
9 who is a member of Legislator Anker's district, and Jacqueline is
04:38PM 10 being recognized as Legislator -- for the Legislature's Employee
11 Excellence Award. She started her career in Suffolk County in
12 March, 1994, as an Account Clerk with the Suffolk County Department
13 of Public Works and has taken several promotions to Senior Account
14 Clerk, Principal Account Clerk, Head Clerk and finally as
15 Administrator I with the Suffolk County Sheriff's Office in
16 October of 2010. Her normal duties at the office require her to
17 assist the Sheriff, Under Sheriffs, Chiefs, Wardens and Accounting
18 and Personnel Bureaus. Jacqueline is conscientious, honest,
19 hard-working and dedicated to fulfilling her job responsibilities.
04:38PM 20 She is consistently dependable and punctual in reporting to work
21 while always being helpful and cooperative. Her positive attitude
22 towards superiors and coworkers contributes to the success of the
23 Sheriff's Office.

24
25 She goes well above and beyond the requirements of her job, taking
26 initiative and taking on additional responsibilities and tasks.
27 She has offered to assist with Sheriff's Office Grants Bureau with
28 her accounting experience by managing approximately \$3 million in
29 yearly funding and assets. She does the Grant Bureau's financial
04:39PM 30 accounting and reporting, including the processing of all grant
31 orders and entries of payment vouchers and on and on.

32
33 I read that because it's important to understand the hard work that
34 our employees do. They don't get enough recognition and there's a
35 lot that they do, especially given the difficult times that we
36 face, and that's exactly why we wanted to -- my office instituted
37 this appreciation, because we felt that you guys don't get the
38 appreciation that you often deserve and this is just a small token
39 of our appreciation. We hope that you continue in the County for
04:39PM 40 many more years but we also want you to enjoy retirement, but we
41 certainly appreciate all the sacrifice that you have made.
42 Congratulations and thank you for a job well done.

43
44 *Applause*

45
46 D. P. O. CALARCO:
47 Congratulations to our employees. We have one last proclamation.
48 Legislator Fleming will present a proclamation to Police Officer
49 Michael Labrozzi.

04:41PM 50
51 *Applause*

52
53 LEG. FLEMING:
54 Thank you very much, Deputy Presiding Officer Calarco. I know that
55 you all know by this point that especially when we're here on the
56 East End in the 2nd Legislative District I like to take the

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1 opportunity to introduce you to the fine men and women of the
2 Police Departments that serve the towns on the East End. So I'm
3 here today with Chief A. J. McGuire, Mayor Sandra Schroeder from Sag
4 Harbor Village, along with Sergeant Drake, Robert Drake, sorry, to
5 honor Officer Michael Labrozzi. Michael is unfortunately becoming
6 -- has become a part of a large and growing fellowship in law
7 enforcement that we increasingly rely upon because of the terrible
8 scourge of Opiate addiction.

04:43PM 10 Two weeks ago today, I think it was exactly two weeks ago today,
11 Officer Labrozzi answered dispatch to a residence in the Village of
12 Sag Harbor. Upon arrival he found a 35-year old man unresponsive.
13 He recognized immediately the symptoms of an overdose and without
14 second guessing himself administered one dose of Naloxone followed
15 by rescue breathing. He was accompanied at that point by Sag
16 Harbor Volunteer Ambulance Corp. Shortly after receiving the
17 Narcan and CPR, the victim began to breathe, and as a result of
18 Police Officer Labrozzi's actions, his ability to work well under
19 pressure, he was credited with saving the young man's life.

04:43PM 20
21 It's a terrible story that we're hearing over and over again, but
22 there is one glimmer of hope that I wanted to bring to your
23 attention because of our law enforcement partners. In 2016 Suffolk
24 County suffered 327 Opiate related deaths, of which 20 were from
25 the East End, and in 2017 there have been only 76 cases. I hate to
26 say only, but just talking about trends here, and six of those were
27 on the East End. So we're seeing a downward trend in fatalities in
28 Opiate addiction. Whereas reported Narcan reversals and lives
29 saved in 2016 were 683, and to date, the six months of 2017, are
04:44PM 30 429, so we're seeing a significant upward trend in lives saved by
31 Narcan. And now fortunately or unfortunately Officer Labrozzi has
32 become a member of that fellowship. We're deeply grateful to our
33 partners in law enforcement who are standing in where we need to
34 continue to pick up, to find a way to reverse this terrible scourge
35 of Opiate addiction.

36
37 I wish you all the best. I hope it doesn't come up again. I'm
38 afraid that it will and, you know, our thoughts and prayers are
39 with the gentleman who was saved and his family. Thank you
04:45PM 40 Officer, Chief McGuire, Sergeant, for all your help and the Mayor's
41 leadership as well. We've got to keep our shoulders to the wheel
42 on this one, but we know that you are out there doing it so thank
43 you.

44
45 *Applause*

46
47 P. O. GREGORY:
48 Okay. That is all the proclamations that we have. We are going
49 into our Public Portion. Actually where is Mr. Heilig? There you
04:46PM 50 are. Okay. We're at the statements and presentations portion of
51 our --

52
53 *Applause*

54
55 MR. HEILIG:
56 Thank you, Presiding Officer Gregory, Deputy Presiding Officer

1 Calarco and members of the Legislature. I thank you for the
2 opportunity to speak to you today on behalf of the District
3 Attorney and the approximately 190 Assistant District Attorneys
4 that we have serving this County.

5
6 I'm here to speak on IR 1368. You're all aware of it, you've all
7 received e-mails and letters from a number of the ADAs. I've been
8 in contact with several of you. I'm urging you to vote no on this
9 legislation or at least seek to table the legislation until a
10 better way can be sought. Why vote no? Because, quite simply,
11 it's not fair. It's not fair for you to place a financial burden
12 on the backs of exempt employees when the fiscal crisis facing the
13 County is driven by union contracts that you knowingly entered
14 into.

15
16 The Attorney Retention Program that we put before you back in 2014
17 that was passed as part of the 2015 budget to keep experienced
18 prosecutors from leaving the County and to keep morale up at a time
19 when other personnel were getting high increases in pay and
20 benefits was done, put before you and approved by you. Now, not
21 only two years later there's a bill before you seeking to prevent
22 those salary increases from going into effect for this year only.
23 That's wrong and it's wrong on behalf of everybody in this County.
24 And I speak on behalf of all the exempt employees in the County.

25
26 You voted for this legislation, you approved it and the ADAs relied
27 on it and now, not only two weeks away from getting that step
28 raise, the County Executive seeks to take it away from you by
29 putting this bill -- taking it away from them by putting this bill
30 before you. Again, it's not fair, it's immoral and it should be
31 voted down.

32
33 An amendment was put in at the last minute, I believe it was a week
34 ago that an amendment was put in setting an arbitrary number of
35 \$75,000 that for those exempt employees making \$75,000 or more they
36 would not receive a step raise. Yet there is nothing within the
37 legislation, there's nothing within the bill that explains why this
38 arbitrary number of \$75,000 was put in there. In our office what
39 that means is that there are seven ADAs that are going to get a
40 step raise that raises their salaries up to the same level as a
41 number of other ADAs that started before them, do the same work as
42 them, work just as hard as them, yet their good work is not going
43 to be recognized while seven ADAs are going to be recognized. And
44 they're going to be put up at the same level as them and then going
45 on year after year they will be at the same level. Again, it's not
46 fair, it's a morale killer and it should not be approved.

47
48 As I said, ADAs and other exempt employees have already made
49 financial-based decisions for them and their families for this year
50 and beyond based upon receiving those step wages on July 1st. Even
51 with this amendment the bill affects the people in the District
52 Attorney's Office far greater than it does any other office or
53 department in the County. Forty-one percent of the employees that
54 will be affected by this, of the exempt employees that will be
55 affected by this legislation, are in the District Attorney's
56 Office.

1
2 This is not the way to rein in a deficit that exceeds \$160 million.
3 We are willing to do our fair share as part of the County
4 workforce, but that burden should be shared by the entire County
5 workforce, not on the backs of the exempt employees only. There
6 should be a comprehensive plan whereby all County employees have to
7 contribute to the cause. Only then will it be fair.

8 Some say that we need to set an example and show leadership by
9 targeting the exempt employees so that other employees under union
04:50PM 10 contracts will follow. I disagree. That's been argued and tried
11 over the years. Over the past ten years that has been stated as a
12 reason for taking it out on the backs of exempt employees and where
13 are we today. We're in a worse situation than we've ever been. So
14 that doesn't work. Instead, if you want to show leadership, show
15 leadership by engaging in negotiations with unionized County
16 employees to get concessions that will help this County move along
17 on a good financial path and then having the exempts follow that
18 lead. That we're willing to do, that all exempt employees should
19 be willing to do because it will be borne by the entire County-wide
04:50PM 20 workforce, not just on the backs of the people that you can do it
21 to because they have no representation.
22

23 I would like to state that on the outside wall this building or
24 this auditorium is dedicated to Maxine Postal, and it says *Her*
25 *optimism, warmth and compassion, so reflective of her spirit,*
26 *nurtured a perpetual desire to give a voice to those who needed to*
27 *be heard.* Well, I'm asking you to be the voice of the exempt
28 employees in this County because you're the only ones we can go to.
29 The District Attorney, or Assistant District Attorneys for that
04:51PM 30 matter, are prevented by law from organizing, from unionizing. We
31 can't do it. We're not allowed to do it, so we're looking to you,
32 as we have in the past when you passed the bill back in 2014 under
33 the 2015 budget, to give us this increase in salaries. And before
34 that, and the reason we brought that to you was because in 2012 you
35 all passed the law enforcement union contracts, and all the law
36 enforcement in this County do a great job, but you passed those.
37

38 You knowingly passed those contracts, approved those contracts, and
39 at that time we had some employees in our office who were working
04:51PM 40 for 19 years without a step raise. They were at top step and
41 hadn't received a raise in 19 years working for this County. So
42 you agreed, you gave us the new salary plan, and it's been -- it
43 has had a great effect. We're not losing as many people over the
44 years as we have to the private sector, and the people that have
45 been there for years feel that they are now being commended for the
46 work that they do.
47

48 The Suffolk County Code states that there is a natural progression
49 of salary scales between management and labor which ensures fair
04:52PM 50 compensation, affordable personnel costs, high employee morale and
51 discipline and incentives to employees to strive to move up the
52 career ladder of County employment. It's Article 2, Section 205-4
53 of the Suffolk County Code. If you take this action today and pass
54 this bill against the exempt employees, you are providing -- you
55 are providing fair -- you are not providing fair compensation
56 between management and labor as you have awarded labor so much

1 more. You've actually turned this provision on its head. I
2 believe originally this provision was meant for the employee
3 workforce, the unionized workforce, that they would have the same
4 type of salary scale as management, but it's been turned on its
5 head and it's so upside down now that I don't know where we go from
6 here.

7
8 You're ensuring low morale with the office's served by exempt
9 employees and you're providing no incentive for exempt employees to
04:53PM 10 strive to make this County a better place. It's difficult for ADAs
11 to keep up with morale when you threaten to take step raises from
12 them while police officers and detectives, who they work side by
13 side with every single day, 24/7, are getting huge salary and
14 benefit increases that go far, far beyond what an ADA earns.

15
16 By way of example, in the 2016 Suffolk County salaries listed in
17 the Newsday database, you have to go through 15 pages, 750 names,
18 before you get to the highest paid member of the DA's Office, and
19 that's our Chief Assistant. The Chief Assistant has been working
04:53PM 20 for the betterment of this County for over 38 years in the District
21 Attorney's Office, yet a few spots before her on that list there is
22 a police officer listed who started in 2011, six years ago, who in
23 2016 made more than the person with 38 years of experience in the
24 criminal justice system, who has a college degree, has a law degree
25 and has been working for you for the last 38 years. That is
26 absurd. And how we got to that spot I don't know.

27
28 And you talk about education. Every single ADA has to go to
29 undergraduate school, law school, pass the bar exam and get
04:54PM 30 admitted. And yet in your contracts that you gave out in 2012 to
31 the police unions you awarded them an education allowance and they
32 didn't even need to have the education to get that salary increase.
33 It's absurd.

34
35 As I said, the ADAs work side by side with police officers and
36 where they get paid for every second of overtime they work, ADAs
37 get paid nothing when they work overtime. As an example, in our
38 Narcotics Bureau, and this is just the Narcotics Bureau, since 2009
39 we've been keeping statistics and only with respect to wiretap
04:54PM 40 investigations. And you all know that wiretap investigations are
41 one of the most significant tools in combatting the current heroin
42 Fentanyl crisis that we have, and hopefully we can stem the tide on
43 this epidemic. ADAs conducting these investigations have donated
44 to this County approximately 7,000 hours of uncompensated time to
45 ensure that a proper result is reached in these wiretap
46 investigations. None of these wiretap investigations or rarely do
47 these wiretap investigations go to trial. Why? Because we do such
48 a good job on them with the Police Department that nobody goes to
49 trial. They can't go to trial. It's their own words that convict
04:55PM 50 them if they go to trial. And there have been pleas on every
51 single one of them. Yet 7,000 hours have been donated. That
52 figure is more than 775 hours each year of uncompensated time.

53
54 To put it another way, the County has received four full free years
55 of work from the ADAs in the Narcotics Bureau alone since 2009, and
56 that's just for wiretap investigations. It doesn't include the

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1 work of the Supervisors, the other employees and the other ADAs in
2 the Bureau. This is not only in the Narcotics Bureau, but this is
3 repeated by every other Bureau in the District Attorney's Office.
4 Every ADA works overtime hours, days, nights, weekends, answering
5 questions, doing search warrants and not compensated for a second
6 of that time.

7
8 In addition to not being paid for overtime, ADAs receive no extra
9 pay for night court assignments, weekend holiday arraignments, on
04:56PM 10 call assignments, crime scene response, after hours trials,
11 hearings and Grand Jury preparation. That is the -- a lot of times
12 our ADAs will meet with police officers while they're on their
13 night tour to make it easier for the County so they're not getting
14 overtime, but they ADAs will meet with them and prepare for hours
15 for trial but they don't get paid for it. Community outreach they
16 don't get paid for. We do a lot of presentations in school
17 districts regarding -- as a matter of fact, right at this time of
18 the year our Vehicular Crimes Bureau does a lot of presentations at
19 schools. It's prom season, it's graduation season, so we do a
04:57PM 20 number of presentations on the dangers of drinking and driving. We
21 don't get any compensation for that community outreach, for
22 clothing and cleaning allowance, after hours CLE attendance.

23
24 The cost savings under this proposed bill are minimal at best;
25 \$542,000 in 2017, an estimated \$3.7 million over five years, is a
26 drop in the bucket compared to the deficit we face and the money
27 that this County spends on a yearly basis. But I want you to take
28 into consideration with that that our office alone, as far as
29 exempt employees go, we return about three times that amount of
04:57PM 30 revenue every year as a result of our Tax Crimes Unit doing sales
31 tax cases. In 2016 alone we returned \$1.8 million to the County by
32 prosecuting sales tax violators. Since 2006 we've returned over \$11
33 million to the State in all types of tax crimes situations --
34 rather, I'm sorry, it's over a million -- \$11 million to the County
35 in sales tax revenue since 2006. Now, we're not mandated to do
36 sales tax cases. We can do income tax cases and other types of tax
37 crimes we can investigate --

38
39 P. O. GREGORY:
04:58PM 40 Ed --

41
42 MR. HEILIG:
43 -- but we do the sales tax cases because we know that it returns
44 money to the County.

45
46 P. O. GREGORY:
47 Ed, I hate to interrupt you.

48
49 MR. HEILIG:
04:58PM 50 That's all right.

51
52 P. O. GREGORY:
53 But I do have some Legislators that have questions for you and we
54 have to get to Public Portion. It's actually my mistake, we should
55 have gotten to Public Portion before we called you.

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1 MR. HEILIG:

2 I thought so.

3

4 P. O. GREGORY:

5 I looked at the agenda wrong.

6

7 MR. HEILIG:

8 I'll be five more minutes.

9

04:58PM

10 P. O. GREGORY:

11 We can't. I have 40 cards almost. It's going to be an hour,
12 almost two hours, the Public Portion. But I do have some
13 Legislators that have questions for you, so hopefully you can get
14 out that information.

15

16 MR. HEILIG:

17 Sure, absolutely.

18

19 P. O. GREGORY:

04:58PM

20 Legislator Lindsay has a question.

21

22 MR. HEILIG:

23 Sure.

24

25 LEG. LINDSAY:

26 Thank you for the information. And, you know, I'm sure I speak on
27 behalf of everybody on the Legislature that we appreciate the work
28 that everybody does within the District Attorney's Office. We know
29 it's a difficult job and that it takes a lot of effort from a lot
04:59PM 30 of people to make our County as safe as it is right now, so we
31 appreciate that.

32

33 My question is very quick. On the -- when we did the salary
34 increases, those step increases a few years back, do you have any
35 data that shows that it had a positive effect? Your average
36 tenure, has it gone up, has it gone down, has it stayed the same in
37 that time period?

38

39 MR. HEILIG:

04:59PM

40 I don't have complete statistics, Legislator Lindsay, but what I do
41 know is I can tell you I handle all of the hiring and the people
42 who leave the office. And I can tell you that it has gone down.
43 Not as many people are leaving the office as they have since this
44 was passed as part of the 2015 budget. Remember, this didn't take
45 effect until July 1st of 2015. We're only two years into it.

46

47 LEG. LINDSAY:

48 Right. You know, I'm asking you for best guess, though. Has it
49 been ten less people have left a year, 20 less people have left?

04:59PM

50

51 MR. HEILIG:

52 It wouldn't be that high. It would be maybe five less, I would put
53 it in that 5 to 10 less than we had leaving in the past. It's not
54 only the salaries, you know, it is a good job for people to have so
55 because of the economy people stay within the job. So we fluctuate
56 with our losses and gains with the economy.

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05:00PM

05:01PM

05:01PM

05:02PM

05:02PM

LEG. LINDSAY:
Okay. Thank you.

P. O. GREGORY:
Legislator Browning.

LEG. BROWNING:
Thank you. And, again, I want to say thank you to the ADAs because I've had many occasion to have to call them for constituents, especially a couple of murder cases. And, you know, I know that, you know, the sex offender issues is something that's been important to me and I know that your office has been phenomenal.

I'm just curious. Do you have any numbers on the revenue that you bring in, tax fraud, various issues, that occur in the County where you've actually brought in money and do you have those numbers?

MR. HEILIG:
Yes, I do. I can tell you numbers for sales tax return to Suffolk County. The total since 2006 is \$11,188,277.84. To date in 2017 we have returned 564,698. I expect that to double by the end of the year, if not go further. For 2016, which is the best number to look at, we returned 1.794 three-hundred and ninety-eight thousand and seven cents to the County. And I also remind you that's all free to the County. It's a grant. We get a grant from the Criminal Justice Services, Division of Criminal Justice Services, to run this program and that grant pays for all of the salaries of the ADAs in the Tax Crimes Unit, the secretarial staff, our auditors and I think one of -- a couple of the investigators as well. So it's a double -- you're getting double the money for doing these types of cases.

LEG. BROWNING:
Okay, thank you, because I just want to make sure that people are aware that, you know, you're not just prosecuting cases, but you're also bringing money in.

MR. HEILIG:
And I thank you for your compliment with our response to your inquiries. As most of the Legislators know, I've dealt with many of you on responses and regardless of what happens we will continue to do so.

P. O. GREGORY:
Okay. Legislator Trotta.

LEG. TROTТА:
Just I want to go over the numbers again. There's 41% of these people are in your office.

MR. HEILIG:
Forty-one percent of the people affected by this legislation. It does not affect all of us, it affects about 139, I would say, of our ADAs. Well, not I would say. I looked at our numbers. It's about 139.

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05:02PM

05:03PM

05:03PM

05:03PM

LEG. TROTТА:
Out of how many people does it affect totally in the County?

MR. HEILIG:
I think it's about -- just over 300 I believe.

LEG. TROTТА:
So you're almost a third of them. And these are guys who are making more than 75,000, but not at the top step.

MR. HEILIG:
Correct. Nobody in our office -- when we did the salary -- changed the separated salary plan back in 2015 nobody is at -- was at -- nobody is now at top step. There were about probably 80 to 90 at top step at that time.

LEG. TROTТА:
So it's been changed?

MR. HEILIG:
Back in 2015 the Attorney Retention Program just changed the grades of the ADA positions. It raised them. So if you were prior to that you were grade a 27, step 10, you now went up to a grade 31, step three, so that you would get more steps.

LEG. TROTТА:
So everyone has more steps.

MR. HEILIG:
So everyone has more steps.

LEG. TROTТА:
So it affects everyone in the office.

MR. HEILIG:
It would affect -- well, not the newer employees that have been --

LEG. TROTТА:
That are below 75 but it affects everyone above that.

MR. HEILIG:
Which is 140 people.

LEG. TROTТА:
Okay. And so how many steps are there total now?

MR. HEILIG:
There are 11 steps in the management plan. Well, there are 12 steps. There's a 10A step. There are 12 total steps.

LEG. TROTТА:
Twelve total steps, but you shifted it up, so it affects everyone still. Is that what's going on?

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1 MR. HEILIG:

2 Correct.

3

4 LEG. TROTТА:

5 So someone who is very high is probably at step 11 now or?

6

7 MR. HEILIG:

8 I don't know if anybody is at step 11. I believe they're at step
9 10A or 10 right now. And it goes down.

05:04PM 10

11 LEG. TROTТА:

12 So there's a couple of more steps. For someone's there for
13 35 years they're going to get two more steps and they're done.

14

15 MR. HEILIG:

16 About that, yes, that's right.

17

18 LEG. TROTТА:

19 And this is a new thing that we just put in a couple of years ago.

05:04PM 20

21 MR. HEILIG:

22 Correct. It took effect July 1st of '15 so it's almost two years.

23

24 LEG. TROTТА:

25 And they're stopping.

26

27 MR. HEILIG:

28 And now -- then we're going to stop, correct.

29

05:04PM 30

LEG. TROTТА:

31 And you get no overtime. I got it. All right. Thanks.

32

33 P. O. GREGORY:

34 Legislator McCaffrey.

35

36 LEG. McCAFFREY:

37 Thank you. Ed, I just want to confirm. I think I heard you say
38 before that if this was part of an overall budget fix where
39 everybody participated, including the people sitting around this
05:04PM 40 horseshoe, you wouldn't be objecting to these? As long as there's
41 fairness across the board to everybody?

42

43 MR. HEILIG:

44 How could we? I mean, it would be fair. If everyone is accepting
45 the part of the burden then there's no way to oppose that.

46

47 LEG. McCAFFREY:

48 It sounds fair to me, too.

49

05:04PM 50

P. O. GREGORY:

51 Okay. All right. Well, thank you, Ed.

52

53 MR. HEILIG:

54 Thank you.

55

56 *Applause & Standing Ovation From ADA's in Audience*

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1
2 P. O. GREGORY:

3 Okay. All right, so we are going into the Public Portion. Because
4 it's an evening meeting we're restricted for the Public Portion
5 until 6:30 where we have to have our Public Hearings, and once we
6 commence -- finish commencing our Public Hearings then we go back
7 to Public Portion if there aren't any -- if everyone has not had an
8 opportunity to speak. And we have a lot of cards. So first being,
9 I can't understand the writing exactly, but I think it's John
05:05PM 10 Leila. Okay, all right. And then on deck, Jason Ide. Every
11 speaker has three minutes.
12

13 MR. LEITA:

14 Sorry about my chicken scratch, Sir. It's it's John Leita. My
15 handwriting is horrible. Luckily my e-mailing skills aren't, and
16 that's the first thing I would like to talk about. I would like to
17 thank the County Legislators for reading my various e-mails that
18 I've sent since Friday over the weekend. And I was really happy
19 and surprised that several of you actually reached out to me and
05:06PM 20 we've had a long dialogue. I would like to thank Leslie Kennedy.
21 We've been speaking up -- I'm the person that's been e-mailing you
22 right up until this meeting. She's been going back and forth with
23 me e-mailing me. She is very attentive to my concerns and she has
24 demonstrated to me what an effective and good politician can
25 actually be and restored my faith in government. Thank you.
26

27 I would also like to thank Legislator Barraga, whose Chief of Staff
28 spent many minutes on the phone with me, actually a couple of hours
29 on the phone with me, talking about the issues. Legislator Trotta,
05:06PM 30 you got back to me on this issue over the weekend. It doesn't look
31 like you remember but you did and you said interesting points, that
32 was your e-mail. And Cilmi actually spoke to me, too. We disagree
33 a lot, but we've had the dialogue going back and forth.
34

35 I'm talking about Introductory Resolution No. 1524 and 1542. Right
36 now I'm talking about 1542. And the Public Hearing, I'm going to
37 be saying a lot of the things again but some new things on 1524. I
38 come to you tonight representing a group that hasn't been
39 represented in the ride sharing debate that's been going on, and
05:07PM 40 that is the point of view from a traditional cabdriver who wants to
41 switch to a ride sharing service and to why.
42

43 I understand that it is a new thing in Suffolk County and that
44 there are a lot of issues that everybody is concerned about. I
45 have taken Uber in other areas. My wife is legally blind and she's
46 going to be speaking later tonight too, and she's used Uber. And
47 I've been a cabdriver on and off since I was 19-years-old, before
48 college and then after college. My career didn't go the way I
49 thought it would and I went back to cab driving and I have been
05:08PM 50 doing it solid since 2009.
51

52 As far as 1542 goes, nobody wants to see sexual deviants riding a
53 cab or a ride share service. I wholly agree with Leslie Kennedy on
54 that issue. I don't think there is a sane person who would
55 disagree with you on that issue. A sane person I said. But
56 anyway, you know, most drivers are not in that category of sexual

1 predators, myself included. I have passed a fingerprinting test
2 done by the Town of Islip and I have passed a test done by Uber as
3 well.

4
5 The reason why I'm speaking is I understand it's an issue, but I am
6 going to urge all of you if you can to put pressure on the State
7 Assembly and the Senate to get their bills passed before they go
8 into recess because this is an opportunity for not only for
9 drivers, but the main thing is it's an opportunity that is going
10 to, and I say this, there's studies done on this that I'll quote.

11
12 *(Timer Sounded)*

13
14 It's going to save lives because there's drunk drivers out there
15 and the traditional cab companies are not able to meet that demand.
16 They're licensed right now town by town --

17
18 P. O. GREGORY:

19 Mr. Leita, your time has expired, please wrap up.

20
21 MR. LEITA:

22 Okay. I'll wrap it up. And basically I'm allowed to drop somebody
23 off in Babylon, and I've seen myself that there are people who have
24 been drinking that I have to tell no, I can't pick up because I'm
25 only licensed in Islip, and I watch them get in a car and drive
26 themselves.

27
28 P. O. GREGORY:

29 Thank you.

30
31 MR. LEITA:

32 And the traditional cab companies don't want to change. I'm urging
33 you to do a hot fix on this bill while Uber is allowed so that we
34 could save lives.

35
36 P. O. GREGORY:

37 Thank you.

38
39 MR. LEITA:

40 Thank you for giving me this opportunity and you will be hearing
41 from me again later.

42
43 P. O. GREGORY:

44 Yup.

45
46 MR. LEITA:

47 I forget to hand it out, but I have fliers --

48
49 P. O. GREGORY:

50 You can hand it to the lady right there.

51
52 MR. LEITA:

53 -- I would like to give to the Clerk to distribute to you guys.

54
55 P. O. GREGORY:

56 All right. Thank you.

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1
2 MR. LEITA:
3 Thanks again for the time.

4
5 P. O. GREGORY:
6 Okay, thank you. Jason Ide and then on deck, Roger Clayman.

7
8 MR. IDE:
9 Hi. My name is Jason Ide. I am the President of Teamsters Local
05:09PM 10 814. Our local represents workers in the moving, storage and new
11 furniture industries. I'm here today because we have a problem
12 that we need your help with. There's a company in Suffolk County
13 called Waldner's Business Environments that sells new furniture to
14 many large companies and actually townships and even some
15 universities, both on Long Island and in the City. They've had a
16 contract with the teamsters for over 40 years and they have
17 long-serving employees there, some of whom have 30 or 40 years of
18 service.

19
05:10PM 20 We got a letter, our Local got a letter on April 25th saying the
21 company would be terminating every single one of these employees,
22 replacing them with cheaper subcontractors and effectively busting
23 the union. Everybody here is all -- we're all concerned about
24 middle class jobs, we're concerned about decent benefits and decent
25 retirement for folks here on Long Island, and we want to know --
26 everybody's asking where is the middle class going. Well, this is
27 where the middle class is going. When unions get busted, when
28 workers get thrown to the curb so that companies can hire cheap
29 labor to make an extra dollar, that's what's happening.

05:10PM 30
31 I want to take a quick second, because you're going to be hearing
32 from some of the workers tonight and some of my colleagues as well
33 and some folks from the Long Island Federal of Labor, but we will
34 be asking all of you to sign a letter in support of these workers.
35 I want to thank specifically Presiding Officer Gregory for his help
36 getting involved in the situation and I couldn't thank everybody,
37 but County Executive Bellone and Executive McCaffrey -- I'm sorry,
38 County Legislator McCaffrey, for getting involved in this
39 situation. And once again, you'll be hearing from the workers
05:11PM 40 tonight, but we ask each and every one of you to sign our letter to
41 this company asking them to do the right thing by these employees.
42 Return to the bargaining table, negotiate a contract with their
43 union. Thank you very much.

44
45 *Applause*

46
47 P. O. GREGORY:
48 Okay. Roger Clayman, then on deck Robin Roach.

05:11PM 49
50 MR. CLAYMAN:
51 Good afternoon. My name is Roger Clayman. I'm the Executive
52 Director of the Long Island Federation of Labor. I'm here to
53 support the Teamsters Local 814 and the contract fight that they
54 are now engaged in. I want to thank you for giving your attention
55 to the teamsters and some of the workers who are here and their
56 families explaining what the meaning of the closing of this

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1 operation will be. I also want to thank you, Presiding Officer
2 Gregory, for your efforts, Legislator Stern for your efforts, the
3 County Executive. We've tried. Many of you have made a lot of
4 efforts to try to bring this to some solution. We never asked that
5 there be a specific solution. What we asked was that the company
6 do what they're legally required to do, which is to sit down and
7 bargain with the union at the point where they are beginning to
8 discuss terminating an operation.

05:12PM

9
10 There's no substitute for collective bargaining. That's the way
11 our system works. They have to sit down and discuss it at the
12 bargaining table. There's no alternative. Unfortunately we
13 haven't gotten there yet, but this is a major priority for us. I'm
14 sorry we've been coming to you with a lot of priorities lately,
15 such as the Clare Rose strike, but there are not obvious solutions
16 to these problems, and we call on our friends for help. We don't
17 take it lightly when we come to you and ask you and you've always
18 been there, irrespective of party, to ask employers who do business
19 in this County, or employers in general on Long Island, to do the
20 right thing, to live up to the law, to respect their workers and
21 their families and to at least get to the bargaining table where
22 solutions are achieved, not to posture or to run away.

05:13PM

23
24 So what -- the union will be asking you to sign a letter. I hope
25 you will do that. We thank you again for your support. You're
26 going to hear from some of the workforce. Please pay attention to
27 the compelling stories because this is about their lives and their
28 families, it's not just about another dispute between a union and a
29 company. This is a significant one. Thank you for your attention.

05:14PM

30
31 *Applause*

32
33 P. O. GREGORY:

34 Thank you, Roger. Okay, Robin Roach and then on deck, Kevin Roach.

35
36 MS. ROACH:

37 I want to thank the Legislature for hearing us today. This
38 profoundly affects my family. I have a son with Down Syndrome.
39 Losing his health insurance profoundly affects us. My husband will
40 go into a little more detail about that. I want to give you an
41 idea of the life of a teamster at Waldner's. My husband's been
42 there 33 years, originally being hired by Perry Waldner in Mineola.
43 He's been an exemplary employee. I think he has one blemish for
44 being late because of a car accident. He likes to joke about that.
45 He's been on jobs that have ended at three in the morning in New
46 York City, has slept in Times Square, has slept in Penn Station,
47 has slept in the warehouse, on trucks and on vans to make sure he
48 was there the next day. To make sure the deliveries got done. He
49 missed countless recitals, scouting events, birthdays, school
50 functions and was even late getting to the hospital when my
51 youngest son was born, because he was on a delivery and he needed
52 finish. They asked him to stay and he did.

05:15PM

53
54 In return Waldner's was always very good to us. It wasn't all bad.
55 That's what makes this so incredibly sad. Several years ago my son
56 was granted a wish from a wish granting organization. Waldner's

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1 helped pull off the surprise and they threw my son a party. The
2 then executive team, which is now different, gave us a donation and
3 pledged that my son Brian would never want for anything again.
4 They're breaking that promise. I do not know what happened to the
5 company that we knew.

6
7
8 To make matters worse, my husband's mother passed away and the day
9 he came back they told me he was losing his job. He vowed to fight
05:16PM 10 for his family as any good man would do. The company's success was
11 on the back of workers like my husband. I am asking you for your
12 help. These are good men, they all work like this, hours on end,
13 missing a lot, and they helped make this company what it is. So
14 Thank you.

15 *Applause*

16
17 P. O. GREGORY:
18 Thank you. Okay, Mr. Roach, Kevin, and then Julian Tysh.

19
05:17PM 20 MR. ROACH:
21 Good afternoon and thank you for the opportunity to speak to you.
22 Thank you especially Presiding Officer Gregory. It's good to see
23 you again. My name is Kevin Roach and I am the shop steward at
24 Waldner's Business Environments, and as my wife mentioned, I have
25 been employed there for 33 years. What's going on here for a
26 company that promotes itself as a family is just flat out wrong.

27
28 As you are aware, my family is here today. My oldest son, Daniel,
29 currently attending Sacred Heart University; my son Kevin, a junior
05:17PM 30 volunteer firefighter in three weeks time is going to go to a
31 recruiter's office and join the United States Marine Corps in the
32 Delayed Entry Program, and --

33
34 *Applause*

35
36 -- and my youngest son Brian. Thank you. What do I tell my sons.
37 Do I tell my eldest son, Daniel, that he has to drop out of
38 college, a college he is going to, by the way, despite the fact
39 that he has ADHD, anxiety and clinical depression. What do I do if
05:18PM 40 my youngest son, Brian, who my wife eloquently spoke about and who
41 has Down Syndrome, what do I do if I lose my health insurance
42 because I lose my job? Because Brian has Down Syndrome he has a
43 comprised immune system. He is at greater risk for getting
44 Leukemia and other diseases, and he already has Celiac's Disease.

45
46 We have always tried to teach our sons to do what is right. That
47 is why I am asking honorable public servants for your help. Help
48 me, help my men, help their families, but please, also help my wife
49 and I to prove to my sons that the lessons we have taught them are
05:18PM 50 not false, that hard work and fair play are the paths to go down,
51 not greed and deceit. Thank you very much for your time.

52
53 *Applause*

54
55 P. O. GREGORY:
56 Thank you. Julian Tysh and then MaryAnne Johnston.

1
2 MR. TYSH:

3 Thank you to the Legislature for having us and for listening to
4 these important concerns that our members are going through. My
5 name is Julian Tysh. I'm an organizer with Teamsters Local 814,
6 also the Political Coordinator. I do want to thank everyone from
7 Mr. Stern to Mr. McCaffrey to Mr. Gregory, Ms. Browning, who I met
8 recently, everyone who has weighed in, who's tried to find us a
9 resolution to this issue, but I also want to speak about this, it's
05:19PM 10 sort of a bigger picture.

11
12 You heard the stories, you hear what's going on in the Roach
13 household, Kevin Roach, Robin Roach, what losing their jobs means
14 to them and to their families, but also you guys have here an
15 opportunity as a Legislature. Not just an opportunity to help
16 bring the company to the table so we can reach an amicable
17 resolution, but you have another opportunity here as Legislators
18 doing what you do. You have an opportunity to sort of set some
19 standards to what type of business we do as a County, what type of
05:20PM 20 business we do as Long Island or as New York City, or as any
21 municipality. You guys, you get to okay public contracts, you get
22 to figure out who does business with each municipality and I think
23 we have an opportunity here, and I would encourage the Legislature
24 not only to sign our support letter to Waldner's to ask them -- to
25 the company to, you know, to come to the table, but I would also
26 encourage us to let's take a more thorough process. Let's look at
27 are we doing business with a company like Waldner's, are we doing
28 business with companies that violate Federal Labor Law. Is that
29 where our tax dollars are going? And if they are, let's look at
05:20PM 30 responsible contracting language that will prohibit that kind of
31 thing. Let's make sure that when taxpayers who are in this room,
32 all of us being taxpayers, when we have our tax dollars spent by
33 any municipality that it should be going to highest road actors.
34 It should be going to companies that are going to return that
35 investment fully by supporting good jobs that people can make a
36 living on, not by violating Federal Labor Law and firing people and
37 replacing them with cheaper subcontractors. I don't want my tax
38 dollars going to that kind of thing and I'm sure most of the folks
39 here don't want their tax dollars going that way either.

05:21PM 40
41 So I would encourage you to continue supporting our fight and we
42 appreciate that, but let's also look at what we can do to take a
43 further step to make sure we are ethically using public dollars and
44 supporting a company like Waldner's if they want to get back on the
45 right track, which they were on for so long, right, but not
46 supporting them in their current incarnation where they're trying
47 to break up the union and break up people's families. So I thank
48 you for your support and I want to put that on the table for the
49 Legislature. Thank you.

05:21PM 50
51 *Applause*

52
53 P. O. GREGORY:

54 Okay. MaryAnne Johnston and then Anthony Greenman.
55
56

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1 MS. JOHNSTON:

2 Good afternoon, members of the Legislature. MaryAnne Johnston,
3 President of the Affiliated Brookhaven Civic Organizations. I have
4 two items I'm going to address this afternoon quickly. On 1368, I
5 spent 28 years working in the Federal Government with exempt
6 employee attorneys. You can't get a good result unless you pay for
7 it. If you hire --

8

9

Applause

05:22PM 10

11 -- people who don't have the expertise to enforce our laws and to
12 make Suffolk as safe as it can possibly be, you will end up with a
13 County police force that is very well paid but a jurist department
14 that cannot get a conviction. So I ask that you consider that you
15 keep their -- the promise to those exempt employees.

16

17 The next thing I want to address is 1509. I support the idea and I
18 came here to speak in favor of 1509 because there are current plans
19 for projects that should not be moving forward in Suffolk County.
20 I have a lot of grass roots action and attention to people in the
21 County. The last thing in the world they want is an urbanized
22 environment, and we're moving very rapidly there because we are
23 facilitating it. If you want to build 9500 units in Brentwood, you
24 need to build your own sewer plant, not dump it three miles out in
25 the ocean from Bergen Point so it can wash up in East Hampton and
26 other places. That's what's happening. We can't create dead zones
27 in our oceans and we need to stop taking water out of our aquifers
28 and dumping it into the ocean which creates salt water intrusion
29 and doesn't replenish the finite source that is our drinking water.

05:23PM 30

31 But I have one problem with this bill; 300,000 gallons a day allows
32 1,000 units to go forward using the same giddy-up they've been
33 using all along. Let's dump it at Bergen Point or any of the other
34 22 County facilities. That doesn't work. If you want to build
35 here you have to contribute to making this environment the safest,
36 cleanest environment we can have. And if you can't do that, there
37 are other places to build. We cannot begin to keep delaying action
38 on our water quality. And we cannot build as if we don't have an
39 issue and we've been doing that for too damn long. So I'm going to
40 ask you very honestly to pass this bill right now, but I'll be back
41 here month after month, week after week, year after year until we
42 understand Long Island is a lifeboat and it's time you guys climbed
43 in. Thank you.

05:24PM 44

45

Applause

46

47 P. O. GREGORY:

48 Okay. Mr. Greenman, Anthony Greenman, and then Lawrence
49 Blessinger.

05:24PM 50

51 MR. GREENMAN:

52 My name is Anthony Greenman. I'm a teamster. I used to work for
53 Walden's. This is a devastating issue for me. I'm 63, I don't
54 plan on retiring, I'm a widower. I was hoping for guidance, help.
55 That's what we're really looking for. We need the help. Thank
56 you.

Applause

P. O. GREGORY:

Thank you, Mr. Greenman. Mr. Blessinger and then Andy Powell is on deck.

MR. BLESSINGER:

Good evening, Presiding Officer and members of this Legislative body. I'm here to discuss the TNC bill that was passed in Albany in April. I believe everybody in this legislative body has heard the concerns of the criminal fingerprinted background checks that the Uber and Lyft drivers are not required to get. I'm going to touch on another point that I believe that a lot of people could be missing.

Currently right now the way it works, according to the bill, is that your passenger car can become an Uber vehicle with passenger plates. So that means whoever your personal auto insurance is, your Geico, State Farm, your Travelers, that will be the insurance that's initially on the car and then allegedly when the tablet is on Uber Lyft's hybrid insurance or their excess policy will cover you. My question is what happens when a driver is at one of the local train stations hacking the rail trying to get customers coming off the train and the tablet's not on and then an accident occurs as they're pulling out of the train station. It specifically states in your personal auto dec page, within the first few pages, that if you're using the vehicle for hire there will be no coverage. So there will be denial in coverage if an accident occurs. So that means the passenger that is in the back that needs medical benefits could be denied their no fault benefits, which if you had traditional commercial auto insurance that wouldn't be an issue. Okay? This is definitely a big issue to the residents of this County, is that once accidents start occurring, there could be denial of coverage and it is a factor that the residents should be very concerned about.

Yes, we are very concerned about who's driving the car, but we also need to be concerned that there's proper insurance in place. By having proper insurance in place there should be 24-hour commercial auto insurance on these cars, not where one minute Geico's covering it and then the next minute if the tablet's on Uber or Lyft's hybrid insurance allegedly is going to cover the claim. What's going to happen when the tablet's not on and the driver picks up a passenger at the local train station. That is my question, and I believe it's a very big issue for the residents of this County.

In New York City, Uber and Lyft follow all traditional taxi rules that are governed by the New York City Taxi and Limousine Commission. Why can't Uber and Lyft follow the traditional taxi rules that are in Suffolk County? That is -- that's a big question.

(Timer Sounded)

Again, hopefully this legislative body will opt-out and protect the

1 riding public of Suffolk County. Thank you and have a good day.

2
3 P. O. GREGORY:

4 Thank you. Okay, Andy and then Michelle Aulivola.

5
6 MR. POWELL:

7 Mr. Presiding Officer, Legislators, it's an on honor again to be
8 here before you. My name is Andy Powell. I am a Funeral Director.
9 My funeral home in Amityville. My colleague, Rich O'Shea, has a
10 funeral home in Hampton Bays as well as Patchogue. But more
11 importantly we're here to represent the New York State -- I'm sorry
12 -- the Nassau/Suffolk Funeral Directors, that's my other hat, the
13 Nassau/Suffolk Funeral Directors Association in support of
14 Legislator Trotta's Resolution 1271 to eliminate what is politely
15 put as the cremation approval fee. In our industry we consider
16 that a cremation penalty tax. We feel that it's gone on too long
17 and should be eliminated. Our cremation families that chose that
18 disposition, there's no reason that they need to pay a \$60
19 cremation clearance fee. We're the only county in New York State
20 that has such a fee.

21
22 *(*The following was taken and transcribed by*
23 *Lucia Braaten - Court Stenographer)*

24
25 MR. POWELL: *(Continued)*

26 Many other counties require the same cremation clearance process
27 through their medical examiners or their coroners, but do not
28 charge a fee, including the five boroughs. I would like to think
29 that we could probably do better than that for our cremation
30 families. There's no reason for them to continue to be
31 discriminated against and pay that tax.

32
33 And I would like to see this body stand behind Legislator Trotta's
34 resolution as well. Eliminate that tax or that assessment and
35 give -- give our cremation clearance or cremation families their
36 just respect.

37
38 I don't know if my colleague, Rich, has anything to add.

39
40 MR. O' SHEA:

41 I have nothing I would add than my associate, Andy Powell,
42 president-elect of the New York State Funeral Directors
43 Association. We just stand here on behalf of over 180 firms here
44 on Long Island, over 1,000 funeral directors supporting tens of
45 thousands of families who are in mourning, who may be grieving, and
46 who may elect to choose cremation, and at least in Suffolk County
47 are being penalized for that choice.

48
49 The Medical Examiner does this as a natural course of things to
50 clear cremation, and rightly so. However, it is part of their job.
51 And I see no reason to penalize families that choose that when it's
52 part of the Medical Examiner's job to do.

53
54 P. O. GREGORY:

55 Could you speak a little closer to -- we're having a little problem
56 hearing.

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1
2 MR. O' SHEA:
3 I'm very sorry.

4
5 P. O. GREGORY:
6 There you go. All right.

7
8 MR. O' SHEA:
9 Yeah. I see no reason to penalize families that choose cremation
05:31PM 10 and hit them with a fee that's already incorporated into the
11 Medical Examiner's charter. And that's all I have to say. I'm
12 happy to support the proposal by Legislator Trotta to dissolve this
13 fee. Thank you so much for your time, Ladies and Gentlemen.

14
15 *(Applause)*

16
17 P. O. GREGORY:
18 All right. Thank you. Okay. Michelle Aulivola, and then Dorothy
19 Castaldo.

05:32PM 20
21 MS. AULIVOLA:
22
23 Good afternoon. I am here today on behalf of the Nassau-Suffolk
24 Taxi --

25
26 P. O. GREGORY:
27 Michelle, I'm sorry, can I ask you to speak a little bit closer?

28
29 MS. AULIVOLA:
05:32PM 30 I'm sorry. Okay. Can you hear me?

31
32 P. O. GREGORY:
33 A little bit. Just a little bit closer. Don't be afraid of it.

34
35 MS. AULIVOLA:
36 Okay. How's that?

37
38 P. O. GREGORY:
39 That's good. Great.

05:32PM 40
41 MS. AULIVOLA:
42 Okay. Sorry about that. I'm here today on behalf of the Nassau &
43 Suffolk Taxi Owners Association. We are here to talk to you about
44 some serious concerns that we have regarding the newly enacted
45 legislation under Vehicle and Traffic Law Article 44-B, which
46 regulates transportation network company services such as Uber and
47 Lyft. We are here to implore you to opt out of that legislation.

48
49 As you're no doubt aware, the new law now permits transportation
05:32PM 50 network companies, or TNCs, to provide transportation services to
51 passengers in our area without the necessity of obtaining county,
52 town or village licenses, while our local taxi companies are still
53 required to follow all of the current laws, and to incur the cost
54 of complying with those regulations in order to provide the exact
55 same services, which is transportation to our people. They will
56 also be held to safety standards with respect to their drivers

1 which far surpass those which will be required of the TNCs under
2 the new legislation.

3
4 It's our position that if the policy -- if the -- I'm sorry --
5 public was truly aware of the potential safety impact of this law,
6 there would be an outcry for our Legislators to opt out of the new
7 law.

8
9 It's undisputed that our local licensing regulations were
05:33PM 10 established for the primary purpose of ensuring the safety of local
11 riders. Prior to the enactment of this legislation, the TNCs have
12 been conducting their own internal background checks on the drivers
13 of their vehicles. The standards to which they have held their
14 drivers, however, fall far below those which local legislation
15 requires of the taxi companies. As a result, the TNCs have been
16 plagued with complaints of serious crimes such as sexual assault,
17 rape, drug trafficking. And, unfortunately, this newly enacted
18 State Law does very little to address this serious concern.

19
05:34PM 20 Section 1699 of the new law provides for mandatory criminal
21 background checks on all prospective TNC drivers. At first glance,
22 this requirement seems to address passenger safety. However, it is
23 clear that the law falls far short of that very important goal.
24 Initially, the law does not mandate New York State Division of
25 Criminal Justice Services fingerprint background checks of TNC
26 drivers, while local municipalities are required to do so.
27 Furthermore, under Section 1696 of the law, the TNCs will conduct a
28 background check on their drivers, and the TNC itself, not the
29 state or the local municipalities, will issue permits to drivers
05:35PM 30 that they determine qualify.

31
32 The financial interest of the out -- of their -- I'm sorry. Their
33 financial interest may overwhelm their ability to ensure the safety
34 of the passengers.

35
36 P. O. GREGORY:
37 Ms. Aulivola, can I --

38
39 MS. AULIVOLA:
40 Yes.

41
42 P. O. GREGORY:
43 -- ask you to wrap up? And you can --

44
45 MS. AULIVOLA:
46 Absolutely.

47
48 P. O. GREGORY:
49 If you have something -- I see you're reading off -- you can submit
05:35PM 50 that to the Clerk and they'll pass your comments on.

51
52 MS. AULIVOLA:
53 I can wrap up very quickly.

54
55 P. O. GREGORY:
56 Okay,

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05:35PM

MS. AULIVOLA:

An additional concern that we have is that although there are sexual offenses that drivers would be able to have been involved in, that is being addressed. However, they would -- the law still would enable them to have committed crimes such as homicide and hate crimes. Additionally, the age for drivers under these TNCs is only 19.

P. O. GREGORY:

Miss, please, please wrap up.

MS. AULIVOLA:

Okay, okay.

P. O. GREGORY:

Sorry.

MS. AULIVOLA:

We ask you to opt out. You have the ability to opt out of this law and to hold these Uber drivers and other drivers like it to the same standards as the local taxi company drivers are held to. Thank you.

P. O. GREGORY:

Okay. Thank you very much.

(Applause)

Dorothy Castaldo, and then Stephen Ruth.

MS. CASTALDO:

Good afternoon. I'm here to speak on Resolution 1368, and not about small business today. Looking at the resolution, I cannot determine exactly how much savings Mr. Bellone feels will be realized by withholding step increases from nonunion employees for 2017. And I'm confused as to why he feels there is adequate savings to the budget with such a small percentage of employees, in comparison to the overall employee count of 29,682 employees for 2016.

Most bargaining departments have contracts that do not expire until 2018, all of which knowingly impacted the budget negatively year after year. In 2016, the payroll was \$1 billion. That was a 5.3% increase over 2015. Half of that payroll number was for Police Officers. And please don't misunderstand, I am in no way negating the importance of the job that our police officers do. However, for this resolution, it is necessary to look at the numbers for each of the departments. Police Officer and Sheriffs salaries accounted for 646 million of that 1 billion. And let us not forget how much of those salaries include overtime, which substantially increased the base salary.

In November of 2016, an analysis for I.R. 1984, which relates to wage and benefits for the Probation Department, was done, showing that the numbers were actually \$1.5 million higher than estimated.

1 The review stated that the committee felt this difference was minor
2 and the fiscal impact reasonable. But with this resolution, you
3 want to hold back what I believe to be step increases of an average
4 of 2500 per ADA, which affects, by my guesstimate, 140, which I
5 believe Mr. Heilig said was 140, hardworking individuals, and that
6 equates to only 350,000. And to be honest, I looked through
7 254 pages of employees to get that count, and I lost count after
8 that on the remaining number of nonbargaining employees, such as
9 County Attorneys and Legislative Aides, etcetera. But if there was
05:38PM 10 another 140, we still wouldn't be able -- we would still be under
11 the \$1 million mark. And remember, 1.5 million was a minor impact
12 and reasonable last year in the analysis notes for I.R. 1984.

13
14 When you compare the bargaining departments to the nonbargaining
15 ones, the first thing, of course, that pops out is the total
16 income. It is a known fact that nonbargaining departments are not
17 receiving overtime, and, therefore, their annual salaries are far
18 surpassed by bargaining departments. The nonbargaining employees
19 in many cases are still paying off student loans for either
05:39PM 20 undergrad or law school, or both, which many of us know just how
21 ginormous a bill that is every month. The average age of
22 nonbargaining employees affected by this bill I would again
23 guesstimate to be 35.

24
25 *(Timer Sounded)*

26
27 Wow, I didn't expect to be that long. So I will wrap it up and
28 just say that I urge you in deciding on this resolution, think
29 about the people, the few people who will be affected by the
05:39PM 30 Resolution 1368, those few people who work hard for this County,
31 those people who are doing the right job for the right reasons.
32 Those few people shouldn't bear the weight just because they're not
33 unionized.

34
35 *(Applause)*

36
37 P. O. GREGORY:
38 Thank you, Ms. Castaldo. Stephen Ruth, and then Darren Aquino.

39
05:40PM 40 MR. RUTH:
41 Good afternoon, Ladies and Gentlemen. So basically I'm talking
42 about the Red Light Camera Program. Why is the data compiled to
43 form the annual report being exempted from the public disclosure,
44 and why is it being denied when FOIL requested? When we ask for
45 the Freedom of Information, why is it being denied from the
46 public's disclosure?

47
48 And, also, who compiles the annual report regarding the Red Light
49 Camera Program, which we know increased accidents by over 100% in
05:40PM 50 the County? Who compiles the annual report? Mr. Nolan, did we get
51 an answer on who compiles the annual report or why it's exempted
52 from the public disclosure? Why has the 2015 accident data been
53 hidden from public disclosure in the annual report? Do you think
54 we care about how much money the safety program makes? We want to
55 know how many accidents increased in the program. Why is it being
56 hidden from public disclosure in a safety program? I know why,

1 because accidents skyrocketed.

2

3 Why is it okay for Xerox, Conduent and Nelson and Pope to have the
4 installation plans for red light cameras without signatures of
5 engineers on them when that is to protect the health, safety and
6 welfare of the general public? Why is that okay to go on in our
7 county. I've been asking you nicely over and over. Now I'm not
8 being nice anymore. I want to know why a private company, Nelson
9 and Pope, and a private company, Xerox, that comes to "suffering
05:41PM 10 county" is able to do business without the same credentials, the
11 same specifications that I have to do business under? Why were
12 they able to circumvent the process of using licensed engineers on
13 the red light cameras, as well as the traffic signals? Why are
14 none of our red light cameras signed off by professional engineers?
15 Do we have an answer? Because that's to safeguard the life, health
16 and property of the Suffolk County residents. Nobody has an
17 answer, right?

18

19 LEG. HAHN:

05:42PM 20 You know we're not allowed to answer.

21

22 MR. RUTH:

23 Why is it all right?

24

25 LEG. FLEMING:

26 We don't do back and forth.

27

28 MR. RUTH:

29 Yeah, you do back and forth when it's convenient to you,

05:42PM 30 Ms. Fleming.

31

32 P. O. GREGORY:

33 Just make your statement.

34

35 MR. RUTH:

36 But you voted to keep the red light cameras in your district, but
37 you don't have not even one red light camera in your district.
38 That's not fair, by the way. Why was she able to vote on red light
39 cameras when she doesn't even have one in her district? And now
05:42PM 40 she's so quick to open her mouth.

41

42 All right, guys. We know the reason why those guys aren't getting
43 the money they deserve, and that's because they don't have their
44 union buying you guys. That's what's going on here in our County.
45 Let's call it what it is. Unfortunately, the District Attorney's
46 Office isn't making half the money the Police Officers are and they
47 had to go to law school to be where they are, right guys?

48

49 *(Affirmative Response)*

05:43PM

50

51 That's not fair either, because they spent another hundred grand on
52 their education.

53

54 All right. So let's cut the B.S., try and do the right thing by
55 the constituents. When are you going to release the data or the
56 accident data from the 2015 red light camera annual report? You

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1 guys don't want to answer because you know you have no intention of
2 telling the public that the accident data skyrocketed from a safety
3 program.

4
5 Does anybody have anything to say? I know Mr. Nolan said he was
6 going to look into it. Mr. Nolan, we're asking you to make a
7 decision. Why is it okay for Suffolk County Red Light Camera
8 Program to violate New York State Education Law Section 145, Article
9 7201? Why is it okay? Because New York State rendered a decision
10 that all red light cameras need to be signed off by professional
11 engineers to safeguard the life, health and property of the
12 constituents.

13
14 P. O. GREGORY:
15 All right. Please wrap up.

16
17 MR. RUTH:
18 Oh, that's all I have to say.

19
20 P. O. GREGORY:
21 Okay.

22
23 MR. RUTH:
24 Thank you.

25
26 P. O. GREGORY:
27 All right. Thank you.

28
29 *(Applause)*

30
31 So Darren Aquino. I will remind you, because I think you're the
32 first time, I don't recognize you --

33
34 MR. AQUINO:
35 No, this is my first time here.

36
37 P. O. GREGORY:
38 Right. So I will let you know, and some of those who haven't been
39 here before, this is the public portion, and by our rules we're not
40 allowed to answer questions. So, please, if you -- we understand
41 if you ask a question, it's a rhetorical question, so if you don't
42 get a response, that's why. We're not being rude, that's just our
43 rules.

44
45 MR. AQUINO:
46 Okay. No, I'm not going to -- I'm not going to ask you a question.

47
48 P. O. GREGORY:
49 All right.

50
51 MR. AQUINO:
52 I'm going to agree with the --

53
54 P. O. GREGORY:
55 I think Mr. Ruth understands that, but we'll refresh his memory.

1 MR. AQUINO:

2 -- with the 1542, with the opt out. I'm going to give you
3 something. You see, an informed Legislator should be a better
4 Legislator, so I'm going to inform you on your Title 2 ADA,
5 Americans with Disabilities Act responsibility, why you should opt
6 out. And it benefits your citizens here, and it makes other states
7 follow for the 150 million disabled Americans nationwide. And let
8 us not forget who gave you that blanket of freedom, our Veterans
9 who are suffering and struggling with disabilities.

05:45PM

10
11 Why does this matter to them? I'll tell you why, for two reasons.
12 And the sex -- and the sex crime part of it, too, because if a
13 vulnerable disabled individual gets into an unaccessible car, which
14 is the part I want you to know, because I was standing out there
15 when you pledged your allegiance to our flag with liberty and
16 justice for all. These men and women with disabilities, be they a
17 first responder or a veteran, they're entitled to fair and equal
18 treatment access under the law. Now, if you didn't do that and
19 empower them, then I could bring an action against you in Federal
20 Court under Title 2 violation.

05:45PM

21
22 This important body of legislation is the one that empowers it for
23 the County, and you tell these Uber drivers no access, no bill, no
24 inclusion. You do exactly what they've done to the disabled
25 veteran. If it helps you better in your mind to see a veteran as a
26 disabled person being denied access, then look through those eyes
27 and see that through a veteran, okay? Because now let's look at it
28 as a female who is a veteran in a wheelchair and this guy was a sex
29 offender. Now how vulnerable is she? And now it's still an
30 unaccessible car. Now she's in a compromised spot. And now let me
31 add one more piece to that. Now, when a car pulls up, an Uber car,
32 after two minutes they start charging you overtime. No good. The
33 ADA says you can't charge me for being -- my disability causing me
34 more time. So if they sit out there and it takes me seven
35 minutes -- I had 17 surgeries, you wouldn't know it, but I had
36 polio. And I'm telling you, I'm sharing my privacy with you so
37 that you understand. Those that can persevere will, but not
38 everybody can with a disability, and that's what this body has got
39 to be mindful of. You got to be that voice. I'm not asking you at
40 this point.

05:46PM

05:47PM

41
42 As an advocate, remember, we pledge those allegiance, liberty and
43 justice for all? Here's your opportunity to show who you are, who
44 you are to us, we, the people, that entrusted you and empowered you
45 with the responsibility to uphold these rights, because no access.
46 You say that you have accessible cars, one reason. Number two,
47 you're charging a disabled person. It may take him seven minutes
48 to get out the door. He's got to pay for five minutes because he
49 was disabled? These are laws, Gentlemen and Ladies, that you are
50 to protect. You are the guardian. We gave you leadership, now
51 lead.

05:47PM

52
53 That's all I want you to know. So, remember, you have the right
54 under Title 2 to challenge the Governor, otherwise, you can be sued
55 in Title 2. And the Governor would say they had an opportunity to
56 opt out. That would be his argument, because in a lawsuit like

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1 I've done, I sued the Governor and the body responsible, because
2 the Governor is in charge of the State. So if you need help with
3 that --

4
5 P. O. GREGORY:
6 Please wrap up.

7
8 MR. AQUINO:
9 If you need help with that, addressing that to opt out, I'm at your
10 availability. My card was left there, as you see, and you contact
11 me. I'd be happy to help you. Informed Legislator is a better
12 Legislator.

13
14 P. O. GREGORY:
15 Thank you. Thank you.

16
17 *(Applause)*

18
19 Lance Reinheimer. Where's Lance? Oh, there you are. Lance, and
20 then Shauna Kerr on deck.

21
22 MR. REINHEIMER:
23 Good afternoon. Lance Reinheimer, Executive Director of the
24 Vanderbilt Museum. I'm here to speak in support of I.R. 1506,
25 which is a capital appropriating resolution that appropriates
26 \$200,000 from the Capital Program this year for safety improvements
27 at the Vanderbilt Museum. I know you've seen me a lot the past
28 couple of months. I hope not to be here too much in the future.

29
30 This resolution is important, because the Fire Marshal came out to
31 the museum about a month-and-a-half ago, inspected the planetarium,
32 and these funds will be used to replace the front doors of the
33 planetarium. We've made some modifications to those 46-year-old
34 doors with the locking system, the opening system. The Fire
35 Marshal isn't totally happy with those systems. The doors are a
36 little hard to open. Their concern is that they open properly when
37 people leave. I can assure you that the locking systems that we
38 have do not impede people from leaving, but they're not original to
39 the door, and the Fire Marshal was concerned about that. The doors
40 do open. But in addition, as I said before, these are 46-year-old
41 doors. They're aluminum doors. They're similar to what they were
42 installed in shops and storefronts back in the early 1970s.

43
44 In addition to that, these doors are not compliant for ADA
45 regulations. There is no ADA compliant door. So in addition to
46 replacing these doors to address fire safety concerns, and to
47 approve ADA access to the building, this resolution is important
48 for the museum. And I thank you very much for your support in the
49 past, and I hope I can ask for your support today. Thank you very
50 much.

51
52 *(Applause)*

53
54 P. O. GREGORY:
55 Okay. Thank you, Lance. Okay. Ms. Kerr, and then on deck, Stacy
56 Skorupa.

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1
2 MS. KERR:

3 Good evening, Members of the Legislature. My name is Shauna
4 Lonigro Kerr and I'm an Assistant District Attorney in the Child
5 Abuse and Domestic Violence Bureau for the Suffolk County District
6 Attorney's Office. My husband is Robert Kerr. He's an Assistant
7 District Attorney in the Narcotics Bureau. And I am here today to
8 address you and request that you vote no to the passage of
9 I.R. 1368.

05:50PM

10
11 This bill targets the group of -- the sole group of the Suffolk
12 County employees that have no bargaining power, no representation,
13 no union protecting our interests. My husband and I are both
14 prosecutors and have been prosecutors for 14 and 15 years, and we
15 didn't become a prosecutor to get rich. We became a prosecutor
16 because we wanted to fight the good fight. We wanted to keep our
17 community safe, we wanted to keep our family safe, we wanted to
18 keep your family safe.

05:51PM

19
20 In just over the past three years, just to give you an idea of the
21 type of people we are and what we do every day, child care for my
22 two children was in the excess of \$60,000. My husband has already
23 paid off \$50,000 in student loans, and he's been an attorney for
24 over 15 years, and we still have \$30,000 more. That \$60,000 of
25 child care over the last three years has put me in credit card debt
26 of \$30,000. So I stand here before you today, I have \$60,000 of
27 debt to my name. But I go to work every day to fight that fight.
28 This is why we elected you. This is why we are here tonight to
29 help us fight this fight.

05:52PM

30
31 We voted you into office, and let's be honest, all of our family
32 and friends look to us for guidance on to who they should vote for.
33 We have no comp time, we have no overtime. When you are sleeping,
34 we're writing search warrants, meeting with officers at nights and
35 on weekends, using our own vehicles to interview medical personnel
36 on our own time, when it's convenient for them, not us. We prep
37 witnesses on the weekend, because it's convenient for them, not us.
38 While you were spending time on your Father's Day with your
39 families, my husband was working. This was his first Father's Day
40 without his Dad, having lost him to cancer last year. And he
41 didn't even get to celebrate Father's Day with his children,
42 because he's fighting this fight, and he worked Saturday and
43 Sunday. So not only did my kids not get to see their father on
44 Father's Day, they didn't get to see their grandfather either.

05:52PM

45
46 I prepared a hearing from my daughter's hospital bedroom after she
47 received surgery at the Children's Hospital in Philadelphia, and I
48 sat there with her while she recovered from that surgery prepping
49 for a hearing. And after she was discharged from her stay at the
50 hospital, I drove her back to New York, and the next day I headed
51 into County Court right here next door and I did that hearing. And
52 I left her, 18 months old, after having a surgery without having
53 the comfort of her mother. I had to leave her to come to this work
54 and I did it.

05:53PM

55
56 *(Timer Sounded)*

1
2 I understand that my bell is up and I would appreciate your just
3 giving me one minute.

4
5 I handle child abuse and domestic violence cases, and I go to work
6 every day listening to children tell me stories of the most heinous
7 acts that I hope you people never have to hear, and I have to hold
8 my head every day and look at them and try to get justice for them.

9
05:54PM 10 You might think these step raises are minimal, but they are
11 something to us. They are an incentive to us to keep fighting that
12 good fight. If you pass this bill today, it will not solve the
13 deficit problem of Suffolk County, and it will only scream to us
14 hardworking, dedicated County employees that you don't care. If
15 you continue to take away this -- if you continue to take away the
16 little incentive that you promised us two years ago, you will begin
17 to see a loss in highly skilled prosecutors, because we will have
18 no choice to find employment elsewhere.

19
05:54PM 20 P. O. GREGORY:
21 Ms. Kerr, please wrap up.

22
23 MS. KERR:
24 Yes, sir. I am a Fifth District resident. Don't punish us for
25 being the only County workers who have no protection by a union.
26 Ms. Hahn, you have a quote on your website. "Together we have
27 risen to challenges and fought what we believe in is right." Well,
28 today I am fighting for what I believe is right. And as my
29 representative, I ask that you to rise to the challenge of finding
30 another way.

05:55PM 31
32 P. O. GREGORY:
33 Ms. Kerr, please.

34
35 MS. KERR:
36 I ask that you all rise to the challenge of finding another way.
37 Thank you.

38
05:55PM 39 P. O. GREGORY:
40 Thank you.

41
42 *(Applause and Standing Ovation)*

43
44 And, Ms. Kerr, I want to thank you for what you do. I interned in
45 your unit back in 1990 and I know the horrific stories. I know the
46 -- it's horrible, horrible work, and I appreciate everything that
47 you do. And thank you for coming here today to share your story.

48
05:55PM 49 MS. KERR:
50 Thank you.

51
52 *(Applause)*

53
54 P. O. GREGORY:
55 So, Ms. -- you're Ms. Skorupa.

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1 MS. SKORUPA:
2 That is correct.

3
4 P. O. GREGORY:
5 Skorupa. And then on deck, Melissa Gryer (phonetic), or Gri er.

6
7 MS. SKORUPA:
8 Good evening. My name is Stacy Skorupa, and I have been an
9 Assistant District Attorney in Suffolk County for the last about 12
05:56PM 10 years, as of August 1st of 2005. I have been proudly serving the
11 citizens of this County, your constituents, for that entire
12 12 years. I'm proud of the job that I do. I'm proud of my
13 colleagues that are here to oppose this bill that is before you.

14
15 As Ms. Kerr mentioned, while this may not mean a lot to you, a mere
16 \$2,500, it means a lot to us. And it shows us that the work that
17 we do for you, for your families, for your constituents is actually
18 valued at a time when the media, unfortunately, is showing you
19 otherwise.

05:56PM 20
21 Throughout the course of my career, I've worked in our District
22 Court Bureau, our Case Advisory Bureau, our Major Crime Bureau, and
23 now Special Investigations for the last approximately six years.
24 As you know, this bill affects approximately 140 people in our
25 office. Sadly, many of the people that are affected by this cannot
26 be here today due to a County-mandated ethics class that was
27 scheduled at the exact same time as this meeting. Unfortunately,
28 that is why you see that there are not 140 of us sitting in the
29 audience.

05:57PM 30
31 As far as my actual job is concerned, as an Assistant District
32 Attorney assigned to my Bureau since 2010, I have been handling all
33 felony animal cruelty cases for the County; since 2012, all sex
34 trafficking cases for the County. I carry these cases in addition
35 to the, if you want to call them run of the mill while they're not,
36 our staples, the gun, the gang, and the organized crime related
37 cases that come through my Bureau. As everyone knows, gangs and
38 guns are obviously a recurring problem in this County, in this
39 state and this country at this time. The position that I hold is
05:57PM 40 in stark contrast to those in our neighboring counties who have
41 entire bureaus who actually handle these cases. However, despite
42 that, I actually handled, prosecuted and tried the first two sex
43 trafficking cases ever to be tried in Suffolk County history, which
44 resulted in very lengthy prison sentences, the max for the first
45 one, 8 1/3 to 25 years for a man who is very dangerous and faces
46 mandatory deportation, as well as 19 1/2 to 32 years for the second
47 one for another equally, if not worse, more dangerous man.

48
49 I give trainings and presentations to law enforcement throughout
05:58PM 50 the County on the sex trafficking and animal cruelty stuff. I give
51 trainings and presentations to advocacy groups, community groups,
52 many of your constituents on these things. I sit on various
53 committees. Much of this time is my personal time, it's time I'm
54 uncompensated for. I miss out on time with my family, with my
55 friends, I miss family events. The immense amount of time that I
56 wasn't compensated for in those trials alone, the first one, for a

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1 10-month investigation and a three-week trial, for the prep and
2 trial time alone, I worked 163 unpaid hours. For the second one,
3 320 unpaid hours. The combined total of this being almost 15 weeks
4 that I just was not compensated for at all. Again, I got home
5 late, I missed things.

6
7 During the course of my last trial, my grandfather was rushed in
8 for emergency surgery and had his leg amputated. My dog was
9 diagnosed with cancer and had to be put down six days after the
05:59PM 10 trial ended. Life doesn't stop because we work this job. And we
11 are not compensated, as my colleague stated, like Police Officers
12 are in this County. One of my officers on my last trial is
13 retired. Every time he came to my office, he received \$600 just to
14 show up and walk through the door. And I know those of you who are
15 former Police Officers here --

16
17 P. O. GREGORY:
18 Ms. Skorupa.

19
20 MS. SKORUPA:
21 -- are well aware of that.

22
23 P. O. GREGORY:
24 Please --

25
26 MS. SKORUPA:
27 And I will wrap it up.

28
29 P. O. GREGORY:
05:59PM 30 No, please, your time has expired. I want to -- we have to cut off
31 the public portion at 6:30, and it wouldn't be fair, because I know
32 you had -- at least, I see at least five more of your colleagues
33 who may not get an opportunity to speak if we allow everyone to go
34 over their allotted time.

35
36 MS. SKORUPA:
37 I understand. I don't need to reiterate the fact that we all have
38 plenty of bills to pay, some that far exceed our salaries at times.
39 But I do know that looking at the amount of money that's going to
05:59PM 40 be saved by this bill, it does not put a dent in your County
41 deficit. And all you are doing is taking advantage of those who do
42 not have a voice. All we can do is get up here and speak. And I
43 get it, we get three minutes, but that's all we have. And there's
44 nothing else that we can do to fix this. We cannot unionize, we
45 cannot do anything. So we are asking you to be our voice. We are
46 asking you --

47
48 P. O. GREGORY:
49 Thank you.

06:00PM 50
51 MS. SKORUPA:
52 -- to stick up for us in that situation. And, please, do not pass
53 this bill.

54
55 P. O. GREGORY:
56 Thank you.

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1
2 MS. SKORUPA:
3 Thank you.

4
5 *(Applause and Standing Ovation)*
6

7 P. O. GREGORY:
8 Melissa -- is it Gryer (phonetic) or Grier? Sorry.

9
10 MS. GRIER:
11 It's Grier.

12
13 P. O. GREGORY:
14 Grier. And then Michelle Heller, you're on deck.

15
16 MS. GRIER:
17 Ladies and Gentlemen, I was fortunate enough to grow up in Suffolk
18 County, it was a great privilege. And as a member of the
19 community, when I was 23 years old, I was selected as a juror for a
06:00PM 20 criminal trial. At that time, I realized that I wanted to be an
21 ADA, as I watched the passion, the dedication and the
22 professionalism exhibited on that criminal trial. I went to law
23 school, and I was fortunate enough to receive a phone call that my
24 dream job had been given to me as an Assistant District Attorney.
25 I did not take the job to make good money or for the benefits. I
26 took the job because I cared about where I live and where my family
27 lives. In fact, I knew that I would not be paid as much as my
28 fellow classmates who were in private practice. I knew the
29 financial sacrifices that would have to be made in order to pursue
06:01PM 30 this career path, but I happily signed up for it.

31
32 The District Attorney's Office is the good guy, is able to temper
33 justice with mercy and do what is right, and I wanted to be part of
34 that. On August 3rd, 2009, I started as an Assistant District
35 Attorney. I am now in the Child Abuse and Domestic Violence
36 Bureau. Each day presents its own unique challenges, whether it is
37 interviewing a five-year-old victim who was raped by an older
38 family member, whether it's drafting a search warrant for child
39 pornography, or listening to a domestic violence victim say that
06:01PM 40 she does not want to cooperate in a prosecution that will save her
41 life. I see and hear these things every day that I hope no one
42 else in this room has to deal with. However, that is exactly what
43 my colleagues and I do every day.

44
45 I work with some of the most dedicated, caring and professional
46 attorneys around, but our work isn't Monday through Friday, 9 a.m.
47 to 5 p.m. I work weekends, I sacrifice vacations, I come in early,
48 I work late. As a trial prosecutor, the time and effort needed to
49 effectively prepare a case requires even more time away from loved
06:02PM 50 ones. It means working over dinner and watching the sun rise. We
51 do this all without compensation. We do this not because of the
52 riches and the glory it provides, but because we care.

53
54 I graduated law school with staggering loans, and I'm not asking
55 Suffolk County to feel sorry for me about that. I am asking
56 Suffolk County not to try and balance a budget on the backs of

1 approximately 300 hardworking attorneys. There is a crisis of
2 young people leaving Long Island. I do not want to be one of them.
3 I want to stay in Suffolk County. I am fortunate that I was
4 finally able to purchase my own house. Property taxes, school
5 taxes and other County fees will only continue to rise. I don't
6 want to be shut out of living and working on Long Island because I
7 can't afford it.

8
9 My family and I have discussed moving to another state where the
06:03PM 10 cost of living and taxes are not as high. Our salaries may seem
11 like a lot of people -- a lot of money, but making approximately
12 \$83,000, I know I am well above the Federal poverty line. However,
13 I'm speaking today not because of a single year of pay raises or
14 step raises, but, rather, where does it end? I've already
15 experienced two pay lags, and as the cost of living continues to
16 rise, salaries will remain stagnant, and other promised benefits
17 continue to be taken from us. It will be difficult for seasoned
18 and experienced attorneys to stay with the office on Long Island.

19
06:04PM 20 However you vote on I.R. 1368, tomorrow I will still get up and
21 diligently go to work. I will still work tirelessly for the
22 community, as pride in my job translates to pride in my hometown.
23 I will still do my job and do what's right until I can no longer
24 afford to do so. Thank you for appearing for us.

25
26 *(Applause and Standing Ovation)*

27
28 P. O. GREGORY:
29 Thank you. Ms. Heller, and then Anne Mayer.

06:04PM 30
31 MS. HELLER:

32 Good evening, Members of the Legislature. I am -- my name is
33 Michelle Heller and I have been a prosecutor in the Child Abuse and
34 Domestic Violence Bureau. I am a prosecutor for 11 years now.
35 It's the only reason that I went to law school. I have seen things
36 in the Child Abuse and Domestic Violence Bureau. There are days
37 that I wish I saw -- that I've seen things that I wish I knew never
38 occurred in this world, but I wouldn't ever want to leave. I'm
39 proud of the work that I do, and, quite frankly, I think that I'm
06:05PM 40 good at it.

41
42 Two days before this past Christmas, my five-year-old daughter said
43 to me, "Mommy, you never put up my little pink Christmas tree in my
44 room," a tradition that we started when she was a child and that
45 she looks forward to every year. I didn't remember to do it
46 because I had been on trial with a domestic violence case. I had
47 worked day in and day out until 3 a.m. in the morning, on weekends,
48 through dinner. I was the only person that cared about that case,
49 because that victim didn't want to cooperate with our office, and I
06:05PM 50 cared because I didn't want her to get killed. I cared so much
51 that I spent so much time on that case that I neglected my own
52 family. This is just a small example of the sacrifices that we all
53 make every day.

54
55 This is the job that we chose, and we understand that we have to
56 put this effort in, and we will do that day in and day out. We're

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1 also aware that you all make sacrifices in your own lives with your
2 own families. We understand that you need to do something about
3 the fiscal crisis that Suffolk County faces. But, Ladies and
4 Gentlemen, taking these raises away from us, just a small
5 percentage of this -- of the Suffolk County workers is not going to
6 do it -- do that for you, it's not.

7
8 To pass I.R. 1368 would be a detriment to many of us, including
9 myself. My husband and I have borrowed from his 401(k). We have
06:06PM 10 borrowed money from our family members to pay child care.
11 Sometimes things look good on paper, but lose their luster when you
12 see how it affects real people. Coming here today may not change
13 your minds, but at least you see us, you see our faces, and you
14 hear our personal stories, and see that we aren't just a list of
15 attorneys on paper. We are real people, hardworking Suffolk County
16 residents with real families, asking you to consider the
17 consequences of this. Thank you.

18
19 *(Applause and Standing Ovation)*

06:07PM 20
21 P. O. GREGORY:

22 Thank you. Okay. Ms. Mayer, and then on deck, Michelle Pitman.

23
24 MS. MAYER:

25 Good afternoon, everyone. My name is Anne Mayer. I'm an Assistant
26 District Attorney, and, Ms. Browning, I live in your -- in your
27 district.

28
29 I have worked for the Suffolk County DA's Office for 14 years, and,
06:07PM 30 God willing, I hope to retire from the office. This job is the
31 reason why I went to law school. I have been honored every day to
32 serve as an ADA, to serve this office and to serve this County. I
33 have handled thousands of cases and hundreds of investigations.
34 During my six years in the Gang Unit, I convicted gang members who
35 stabbed, shot, assaulted Suffolk County citizens, who possess guns
36 in Suffolk County, who rob the hardworking people of this County
37 and broke into their homes.

38
39 In my current assignment, which is 4 1/2 years in the Economic
06:07PM 40 Crime Bureau, I have sent people to prison for stealing millions of
41 dollars from Suffolk County citizens. And these financial crimes
42 have devastating impacts on the County -- on the citizens of this
43 County in ways that unless you do this work you cannot understand.
44 And I have been fortunate for some of these victims to get their
45 money back for them. But never did I think that I would be here to
46 advocate that my work has value, but that is unfortunately the
47 position that all of you have placed me in by considering passing
48 I.R. 1368.

49
06:08PM 50 Like everyone else has said, no one goes into public service and
51 stays a career prosecutor to become rich. This is not just a job,
52 it is a calling. We are the forgotten or overlooked part of
53 Suffolk County Law Enforcement. We are the folks who get up at
54 3 a.m. to write the search warrants to get the guns off the street,
55 to get the drugs off the street. We are the folks who answer the
56 pretrial motions. We do the pretrial hearings to keep the evidence

1 in. We do the trials, we do the wiretaps, and we get millions of
2 dollars in forfeiture funds for the County. We are the only ones
3 who work in the Arraignment Courtroom on weekends and holidays.
4 Many of us have worked in village court, prosecutors, after working
5 a full day in the County courts. Some of us have even had the
6 experience of trying two cases simultaneously, one in Central Islip
7 during the day, and in the evening in the Amityville Village Court.
8 I have had that experience.

06:09PM 9
10 All this work, these countless nights, weekends and holidays, it's
11 uncompensated, and it's at the expense, as everyone has told you,
12 of our families and our personal lives. This work goes
13 unrecognized by many, but without it, law enforcement in Suffolk
14 County would come to a screeching halt. I wish you would remember
15 that.

16
17 I understand that approximately 140 lawyers in the DA's Office
18 would be affected by this; I am one of those. For many of us,
19 prior to this Attorney Retention Program, there were many years
06:09PM 20 when we got no raise at all, we were maxed out; I was one of those.
21 Further compounding things for me personally is the fact that I am
22 a single parent. I head a household of two, my seven-year-old
23 daughter and me. During her short lifetime, I have been lagged
24 twice by this body. You came to me in 2009 in July when I was five
25 months pregnant with her and you took my salary then. You came to
26 me again in 2012, when you affected no other employees but the
27 exempt employees, and took my salary then. And now, now that she's
28 7 1/2, you're coming to me again. In the past eight years, almost
29 to the day, you've come to me three times. I'm asking you to look
06:10PM 30 elsewhere. As everyone has said, the amount of money you would
31 save is statistically insignificant.

32
33 P. O. GREGORY:
34 Ms. Mayer, your time has expired, please.

35
36 MS. MAYER:
37 One moment, sir. But I am -- but I, my daughter and all the
38 hardworking people behind you, we are not insignificant.

39
06:10PM 40 Finally, I want to suggest to you the following analogy: All of
41 you have been elected to do right by Suffolk County, not to pay
42 homage to the police unions and not to get reelected. To do
43 anything else other than -- other than have real conversation about
44 this budgetary crisis is about as fiscally sound as searching your
45 cushions of your couch for coins to pay your rent. I urge you to
46 do something else. Thank you.

47
48 P. O. GREGORY:
49 Thank you.

06:11PM 50
51 *(Applause and Standing Ovation)*

52
53 Okay. Michelle Pitman, and then on deck, Jeffrey Langlan. Is that
54 what it is?

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1 MS. PITMAN:

2 Good evening. My name is Michelle Pitman and I am an Assistant
3 District Attorney. I stand before you asking to vote no to the
4 passage of I. R. 1368.

5
6 I was born and raised in Suffolk County. I went to Cornell
7 University and Boston University School of Law. I returned to
8 Suffolk County after law school to begin my employment in public
9 service of the Suffolk County District Attorney's Office. I've
06:11PM 10 been proudly serving this office for 14 years.

11
12 You might recognize me or my name as the prosecutor who handled the
13 Datre case and all the hazardous dumping cases in Suffolk County.
14 I spent countless hours, weekends, holidays and birthdays over the
15 2 1/2 years that case took with absolutely zero compensation for
16 all those hours beyond the workday. I successfully got convictions
17 that will hopefully change the industries that treat our County as
18 a dumping ground for their garbage.

19
06:12PM 20 I think it is appropriate that I'm here today, the same day that
21 Sachem North stands here receiving accolades for their
22 environmental work, because that's where I started my academic
23 career.

24
25 Legislator Martinez fought for the residents of Brentwood when she
26 discovered that Roberto Clemente Park was riddled with hazardous
27 substances. As the prosecutor on that case, I also fought for her
28 constituents and continue to do so. And, hopefully, because of our
29 efforts, that park will soon be open for the children of that
06:12PM 30 community that need it so much. That case also renewed discussions
31 about changing the laws and protecting our water supply for our
32 residents.

33
34 Legislator Hahn, you've been instrumental in fostering discussion
35 about strengthening our laws to protect our environment. In order
36 to do so, you need people like me.

37
38 Presiding Officer Gregory, you stood next to me at a press
39 conference regarding the hazardous dumping and you thanked me for
06:13PM 40 my hard work. Please show me you meant it.

41
42 During my tenure of the District Attorney's Office, my pay has been
43 lagged twice, and I've been at the top step for numerous years,
44 receiving no raises. I stand before you to implore you to do the
45 right things by those who have dedicated their life to serve public
46 service in this County.

47
48 I live in the 12th District, and like you, Legislator Kennedy, I
49 also live in Nesconset. I am married with three children, ages 10,
06:13PM 50 8 and 5. Because of the profession I chose, I'll be still paying
51 my loans when my children go to college. I have student debt that
52 I will continue to have for 30 years. And nobody accepts this job
53 as an Assistant D.A. looking to get rich. We understand this isn't
54 a lucrative profession, but we chose it anyway. While I made that
55 choice to dedicate my life to public service, you have a choice
56 before you today.

1
2 My colleagues have spoken eloquently about your responsibilities
3 balancing a budget. You have tapped this well one too many times.
4 I stand before you today to say enough is enough. We are the faces
5 who will feel the consequences if you decide to vote yes. We were
6 all expecting to receive our step increase in less than two weeks.
7 I ask you, is that fair to treat the public servants that took an
8 oath to uphold the Constitution and fight for justice in this
9 County? If you continue to take cuts out of our paychecks, you
06:14PM 10 will lose experienced, hardworking, dedicated prosecutors. How
11 then can you tell your constituents that you fought for justice --
12

13 *(Timer Sounded)*
14

15 One more minute, sir. When you voted to destroy the very
16 foundation of the District Attorney's Office. The future of the
17 District Attorney's Office is at stake. Please show us that you
18 appreciate our hard work and dedication to the residents of Suffolk
19 County, and I respectfully ask that each you vote no to the passage
06:14PM 20 of I.R. 1368. Thank you for your time and attention.
21

22 *(Applause and Standing Ovation)*
23
24

25 P. O. GREGORY:

26 Okay. Thank you. Mr. Langlan, and then on deck, Nicole Felice.
27

28 MR. LANGLAN:

29 Thank you. My name is Jeffrey Langlan. I'm sure I don't need the
06:15PM 30 mic. I'm an Assistant District Attorney. I've been an Assistant
31 District Attorney for 17 years. I'm in the Major Crime Bureau.
32 Very briefly, Major Crime, we handle burglaries, we handle
33 robberies, we handle rapes, we handle felony assaults, we handle
34 attempted murder. These 190 people are your constituents, okay?
35 And I'll just point out a few. Legislator Krupski, there are 18
36 families in your jurisdiction that are going to be affected.
37 Legislator Hahn, there are 18 families in your jurisdiction that
38 are going to be affected. Legislator Anker, there are 22 families
39 in your jurisdiction that are going to be affected.

06:15PM 40
41 Now, you may not know this, there's a residency requirement for
42 Assistant District Attorneys. All of us live in Suffolk County,
43 and most of us are homegrown. I'm from North Babylon. I'm the
44 first Langlan to ever go to college, okay? I know 17 cousins all
45 live in Suffolk County. And I don't mean to pick on them.
46 Ms. Lonigro is one of 11. All of her family members live in
47 Suffolk County. We are your constituents.
48

06:16PM 49 This is how the office works. Most of us start right out of law
50 school, 26, 25 years old. We continue to live at home with our
51 parents. We start in District Court. District Court is violations
52 and misdemeanors, lower level crimes. What are we doing there?
53 We're learning our trade. We're learning our trade, so when we get
54 promoted to felony bureaus, we will be good at it, and we are good
55 at it. I'll tell you right now, my record in the District Court at
56 trial, three wins, 18 losses. Last year, 2016, I did four trials.

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1 I did two armed robberies of cabbies, I did a knife point robbery of
2 the Best Buy in Patchogue, and I did a habitual drunk driver, all
3 four convicted. Two of those gentlemen are now serving life
4 sentences.

5
6 *(Applause)*
7

8 These are the people who this bill affects, people that you want
9 handling those cases.

06:17PM 10
11 I'm not going to go that much into it, but I'm going to point out
12 the two felony bureaus that I've been in: Child Abuse Domestic
13 Violence, Major Crime. There are 31 Assistants, all of which will
14 be affected by this. Of those 31 Assistants, again, this is just
15 two bureaus, there are 47 children under the age of 12. You all
16 work here, you live in Suffolk County, I don't have to explain to
17 you the cost of child care, how difficult. They're all working
18 families. Again, they're your constituents. Thank you.
19

06:17PM 20 *(Applause and Standing Ovation)*
21

22 P. O. GREGORY:

23 Thank you. Okay. Ms. Felice, and then MaryAnne Gladysz. Okay, go
24 ahead.
25

26 MS. FELICE:

27 Thank you. Good afternoon. I'm Assistant District Attorney Nicole
28 Felice. I'm presently assigned to the Narcotics Bureau of the
29 Suffolk County District Attorney's Office. And I'm here today to
06:18PM 30 implore all of you, and especially Legislator Calarco from the
31 7th District, to vote no to I.R. 1368.
32

33 When I was hired at the Suffolk County District Attorney's Office
34 in 2010, it was truly a dream come true for me. I'm a lifelong
35 resident of Patchogue and a graduate of Patchogue-Medford High
36 School. Both of my brothers are Suffolk County employees, and my
37 father retired last year after 38 years of service to Suffolk
38 County. In my spare time I'm a catechist at Saint Joseph the
39 Worker Roman Catholic Church in East Patchogue. I also volunteer
40 at the Plaza Theater, a nonprofit movie theater in the Village of
41 Patchogue. And on August 2nd, 2017, I will have had the privilege
42 and honor of serving the District Attorney's Office in this great
43 County for seven years.
44

45 Throughout my seven years I have worked in the District Court, in
46 the East End Bureau, in the Case Advisory Bureau, and I spent
47 nearly three years prosecuting only domestic violence cases. As an
48 ADA in the Narcotics Bureau, I handle investigations into persons
49 that are dealing narcotics, including Fentanyl. I have written
06:19PM 50 many, many search warrants that have yielded felony rate narcotics
51 and loaded firearms.
52

53 Being an ADA in Suffolk County is definitely, as you've heard, not
54 a 9 to 5 job. There have been countless times that my duties as a
55 prosecutor have meant that I had to work on weekends, on holidays,
56 at night in Village Court, or in the middle of the night answering

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1 phone calls from a Police Officer who needed my assistance. Behind
2 every Suffolk County drug bust where a search warrant is executed,
3 there is an ADA like myself who aided in that investigation and
4 prepared that search warrant. The time that we want spend, as
5 you've heard, on work outside of our 9 to 5 is all unpaid. We
6 don't qualify for overtime. I wish we did, I would work even more.
7 We don't get comp days.

8
9 In June of last year, when I received an email that outlined the
06:20PM 10 step raises that would take effect, including the step raise that
11 was set to take effect on July 1st of this year, I cried in my
12 office. I was so grateful to the County for acknowledging all of
13 the important work that we do for the people of Suffolk County.
14 Now I have personally made decisions relying on the salary increase
15 that was promised. In August of 2016, I sold a townhouse that I
16 owned in the Village of Patchogue and bought a bigger home in East
17 Patchogue. And I'm not sure if you had the opportunity to notice
18 when I was walking up, but I'm expecting my first child, a daughter
06:20PM 19 due this July, actually July 11th. When my husband and I made
20 plans for this year, we had that step raise in mind. To be
21 stripped of that raise with such little notice is going to be very,
22 very difficult for us.

23
24 You all must be aware that there is no paid maternity leave for
25 Suffolk County employees. So after my daughter is born, I will
26 have to use all of my sick time that I have accrued. Then, if my
27 doctor deems it appropriate, I qualify for half pay. My husband is
28 a social worker. He also does a lot of volunteer work in his spare
29 time, including with the Town of Brookhaven Youth Board. And even
06:21PM 30 though it would have been difficult for us had my salary increased
31 for me to go on half pay, if my salary remained the same, it's
32 going to take a very, very real toll on my family. And my family
33 requires me to go to work and make money, because we rely on my
34 salary to pay my mortgage.

35
36 So I just implore all of you, and I'll wrap it up because I know
37 that my time is up, I'm not a set of numbers on paper, I'm a real
38 person in front of you, and I am asking you, please, to vote no to
06:21PM 39 I.R. 1368. Thank you.

40
41 *(Applause and Standing Ovation)*

42
43 P. O. GREGORY:
44 Thank you. Okay. MaryAnne Gladysz, and then Cesar. Cesar's here,
45 Cesar Malaga.

46
47 MS. GLADYSZ:
48 Good evening. My name is MaryAnne Gladysz. I am a resident of
49 Rocky Point, and my property abuts LIPA property, as well as the
06:22PM 50 proposed Rails-to-Trails project spanning from Mount Sinai to
51 Wading River. And this is my second trip to the Legislature
52 regarding this topic. My first was about 3 1/2 years ago, where
53 afterwards I was invited to meet with Legislator Anker in her
54 office, and we spoke for a bit and she promised to keep me in the
55 loop. Fast forward about three years to this past March, not one
56 word from the Legislature, unfortunately, regarding this project,

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1 until I received a bulk mailing noticing me that -- I'm sorry, a
2 notice regarding two public meetings that would be upcoming. The
3 first was held on March 22nd, where I heard two very startling bits
4 of information.

5
6 The meetings were being held so that the public could have input,
7 yet the design plans had already been submitted to the New York
8 State Department of Transportation the previous month in February.
9 The second part was that approximately three years prior to this
06:23PM 10 meeting, a Rails-to-Trails Advisory Committee had been established,
11 I believe by the Legislator. So I guess being kept in the loop
12 meant different things to different people. Each civic association
13 along the proposed trail appointed one member to sit on this
14 committee. I asked at the first meeting if there were any abutting
15 residents on the committee. The Legislator was -- Legislator was
16 unsure at that time. I asked again at the second meeting, which
17 was on April 5th, and the answer -- the answer was still unclear.
18 The Legislator then made mention of possibly starting a
19 subcommittee so that abutting residents would have -- I'm sorry,
06:23PM 20 would be represented. That was over 2 1/2 months ago, I still
21 haven't heard anything about a subcommittee.

22
23 After attending a Rocky Point Civic Association meeting in early
24 June, with the hopes that they would support us in getting accurate
25 information and notification, I have come to the conclusion that
26 although the president of the civic stated they have no official
27 stance on the project, they are fully in support of it. In the
28 packet that I just handed out, you'll find their special addition
29 newsletter asking people to support it and come down to the
06:24PM 30 meeting.

31
32 They also refused to acknowledge that the form that was passed out
33 by one of their members was full of misleading information and
34 blatant lies. He -- I'm sorry, the president then proceeded to
35 shut each resident down as we tried to express our concerns. He
36 also shut down the guest speaker that night, which happened to be
37 Suffolk Police Commissioner Sini. He was about to answer a
38 question posed by a longtime civic member, and the president said,
39 as he began to speak, he said, "We've already gone over that, you
06:24PM 40 don't need to answer," knowing full well that there were about 20
41 or 25 people in the civic hall, or in the VFW hall, that wanted to
42 know the answer.

43
44 After the complete disrespect shown to the Rocky Point residents
45 and Commissioner Sini, I again went to the office, to the
46 Legislator's office to ask for a meeting for abutting residents
47 only. The reason behind my abutting-residents-only meeting is that
48 every meeting I have been to has been stacked with supporters from
49 across Suffolk County, yet the people who live right on this narrow
06:25PM 50 strip of land are not being notified when these meetings are. We
51 don't have a chance to voice our opinions. Okay. So the
52 residents --

53
54 *(Timer Sounded)*

55
56 Ah, I apologize. I will finish up quickly. I am here basically to

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1 ask, even though you said there will be no meetings until after the
2 DOT brings back their initial response and then it moves into the
3 final design phase. Why are we waiting until the final design
4 phase? Why will you not speak to us now, or are you just trying to
5 push this through and hoping we'll be quiet in -- I know you can't
6 answer the actual question, so I put this to you. Give it a
7 month's time, late July.

8
9 P. O. GREGORY:
06:25PM 10 Ma'am your time's wrapped up.

11
12 MS. GLADYSZ:
13 Okay. Late July, have a meeting with us, get together with the
14 engineers and NV5, and everybody that has to be there. Give us
15 plenty of notice so that we can all come down and actually come
16 together on this, rather than being kept in the dark.

17
18 *(Applause)*

19
06:26PM 20 P. O. GREGORY:
21 Thank you. Okay, Cesar. You have three minutes, then we go to
22 public hearings.

23
24 MR. MALAGA:
25 Yeah. My name is Cesar Malaga. I'm the president of the Hispanic
26 American Association.

27
28 Now what I heard tonight, you know, I think, you know, the ADAs
29 need increases. Now you can decrease your salaries by more than
06:26PM 30 50%. Close your district offices, eliminate your, you know, aides,
31 which would need them. Perhaps our District Attorney would get
32 more money.

33
34 Now let me just talk about, for the last four sessions, you've been
35 discussing about, you know, decreasing the number of Legislators.
36 Mr. Gross mentioned about the Board of Supervisors. Way back we
37 had ten Board of Supervisors. Right now you have 18 Legislators.
38 You are wasting our tax dollars. We don't need 18 Legislators.

39
06:26PM 40 Since 2008, I've been here asking you to decrease the number of
41 Legislators and cut the expenses that you have in the County. I
42 have here your study made in 2008 from the real figures. And let
43 me tell you, the figures are \$6 million, 2008, that you are using
44 it, which is not -- which is not necessary. So eliminate all your
45 offices, which you don't need to have, eliminate your aides, which
46 you don't either. And like the Legislators in Westchester, they
47 make 49,200; in Nassau, 39,500. Why do you have to make over
48 \$100,000, some of you, why? They don't have aides, they don't have
49 central offices. So eliminate those other things, we can save
06:27PM 50 money.

51
52 Now let me just go to the other -- the other point I have,
53 transportation. When Bob Shinnick was in charge of the bus system,
54 we did a lot of things in transportation. We put bus shelters and
55 put some schedules, also put some, you know, bus routes along the
56 -- in the areas like -- you know, like railroad terminals and many

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1 other places. Now why don't you have a schedule of the buses
2 arriving in front of, you know, hospitals, public buildings, and
3 shopping centers, since you can have a schedule of what time, more
4 or less, the bus is supposed to be there, you know, that are going
5 to be serving the people?
6

7 The other thing I would like to know is, I don't see it up here,
8 who is in charge of the -- you know, of the transportation? But
9 the transportation, the bus -- the transportation between six --
06:28PM 10 Exit 65 to Southampton, it's horrendous. You don't need -- there's
11 so many cars going there. Eliminate all those cars by providing,
12 you know, railroad service, which we had at the time they were
13 building, you know, Route 39. You could have all the way from
14 Patchogue, I think it is, all the way to East Hampton. Use the
15 Long Island Railroad. They have extra cars, they have extra
16 locomotives that can be used to provide service to the Long Island
17 Railroad.
18

19 P. O. GREGORY:
06:29PM 20 Thank you, Cesar.
21

22 MR. MALAGA:
23 Thank you very much.
24

25 P. O. GREGORY:
26 Thank you.
27

28 *(Applause)*
29

06:29PM 30 Okay. Folks we have reached 6:30. If you look in your agenda,
31 it's time for our public hearings. So we have probably about 12
32 more speakers who have filled out cards. So what we'll do is -- so
33 I know a lot of you, this is your first time here. We'll do the
34 public hearings, and then once we finish with the public hearings,
35 we'll come back to those people, so that they can speak and finish
36 the public portion, okay? But we have about 25 cards, three
37 minutes each, probably a little over an hour, maybe an
38 hour-and-a-half. But this portion of our agenda we get to ask
39 questions, so it's not just a strict three minutes. It could be
06:30PM 40 three hours, just to throw out an odd figure. But we are going to
41 our public hearing. I just want to give you guys a heads up what
42 to expect, okay?
43

44 So our first public hearing is -- oh. Is the 2017-2018 Suffolk
45 Community College Budget. And Ben Zwi rn, where are you, Ben?
46

47 MR. ZWI RN:
48 Good evening, Mr. Chairman. There are just a few things I just
49 want to say.
06:30PM 50

51 One of the things that came up, we mentioned at the Education
52 Committee at one of the earlier budget hearings, was that we set up
53 a -- the Legislature set up a Community College Budget Committee to
54 look at a five-year plan to try to see how we could stabilize
55 expenses and revenues coming in and try to keep tuition under
56 control. One of the things that came out of that, the Community

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1 College asked for a 2 1/2% increase in the contribution from the
2 County. The County Executive came back with 1.5%. And the College
3 said, "We'll live with that, and we'll take the balance, the
4 shortfall in revenues, we'll take it out of the reserves."

5
6 And we understand the County's financial problems, and we're also
7 appreciative of the fact that this Legislature, along with the
8 County Executive, passed a CN and gave us the extra money so that
9 we could build the Health and Wellness Facility on the Eastern
06:31PM 10 Campus. The good news is, is that the Health Department has met
11 and given all its approvals, and construction is underway on that
12 project, so we're grateful for that.

13
14 We just want to make it clear that the Community College Budget
15 Committee, when they came out with a 1.5% increase, the model that
16 was set up anticipated us getting a \$100 increase in FTE aid from
17 the State and that the Trustees would increase tuition to \$200 a
18 year. The Board of Trustees has tried to keep costs under control
19 for the students out there who are Suffolk County residents, so
06:32PM 20 they increased tuition \$100, and we only got a \$50 increase in
21 State Aid. And because of a declining enrollment, we're actually
22 getting less State Aid next year than we got the year before, even
23 with the \$50 increase on the FTE side.

24
25 We just want to make it clear that that Community College Budget
26 Committee was set up as an advisory committee and not to replace
27 the budget process, because every year we're going to come back and
28 there'd be different situations and different scenarios, and we
29 just want to make that statement clear.

06:32PM 30
31 The expenses on the College are going up less than 1/2 of 1% over
32 the previous year. As I said, we're taking an extraordinary amount
33 of money out of the reserve fund. The reason the reserve fund has
34 gotten, you know, larger over the years is because the College is
35 not in a position to borrow money in the event of a disaster.
36 Hurricane Sandy, three roofs had to be replaced on the campuses.
37 The money came from the reserve fund to do that. Eventually, it
38 was reimbursed by FEMA, but there was no way of knowing at the time
39 that that would happen, but that's what the reserve is for. There
06:33PM 40 have been lawsuits and settlements in the past in the millions of
41 dollars that have come out of the reserve.

42
43 The College cannot borrow money for settlements. I mean, you're
44 going to have some issues. You have, I think, a resolution before
45 you tonight that you're going to have to -- and you'll see that
46 these lawsuits can be very expensive.

47
48 We want to thank you for your past support. We agree, we can live
49 with the County Executive's recommended changes, and just allow the
06:33PM 50 College to manage that, and we thank you for your past support.

51
52 P. O. GREGORY:
53 Ben, Legislator Trotta has a question for you.

54
55 LEG. TROTТА:
56 How much is the enrollment going down?

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06:34PM

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06:35PM

MR. ZWIRN:
We've budgeted, I think, 1.5%. Gail Vizzini is here, the Vice President of Finance.

LEG. TROTТА:
No, just numbers-wise.

MR. ZWIRN:
Yeah. I think Gail can give you the exact numbers.

MS. VIZZINI:
We're trying to be conservative, so we're projecting enrollment will probably decrease about 2%, which is about 200 FTEs.

LEG. TROTТА:
And last year it went down how much, what percent?

MS. VIZZINI:
Last year it was very similar, it was a little bit over 2%, so --

LEG. TROTТА:
And the year before?

MS. VIZZINI:
Similar, which is in terms of actual. So what happened was we experienced significant shortfalls in revenue. So rather than have that happen --

LEG. TROTТА:
So it went down 6% in the past three years, that's my point. And what's your projection on enrollment in the future?

MS. VIZZINI:
Well, this -- presumably, this high school class is the largest in some time, but enrollment certainly is not what it was in 2008, commensurate with the economy. So it will continue to be relatively flat, with perhaps some decline before it increases.

MR. ZWIRN:
If I might just add, you know, some of the students that we have here attend community colleges outside of Suffolk County. And when that happens, out-of-county tuition expenses are passed on to the towns from the County. We have made strong efforts, working with the Comptroller's Office, to identify these students and talk to them and find out why are they leaving. Is it because of certain classes that are being given, is it because of convenience? Because you'll notice that the students are from the Babylon, Huntington areas on the border of Nassau County, where a lot of our students, our residents go.

We've also looked at the classes that they're taking and we're increasing some of the programs that they have had there, now we're going to be offering them at Suffolk. So, hopefully, we can bring some of those students back, and, in fact, we are. The number of students that are -- have left the County are starting to decline.

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1 We're bringing them back through a strong marketing campaign. But
2 with the economy getting stronger, enrollment does slip, because
3 people have jobs, instead of being trained for new positions.

4
5 LEG. TROTТА:

6 Is Suffolk Community College part of the free college program that
7 the State has?

8
9 MR. ZWIRN:

06:36PM 10 Yes. It's open enrollment. It's not -- it's not free for -- you
11 mean the Excelsior Program with the Governor?

12
13 LEG. TROTТА:

14 Yeah.

15
16 MR. ZWIRN:

17 Yeah. So we don't know if that's going to have much of an impact,
18 because the cost of the college is still relatively inexpensive.
19 And if you can qualify for a PELL Grant or a Tuition Assistance
06:36PM 20 Program, your tuition would be covered.

21
22 LEG. TROTТА:

23 But do you foresee people going to Upstate colleges rather than
24 here, combined with the fact that enrollment in every school
25 district in this County, except two, is declining?

26
27 MR. ZWIRN:

28 Do we expect students to go up -- there are some students who go
29 Upstate because they have dormitories. They -- you know,
06:36PM 30 Adirondack Community College, for example, has park ranger
31 programs. I mean, my niece went up there.

32
33 P. O. GREGORY:

34 Legislator Barraga.

35
36 LEG. BARRAGA:

37 All right. Just a couple of points, Ben. First, the reserve fund.
38 Since 2013, '14, the reserve fund was roughly at 25 million, now
39 it's down to roughly about \$15 million. And Middle States usually
06:37PM 40 requires a Community College to have between 10 and 15% of their
41 operating budget in the reserve fund. So one has to be careful as
42 you move forward that that reserve fund doesn't slip to a point
43 where you find yourself in harm's way of a Middle States
44 Accrediting Association evaluation.

45
46 The student population, as I understand it, has dropped since 2010
47 by about 1,960 students, which is interesting, because we have
48 roughly 3,990 students going to out-of-county colleges. About 68%
49 of those students go to Nassau Community College, a large chunk,
06:37PM 50 about 25% go to FIT, and then the rest are spread throughout the
51 state, but very few of those college students from Nassau are
52 coming into Suffolk. And when you take a look at the numbers in
53 terms of where these students are coming from that are not going to
54 Suffolk, it's mainly in Huntington and in Babylon, because I have
55 always felt logistically it's easier to go to Nassau Community
56 College than it is to run out to Selden. At some point in time,

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1 especially as it pertains to FTEs, I mean, if you had those
2 students back in Suffolk County, or even 50% of them, your
3 budgetary situation, based on FTE reimbursement of \$2,700 per
4 student, you'd be in much better financial shape.

5
6 MR. ZWIRN:
7 Absolutel y.

8
9 LEG. BARRAGA:

06:38PM 10 Okay. The problem I've always had, but, yet, I've never been able
11 to do anything about it, to be honest with you, is that I certainly
12 understand when a student in Suffolk County wants to go to another
13 college, whether it be in Nassau or in any other location in the
14 State of New York, when Suffolk County Community College does not
15 offer the Associate Degree program that they're seeking, and I
16 think that's something that a student should have the option to do.
17 But now they can go -- even though, let's say, a student is seeking
18 an Associate's Degree in Business at Suffolk Community College and
19 it's offered anyplace else, they can go anyplace else, and we take
06:39PM 20 the financial hit in Suffolk County because we lose the FTE. I've
21 always felt that the only time that should be allowed is when we
22 don't offer the program in Suffolk. And that's something the State
23 Legislature should really take a look at, because it's extremely
24 unfair to Suffolk residents, because we're losing that additional
25 aid, we're losing the students, and something really has to change.
26 But it's -- and because we get very few students going the other
27 way from Nassau to Suffolk County.

28
29 The new programs you're talking about, yes, you can go ahead and
06:39PM 30 put three or four new programs for Associate Degrees, or
31 certificates, or whatever it may be, but still that student can
32 say, "No, I still want to go to Nassau," "I still want to go to
33 FIT," or some other college. So, I mean, I understand where you're
34 coming from in terms of those programs, but it isn't as if it's not
35 mandatory that you've got to come to Suffolk Community College
36 because we have the program, it isn't. They can still say no and
37 go someplace else.

38
39 So those are just, you know, my own input. I mean, obviously, a
06:40PM 40 five-year program, you had made some changes. I mean, it's
41 something to project, even in huge companies. I mean, as far as
42 the tuition, you had 200, and it certainly turned out to be 100.
43 The FTEs, you said a \$100 increase, it turned out to be 50. You
44 never really know what you don't control.

45
46 MR. ZWIRN:
47 I agree wi th everythi ng you sai d.

48
49 LEG. BARRAGA:
06:40PM 50 Thank you.

51
52 P. O. GREGORY:
53 Legi sl ator Li ndsay.

54
55 LEG. LINDSAY:
56 Good afternoon, Ben, and good afternoon, Gail. Thank you for

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1 coming in tonight. I have just two points that I would like to
2 make. Actually, the first is a question, not a point.

3
4 On the soccer stadium issue that was being proposed with Brentwood,
5 can you give me an update as to where that's at, where we had
6 private sector money that was looking to come in and build a soccer
7 arena?

8
9 MR. ZWIRN:

06:41PM 10 Yes, that's -- it's still pending. The Rechler Brothers, who are
11 the ones who are sponsoring it with the Rough Riders organization,
12 for those of you who don't know, they have suggested they would
13 like to build a stadium on the Brentwood campus for their team.
14 They're a feeder team for the Cosmos and for -- in the National
15 Soccer League. It's gone through the Facilities Committee of the
16 Board of Trustees, and they're going to come back and make one more
17 presentation, I think, before the entire Board, but it will be a
18 Board of Trustees decision.

19
20 LEG. LINDSAY:

06:41PM 21 Do you know the timeline on that and when that would occur?

22
23 MR. ZWIRN:

24 I think they're planning on coming before the next Board meeting,
25 which is in --

26
27 MS. VIZZINI:

28 Yes, August.

29
30 MR. ZWIRN:

06:41PM 31 In August would be the next Board meeting. I think they decided
32 they're going to come back then, and I'll get you an update.

33
34 LEG. LINDSAY:

35 Thank you, I appreciate that. And my second topic was on workforce
36 development. I know, Ben, we've had a lot of conversations
37 regarding this issue. I'm continuously approached by employers
38 throughout the County who are all facing similar issues with trying
39 to find qualified entry level employees to hire. Last week I met
06:42PM 40 with two of those employers, specifically, one of which -- and the
41 ADAs, if they were still in the room, would appreciate this.
42 They're looking to hire welders, and it's basically an open bidding
43 process, where they're paying up to 150 to \$160,000 a year for
44 welders, because they just can't find enough qualified welders out
45 in the workforce.

46
47 I would like to get your continued commitment here to work with
48 those employers on developing curriculum and developing programs
49 that will enable them to -- the school to educate the students and
06:42PM 50 them to hire them, which would, from the conversations we've had,
51 it's almost guaranteed employment.

52
53 MR. ZWIRN:

54 We have a welding program, I mean, so that's something that would,
55 you know, be perfect for our -- we'll have to talk about that.

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1 LEG. LINDSAY:
2 Right.

3
4 MR. ZWIRN:
5 I know we talked about Nature's Bounty in your group, and I went
6 down there with John Lombardo and Lou Petrizzo and we had a meeting
7 with them. And there had been some communication problems, but
8 this is the kind of things that we had.

9
06:43PM 10 LEG. LINDSAY:
11 Absolutely. And I appreciate that, and I -- you know, there has
12 been barriers or disconnects with communication, and I know we've
13 been working towards breaking those down. I just -- I'm just
14 looking for your continued commitment to do that.

15
16 MR. ZWIRN:
17 Absolutely.

18
19 LEG. LINDSAY:
06:43PM 20 Thank you.

21
22 P. O. GREGORY:
23 Okay. All right. Thank you, Ben.

24
25 MR. ZWIRN:
26 Thank you.

27
28 P. O. GREGORY:
06:43PM 29 Okay. That's all the cards that I had for the Community College
30 budget. Is there anyone else that would like to speak? Please
31 come forward. Okay. Seeing none, I'm going to make a motion to
32 close.

33
34 MR. RICHBERG:
35 Legislators.

36
37 LEG. D'AMARO:
38 Second.

39
06:43PM 40 P. O. GREGORY:
41 Second by Legislator D'Amaro. If I could have all Legislators to
42 the horseshoe, please.

43
44 MR. RICHBERG:
45 That's 10. That's 10.

46
47 P. O. GREGORY:
48 Okay. All in favor? Opposed? Abstentions, to close?

49
06:44PM 50 MS. ELLIS:
51 *Ten. (Vote: 12 yes, 0 no, 6 not present: Legislators Hahn,*
52 *Martinez, Cilmi, Barraga McCaffrey and Calarco)*

53
54 P. O. GREGORY:
55 Okay. *Procedural Motion No. 4 - Inclusion of new Parcels into an*
56 *Existing Agricultural District - David Fedun (SCTM No.*

1 0600-079. 00-01. 00-007. 014) (P. O.) (IR 1442-17).

2

3 LEG. KRUPSKI:

4 So moved.

5

6 P. O. GREGORY:

7 I'm calling the public hearing.

8

9 LEG. KRUPSKI:

06:44PM 10 Oh, sorry.

11

12 P. O. GREGORY:

13 I don't have any cards for this public hearing. Is there anyone
14 here that would like to speak on it? Please come forward. Okay.
15 A motion by Legislator Krupski to close.

16

17 LEG. KENNEDY:

18 Second.

19

20 P. O. GREGORY:

21 Second -- who was that? Legislator Kennedy. All in favor?
22 Opposed? Abstentions?

23

24 MS. ELLIS:

25 *Twelve. (Not Present: Legislators Hahn, Martinez, Cilmi, Barraga*
26 *McCaffrey and Calarco)*

27

28 P. O. GREGORY:

29 Okay. *Procedural Motion No. 4 (sic) (Procedural Motion 5) -*
06:44PM 30 *Inclusion of new Parcels into an Existing Agricultural District -*
31 *Thomas Hart III (SCTM No. 1000-063. 00-03. 00-025. 000) (P. O.) (IR*
32 *1443-17).* I don't have any cards on this public hearing. Is there
33 anyone here who would like to speak on it? Please come forward.
34 Okay. I'll make a motion to --

35

36 LEG. KRUPSKI:

37 To close.

38

39 P. O. GREGORY:

06:44PM 40 Motion to close by Legislator Krupski, I'll second. All in favor?
41 Opposed? Abstentions?

42

43 MS. ELLIS:

44 *Twelve. (Not Present: Legislators Hahn, Martinez, Cilmi, Barraga*
45 *McCaffrey and Calarco)*

46

47 P. O. GREGORY:

48 *Procedural Motion No. 6 - Inclusion of new Parcels into an Existing*
49 *Agricultural District - Paul Melnik (SCTM No.*
06:45PM 50 *0200-593. 00-02. 00-001. 000) (P. O.) (IR 1444-17).* I don't have any
51 cards for this public hearing. Anyone like to speak on it, please
52 come forward. Seeing none, I'll make a motion to close.

53

54 LEG. KRUPSKI:

55 Second.

56

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1 P. O. GREGORY:
2 Second by Legislator Krupski. All in favor? Opposed?
3 Abstentions?

4
5 MS. ELLIS:
6 *Thirteen. (Not Present: Legislators Lindsay, Martinez, Cilmi,*
7 *McCaffrey and Calarco)*

8
9 P. O. GREGORY:
06:45PM 10 *Procedural Motion No. 7 - Inclusion of new Parcels into an Existing*
11 *Agricultural District - Michael Croteau (SCTM No.*
12 *1000-075.00-07.00-001.004) (P. O.) (IR 1445-17). I don't have any*
13 *cards for this public hearing. Anyone like to speak on it, please*
14 *come forward. Same motion, same second. All in favor? Opposed?*
15 *Abstentions?*

16
17 MS. ELLIS:
18 *Fourteen. (Not Present: Legislators Lindsay, Martinez, McCaffrey*
19 *and Calarco)*

06:45PM 20
21 P. O. GREGORY:
22 *Procedural Motion No. 8 - Inclusion of new Parcels into an Existing*
23 *Agricultural District - Josiah Foster, LLC (SCTM No.*
24 *0900-056.00-01.00-016.000) (P. O.) (IR 1446-17). I don't have any*
25 *cards for this public hearing. Is there anyone in the audience*
26 *that would like to speak on it? Please come forward. Okay.*
27 *Seeing none, I'll make a motion to close. Same motion, same*
28 *second. All in favor? Opposed? Abstentions?*

29
06:45PM 30 MS. ELLIS:
31 *Fifteen. (Not Present: Legislators Anker, Martinez and Calarco)*

32
33 P. O. GREGORY:
34 *Procedural Motion No. 9 - Inclusion of new Parcels into an Existing*
35 *Agricultural District - Laura Klahre and Adam Suprenant (SCTM No.*
36 *1000-075.00-04.00-029.000) (P. O.) (IR 1447-17). I don't have any*
37 *cards for this public hearing. Is there anyone who would like to*
38 *speak on it? Please come forward. Seeing none, same motion, same*
39 *second. All in favor? Opposed? Abstentions?*

06:46PM 40
41 MS. ELLIS:
42 *Fifteen. (Not Present: Legislators Anker, Martinez and Calarco)*

43
44 P. O. GREGORY:
45 *Procedural Motion No. 10 - Inclusion of new Parcels into an*
46 *Existing Agricultural District - Twisted Pine, LLC (SCTM Nos.*
47 *0300-166.00-04.00-001.001 and 0300-166.00-04.00-001.003) (P. O.)*
48 *(IR 1448-17). I don't have any cards for this public hearing as*
49 *well. Anyone like to speak on it, please come forward. Seeing*
06:46PM 50 *none, same motion, same second. All in favor? Opposed?*
51 *Abstentions?*

52
53 MS. ELLIS:
54 *Fifteen. (Not Present: Legislators Anker, Martinez and Calarco)*

1 P. O. GREGORY:

2 *Procedural Motion No. 11 - Inclusion of new Parcels into an*
3 *Existing Agricultural District - Bridge A, LLC (SCTM No.*
4 *0900-084. 00-01. 00-032. 020 and 0900-084. 00-01. 00-032. 021) (P. O.)*
5 *(IR 1449-17). I don't have any cards for this public hearing. Is*
6 *there anyone who would like to speak on it? Please come forward.*
7 *Okay. Same motion, same second. All in favor? Opposed?*
8 *Abstentions?*

9
06:46PM 10 MS. ELLIS:

11 *Fifteen. (Not Present: Legislators Anker, Martinez and Calarco)*

12
13 P. O. GREGORY:

14 *Procedural Motion No. 10 (sic) (12) - Inclusion of new Parcels into*
15 *an Existing Agricultural District - Howard Flynn and Deborah Siegel*
16 *(SCTM No. 0200-698. 00-01. 00-040. 000) (P. O.) (IR 1450-17). I don't*
17 *have any cards for this public hearing as well. Anyone like to*
18 *speak on it, please come forward. Okay. Same motion, same second.*
19 *All in favor? Opposed? Abstentions?*

20
06:47PM 21 MS. ELLIS:

22 *Fifteen. (Not Present: Legislators Anker, Martinez and Calarco)*

23
24 P. O. GREGORY:

25 *Procedural Motion No. 13 - Inclusion of new Parcels into an*
26 *Existing Agricultural District - Pal-O-Mine Equestrian, Inc. (SCTM*
27 *Nos. 0504-004. 00-01. 00-019. 000 and 0504-009. 00-01. 00-035. 000)*
28 *(P. O.) (IR 1451-17). I do have two cards for this public hearing.*
29 *Joseph Prokop, and then on deck, Allan Dorman.*

30
06:47PM 31 MR. PROKOP:

32 Thank you, Presiding Officer Gregory and Legislators. Excuse me,
33 I'm sorry. My name is Joseph Prokop. I'm the Village Attorney of
34 the Village of Islandia, and where these two properties are
35 located. And I have some brief comments that I'd like to bring to
36 your attention about this, this particular -- these particular two
37 parcels and this -- and this motion.

38
39 So under Section 303(b), actually 303(b)(1) of the Agriculture and
06:48PM 40 Markets Law, there's a requirement that the land involved be
41 predominantly viable agricultural land. And as you notice in the
42 package before you tonight, the nine other, or the many of the
43 other parcels are, in fact, viably -- predominantly viable
44 agricultural land. However, these two parcels are not. They are
45 not viably agricultural, there's no agricultural use. In fact, one
46 is a single-family residence, and the other, 899, is actually a
47 three-family residence in the Village of Islandia. And there is no
48 agricultural use either on -- currently on either property, or
49 available for either property. As a matter of fact, the use of 899
06:48PM 50 Old Nichols Road was litigated very expensively and recently by the
51 Village of Islandia, and, finally, the three-family use was
52 recognized at the request of the then owner and with that
53 resolution.

54
55 We -- I'd like to also very respectfully say to the -- your body
56 that, once again, the Village of Islandia is facing a County action

1 with a boiler plate SEQRA study or SEQRA form that has been either
2 partially filled out, incorrectly filled out, and we feel was not
3 the proper form for this action. And I'm referring to the short
4 form that was -- accompanied the resolution.

5
6 We -- many of the questions may be relevant to all of the other
7 parcels that are part of this package, but they're not relevant to
8 the single-family house and the three-family house that are the
9 Islandia parcels. Specifically, as we learned in the case of the
06:49PM 10 Village of Islandia vs. Martens in Suffolk County, which was
11 recently resolved, the -- Islandia, in fact, does include a
12 critical environmental area, which is very important to the village
13 and to the County, and which we will always act to protect. And
14 it's not adjacent to these parcels, but it's proximately located,
15 and it's a major concern of the village.

16
17 We feel that a long form should have been used, a long form that's
18 specific to these two parcels, not part of a package of other
19 parcels that have nothing to do with the uses of these two parcels.
06:50PM 20 And, similarly, the Village of Islandia should have been included
21 as an involved agency. And, also, the boiler plate language of the
22 resolution that you have included in your package for each of the
23 other parcels is not -- contains three findings that are not
24 relevant to the Village of Islandia, and not relevant to these two
25 parcels. It's merely, as I said, boiler plate summary findings of
26 no significance, and we find -- we disagree with that, and find
27 that there should have been a full study, and more particular to
28 the Village of Islandia and these two parcels. With that, we would
29 like the ability to --

06:51PM 30
31 P. O. GREGORY:
32 Thank you, Mr. Prokop. Please, wrap up.

33
34 MR. PROKOP:
35 I just -- the offer that we always make to Suffolk County when we
36 face this is we would like to have further dialogue with the
37 County, and we hope that you make that available to us.

38
39 P. O. GREGORY:
06:51PM 40 Sure. And Legislator Cilmi has a question for you.

41
42 LEG. CILMI:
43 Joe, how are you?

44
45 MR. PROKOP:
46 Good, sir. How are you? Thank you.

47
48 LEG. CILMI:
49 Well, thank you. So I'm happy to see you here, but a little
06:51PM 50 surprised, because I remember the last time we had some question as
51 to the inclusion of Pal-0-Mine parcels into the ag district, that
52 there was -- you know, we knew about it, or I knew about it ahead
53 of time that you were opposing, the village was opposing, and I
54 hadn't heard anything on this one. So I just wanted to make sure
55 that you hadn't reached out to my office or that nobody had reached
56 out to my office on this.

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06:52PM

06:52PM

06:52PM

06:52PM

06:52PM

MR. PROKOP:
I didn't personally. I can't speak for the administration of the village. I didn't personally.

LEG. CILMI:
Okay.

MR. PROKOP:
And I don't know that the notice -- these documents I'm reading largely for the first time recently. I don't know what was -- I notice that they do have dates, weeks, in one case, one or two months ago.

LEG. CILMI:
Right.

MR. PROKOP:
But it was early in the process, and we --

LEG. CILMI:
Okay.

MR. PROKOP:
I did not particularly reach out.

LEG. CILMI:
Now, so the primary parcel that Pal-0-Mine occupies is in the ag district now, correct?

MR. PROKOP:
It's in the ag district yes.

LEG. CILMI:
Right. And this was -- so they're seeking to add additional parcels to that designation?

MR. PROKOP:
Two noncontiguous parcels, yes.

LEG. CILMI:
Noncontiguous parcels.

MR. PROKOP:
Yes.

LEG. CILMI:
Okay. Have you had any conversation with Lisa at Pal-0-Mine about this?

MR. PROKOP:
Not about this, no.

LEG. CILMI:
No. Has she reached out, to your knowledge, to the village to discuss this at all.

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06:53PM

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06:54PM

MR. PROKOP:
Not about these two parcels that I'm aware of, no.

LEG. CILMI:
Okay. So this request came as a surprise to the village?

MR. PROKOP:
That would -- I think that it would have been considered by the County came as a surprise to the village, yes. When you look at --

LEG. CILMI:
The request, the request by Pal-O-Mine, was that a surprise to the village?

MR. PROKOP:
Yes, given the history of particularly 899, and the fact that when you look at the aerial view of the two properties, you see their use. One is a single-family residence, and the other is a three-family residence, which, as I say, was publicly litigated expensively and extensively by the village.

LEG. CILMI:
Okay. Those are really the only questions I had for you. And when it comes time to actually vote on the resolution at some later date, I suppose we do get that opportunity, correct, Counsel? We have the opportunity, then, at a later date? Once this public hearing on this Procedural Motion is closed, the resolution will come to us at a later date, correct?

MR. NOLAN:
There's a companion resolution --

LEG. CILMI:
Right.

MR. NOLAN:
-- that would allow the inclusion that's assigned to EPA and is going to be considered during the next cycle.

LEG. CILMI:
Right. And I'll have a conversation with our Planning folks about this in the interim. And, certainly, if the village has anything to add, my office door is always open, the email is working, the phone works, you know.

MR. PROKOP:
Thank you.

LEG. CILMI:
Feel free to give me a call, okay?

MR. PROKOP:
And as a final response to your question, I don't -- not in any way do I mean to be disrespectful or indicate lack of support for this program, and the concept of this, the other, the remaining package.

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1 It's only we're questioning how a noncontiguous single-family
2 residence and a noncontiguous three-family residence could possibly
3 have been included in this package. And I believe Mayor Dorman is
4 here as the next speaker to also offer his comments. Thank you.

5
6 LEG. CILMI:

7 Great. So -- oh, that's fine. Thank you, Joe.

8
9 P. O. GREGORY:

06:55PM 10 All right. Thank you. Oh, I'm sorry, Legislator Krupski.

11
12 LEG. KRUPSKI:

13 Thank you. Good evening.

14
15 MR. PROKOP:

16 Good evening. How are you, sir?

17
18 LEG. KRUPSKI:

06:55PM 19 I just -- I just wanted to make sure that we had our questions
20 answered about -- procedurally about SEQRA, and whether we should
21 -- we should or can close the hearing tonight, because I sit on the
22 Farmland Protection Board and we did have quite a debate over this
23 parcel and the merits of it, and whatnot, whether it -- whether it,
24 you know, complies with our -- with the goals of an ag district. I
25 just want to make sure. And it's a -- I guess it's a legal
26 question about SEQRA, whether we should, in fact, close this
27 hearing.

28
29 MR. PROKOP:

06:55PM 30 Well, if I could inform the Legislature that the Village of
31 Islandia actually includes the headwaters of the Connetquot River,
32 which has been recognized by the DEC and many other agencies and --
33 as a critically environmental impact area and of extreme
34 significance. Anything that would happen in the village,
35 especially -- you know, it's not -- again, I will admit that it's
36 not contiguous to that area, but, however, it's in an area where
37 anything that would happen would have a significant impact on the
38 entire Connetquot River system, and we're -- which is a concern of
39 ours. And we feel that that should have been indicated positively
06:56PM 40 on the -- at least on the short form. If you were going to have a
41 thorough completion of the short form, that question at least
42 should have been asked -- answered positively, and several others.
43 But we believe that a thorough review could only have been done
44 with a long form with the village as an involved agency.

45
46 LEG. KRUPSKI:

47 I'm going to ask the Presiding Officer if he could indulge me and
48 we could ask Bob Braun about the -- you know, about the SEQRA
49 question, or Director Lansdale about the SEQRA question, because
06:57PM 50 just to inform the horseshoe.

51
52 P. O. GREGORY:

53 This is the public hearing, it's not really appropriate, I'm being
54 advised by Counsel.

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1 LEG. KRUPSKI:
2 I mean, should we -- should we close it or recess it? That's my
3 question.

4
5 MR. NOLAN:
6 Let me just say that if you recess it, I know there's a fairly
7 tight time frame on consideration of these -- inclusion of these
8 parcel s.

9
06:57PM 10 LEG. KRUPSKI:
11 Right.

12
13 MR. NOLAN:
14 So, you know, if you don't close this public hearing, you may be
15 foreclosing the possibility of including this parcel in a farm
16 district.

17
18 In terms of the SEQRA issue, I can't really address that. You
19 know, this went through, you know, Planning and the Farmland
06:57PM 20 Committee.

21
22 LEG. KRUPSKI:
23 Yes.

24
25 MR. NOLAN:
26 And I don't know exactly what the process was, whether, you know,
27 it was, you know, adequate. But they could speak to that, but, you
28 know, normally not in the public hearing.

29
06:57PM 30 LEG. KRUPSKI:
31 Only to be informed on -- well, it didn't even have to go to SEQRA,
32 just the timeline of recessing this versus closing the hearing.

33
34 MR. NOLAN:
35 That particular question, because I don't remember, I think it
36 might be the end of August or -- I know it's very, very tight, and
37 I know Planning wants to pass these resolutions, if they're going
38 to pass, at our next meeting, maybe because it's the end of July
39 that we have to get this done; is that correct?

40
41 LEG. KRUPSKI:
42 Yes.

43
44 DIRECTOR LANSDALE:
45 (Nodded yes).

46
47 MR. BRAUN:
48 (Nodded yes).

49
06:58PM 50 MR. NOLAN:
51 The Director of Planning is telling me that is correct, they have
52 to approve or not these resolutions by the end of July. So if we
53 keep the public hearing open, that would make it impossible.

54
55 LEG. KRUPSKI:
56 Okay. Thank you.

1
2 MR. PROKOP:
3 There is another speaker on this here.

4
5 P. O. GREGORY:
6 Okay. Anyone? Okay. All right. Thank you.

7
8 MR. PROKOP:
9 We would ask, in response, very respectfully, that this -- that
06:58PM 10 these two parcels, these two parcels should never have been
11 included in the package. That's the position of the village. We
12 would ask that they be separated if the remaining package moves
13 ahead. And I defer to the next speaker. Thank you.

14
15 P. O. GREGORY:
16 All right. Thank you. All right. Mayor Dorman is next.

17
18 MAYOR DORMAN:
19 Good evening. I thank you for the time to talk about this project,
06:59PM 20 just to get a few issues out of the way.

21
22 The Village of Islandia does not oppose Pal-O-Mine going into the
23 AG District, we don't oppose that. We have a great understanding
24 about the AG District from the last time we had our rounds with
25 this, and we got educated into the process, up to the point that we
26 redid our master plan to include equine into our agricultural
27 portion of our plan, so we're looking to do the right thing.

28
29 What I expect, and the Board and our village expects, is for the
06:59PM 30 County to do the right thing. These are two pieces of property.
31 They are not connected to Pal-O-Mine. Whether they have to be or
32 not, I'll leave that up to the legal minds.

33
34 *(The following testimony was taken & transcribed by*
35 *Alison Mahoney - Court Stenographer)*

36
37 MAYOR DORMAN: *(Cont'd)*
38 They're two residential homes. These two residential homes,
39 they're zoned residential. Pal-O-Mine is in court right now for
40 using one of those homes as a boarding house. Okay, so in your
41 neighborhood where you live, there are these beautiful homes and a
42 horse farm, it's called Pal-O-Mine; beautiful, I think it's great.
43 Now all of a sudden the house on the corner across the street from
44 you is a boarding house. There are a lot of people that live in
45 this boarding house and they're all employees of Pal-O-Mine. So I
46 guess the incentive is I'll pay you X amount of dollars, you come
47 work for me and I'll give you a place to sleep. I don't know. You
48 know, maybe they do that out east in a few places that I've been
49 told, and that's an exchange; instead of money, they give them
07:00PM 50 board. That's a good deal, that's great, but you have to do it in
51 the right way.

52
53 So now we have two homes that they want to put in the Ag District
54 and they're in court for violations. Your short environmental
55 assessment here says there is no impact on the community, it has
56 nothing to do with zoning, zoning's not being effected. I'm

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1 reading this thing -- and I'm not the expert on this, Joe Prokop
2 is -- and I'm reading this thing; what do you mean it doesn't
3 effect the zoning? So now Home Rule doesn't mean anything. See,
4 that's when the bell goes off. Because not only being the Mayor of
5 the Village of Islandia for the past 12 years -- and I'm very proud
6 of, and I just got reelected for another four years which I'm very
7 proud of -- I'm also the President of the Suffolk County Village
8 Officials Association for the past two years, so we represent the
9 33 villages in Suffolk County.

07:01PM

10
11 Home Rule -- let's put it this way; without Home Rule there is no
12 village, there's nothing, because that's our existence. People
13 incorporate into a village for a number of reasons, one of them is
14 to control your zoning. It's like a big thing, control your
15 zoning, okay. Home Rule protects that. So if you're telling me it
16 doesn't affect the zoning, that's wrong, you should reevaluate it.
17 And actually, you know, there's a term that's used in real
18 estate --

07:02PM

19
20 *(Timer Sounded)*

21
22 There's a term that's used in real estate and they call it
23 blockbusting. When you buy a home and you take people out of that
24 house and you put people you like in that house to change that
25 neighborhood; then you buy the next home, take people out of that
26 house and put people in there that you like in that house; so
27 before you know it, you just changed the whole neighborhood. Now,
28 I don't think that's the business we're in, I really don't. I
29 think your time is limited as far as -- someone mentioned by August
30 you have to make a decision. I think if you call to adjourn this,
31 we're going to have problems. It can't go as it is, it just can't
32 go as it is. I'm asking for your help; I'm asking for you to help
33 us. But if you adjourn this and you push this through, then
34 whatever we have to do we do, but we don't want to go that way, and
35 you know what I'm talking about. I want this to work collectively.
36 I think you should reevaluate this and if we're wrong about it then
37 include it. But you need time to reevaluate this, because I don't
38 think everybody has looked at this 100% and seen this

07:02PM

39
40 P. O. GREGORY:
41 Mr. Mayor, Legislator Cilmi has a question for you.

42
43 MAYOR DORMAN:
44 Sure.

45
46 LEG. CILMI:
47 Mayor, good to see you. So, my understanding from the attorney is
48 that the owner of Pal-0-Mine hasn't reached out to the Village
49 about --

07:03PM

50
51 MAYOR DORMAN:
52 Well, they reached out in court, because we had them in court.

53
54 LEG. CILMI:
55 Right.

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1 MAYOR DORMAN:
2 So they're speaking with our justice, they have an attorney.

3
4 LEG. CILMI:
5 But this is not an outgrowth from the court proceedings, right?
6 This is something that --

7
8 MAYOR DORMAN:
9 Excuse me?

07:03PM 10
11 LEG. CILMI:
12 Their application is not an outgrowth from the proceedings in
13 court.

14
15 MAYOR DORMAN:
16 It could very well be. I don't know, they've been in court a
17 while. You'd have to ask them that.

18
19 LEG. CILMI:
07:04PM 20 Okay.

21
22 MAYOR DORMAN:
23 But I think they look for the protection in the Ag district, which
24 I get it. And I get the idea with the Agricultural District. We
25 spent a lot of money, I've had a lot of people talking to me about
26 it. We're not stupid, we figured it out, it's a good deal. It is
27 a good deal; it protects the farmers, it protects people,
28 especially out east. All right? We have a project right now,
29 we're trying to protect ten acres, so we understand that. But to
07:04PM 30 do this and hide behind something that you grew into something
31 great and the intent was great, now somebody's abusing it. And
32 every time something good happens, somebody bad figures something
33 out, how to get in there and wheel around or whatever. We can't
34 let that happen.

35
36 LEG. CILMI:
37 Now, I know the application is not before the Village, it's before
38 the County. But I'm wondering if you know what --

39
40 MAYOR DORMAN:
41 They don't come for a permit, why would they come for an
42 application?

43
44 LEG. CILMI:
45 I'm sorry, I didn't hear you.

46
47 MAYOR DORMAN:
48 They don't come to us for a permit.

49
50 LEG. CILMI:
51 Right.

52
53 MAYOR DORMAN:
54 Why would they come for an application?

55
56

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1 LEG. CILMI:
2 Right, right, right. So my question is do you have any idea what
3 their plans are for -- there are two properties here, right?
4

5 MAYOR DORMAN:
6 Two properties on the corner. Let me give you an idea. If those
7 two properties were bought by Pal-O-Mine, now they're all sitting
8 there, right? And then the house next to them is bought --
9

07:05PM 10 LEG. CILMI:
11 But they're already owned by Pal-O-Mine, correct?
12

13 MAYOR DORMAN:
14 Yes.
15

16 LEG. CILMI:
17 Okay.
18

19 MAYOR DORMAN:
07:05PM 20 Now there's a house next to them that's bought by somebody, very
21 good friends of Pal-O-Mine. And then there's a property next to
22 that, rumor has it she's going to sell, so now you have four
23 parcels. Okay? So let me take it a step further. In back of
24 these parcels is Suffolk County land; it's all Suffolk County land,
25 Suffolk County land in the back of Pal-O-Mine and over by
26 Pal-O-Mine. This is going to be like -- I don't know where this is
27 going. I'm concerned about this happening; these two pieces of
28 property go through you and are acceptable, that's a problem. No
29 application for a zoning change, no application for anything.
07:06PM 30 They're in court for a boarding house. We don't have boarding
31 houses in Islandia, we don't have it and we're not going to put up
32 with it.
33
34

35 LEG. CILMI:
36 Right. So one of the -- one of these parcels has effectively what
37 you're calling a boarding house on it, right?
38

39 MAYOR DORMAN:
07:06PM 40 It is a boarding house.
41

42 LEG. CILMI:
43 Right. So what's the other property?
44

45 MAYOR DORMAN:
46 It's a residential home.
47

48 LEG. CILMI:
49 Okay. And who lives there? Does somebody from Pal-O-Mine live
07:06PM 50 there or we don't even know?
51

52 MAYOR DORMAN:
53 I don't; I personally don't know.
54

55 LEG. CILMI:
56 Right.

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07:06PM

07:07PM

07:07PM

07:08PM

07:08PM

MAYOR DORMAN:
I'm sure somebody would. But this boarding house they're using is a legal three-family house, it's one of these very old homes that are left over in Suffolk that have this three-family zone. It's one of the few.

LEG. CILMI:
I'm inclined -- look, the last time we had a debate between the Village and the County and Pal-O-Mine with respect to the Ag District issue --

MAYOR DORMAN:
Right.

LEG. CILMI:
-- we were able to get it resolved to some extent, with cooperation between the Village and Pal-O-Mine.

MAYOR DORMAN:
And it cost the Village \$30,000 to change its comprehensive plan, master plan and everything else.

LEG. CILMI:
Which if I recall correctly, Pal-O-Mine had a part in, right? So I'm inclined to let that process happen again. So if we have to recess this today to allow that to happen, if it can happen, I think that would be wise to do. I mean, this is -- this property is within the Village; it seems to me that the Village should have some chance to, you know, discuss and to offer their input as to why this may or may not be appropriate.

MAYOR DORMAN:
Let me just say two things and I'll get down. Number one, remember the intent of the Agricultural District, think about the intent in the beginning, it all starts in the beginning. This is our intent; to help the farmers, to help out east, otherwise we would have probably a thousand more Home Depots than we ever wanted, okay, so we have to help them out, and I understand all that. So remember the intent. If you remember the intent, this shouldn't be in it. These two houses don't belong in it, not at all, if you remember the intent.

And the story about blockbusting, it's a fact. That's what blockbusting is, and this is a form of blockbusting. That's the way we interpret it. Home Rule is our only defense and we'll defend that. Okay? Good.

P. O. GREGORY:
Legislator McCaffrey.

LEG. McCAFFREY:
Thank you. Hello, Mr. Mayor. How are you?

MAYOR DORMAN:
Hi. How are you?

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LEG. McCaffrey:
Good. You know, coming out of village government, spending almost 24 years there, I understand some of the important things that we do there. And as you stated before, the most important work that we do is zoning, protecting the character of the neighborhood and the way --

07:09PM

MAYOR Dorman:
Exactly.

LEG. McCaffrey:
And the fact that you're reelected so many years is the fact that your residents have confidence in your vision for what Islandia should be, as I like to think serving in Village government in Lindenhurst for 24 years, they had the similar confidence in me. And I know your concern here is that you feel that your right to be able to control the zoning is being taken away, and in this --

MAYOR Dorman:
Right.

LEG. Cilmi:
And under these circumstances, it appears as though if this is considered as part of an agricultural zone and part of that use, then that house could potentially be continued to be used as a boarding house as long as it's got some sort of connection to the equine use.

07:09PM

MAYOR Dorman:
I think that's the purpose of it.

LEG. McCaffrey:
Yeah.

MAYOR Dorman:
In my opinion, that would be the purpose of them going in there. They're saying, *Okay, we have these two houses, now they're going to get sucked in, now we got that.* It's not like they're going to knock it down and grow corn.

07:09PM

LEG. McCaffrey:
Right. So you're not -- your concern is not about the fine work that Pal-O-Mine does; I know it's a very good organization, it does good work and they continue to do that. But your concern is that they're overtaking what your authority is and what you feel your protections are to the residents that you need to provide by allowing this boarding house to continue in the manner that it is now.

07:10PM

MAYOR Dorman:
Yes.

LEG. McCaffrey:
Okay.

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1 MAYOR DORMAN:

2 Yes. Home Rule is what we rely on as a village, we rely on the
3 Home Rule. And as far as Pal-0-Mine, I think they're a great
4 organization. They help veterans out. I'm a veteran, anybody
5 knows anything about me, you know I'm a veteran and, you know, and
6 all about that, helping out vets and, you know, I think they do a
7 great job, but they're going about this in the wrong way, but maybe
8 somebody's telling them to do it, I don't know. Okay? All I know
9 is the Agricultural District was not intended for this. It's not
10 intended -- that's not the purpose of it. And this isn't helping
11 somebody, this is actually hurting people, and we're not going to
12 allow people to come in and just control our zoning and everything
13 else without a fight, that's what it's going to come down to. And,
14 you know, Home Rule is very valuable, a very valuable tool; we're
15 not ready to give that up. We're not going to give that up.

07:10PM

16
17 LEG. McCAFFREY:

18 Thank you, sir.

19

07:11PM

20 MAYOR DORMAN:

21 Okay?

22

23 P. O. GREGORY:

24 Legislator Kennedy.

25

26 LEG. KENNEDY:

27 Good evening, Mayor. I didn't hear you clearly; did you say that
28 one of the houses is a legal three-family home or an illegal
29 three-family?

07:11PM

30

31 MAYOR DORMAN:

32 No, it's a legal three-family; it's one of the few in Suffolk
33 County.

34

35 LEG. KENNEDY:

36 And what constitutes -- I'm not an attorney. What constitutes a
37 family in your -- let me ask --

38

39 MAYOR DORMAN:

40 You can put three families in there.

41

42 LEG. KENNEDY:

43 Three families with related people; a family is people that are
44 blood relatives; no?

45

46 MAYOR DORMAN:

47 Well, not blood, I don't think they have to be blood. But, you
48 know, you have your wife, your husband and a kid, another one,
49 because they're small rooms, they're not big. It's not like for a
50 large family. But what they've done is turned it into a boarding
51 house because they're all employees.

07:11PM

52

53 LEG. KENNEDY:

54 So it's more than three families living in there right now.

55

56

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1 MAYOR DORMAN:
2 They're in and out.

3
4 LEG. KENNEDY:
5 You don't know.

6
7 MAYOR DORMAN:
8 Well, they're in and out. There's a lot of people living in there.

9
07:12PM 10 LEG. KENNEDY:
11 But that's the Village issue. Aren't they -- and let me ask
12 Legislator Krupski. Those -- on farmland, you can have workers
13 living; you can have quarters for workers?

14
15 LEG. KRUPSKI:
16 You absolutely can have workforce housing on farmland, but it's got
17 -- it's subject to local zoning. You can't just put it up because
18 it's on farmland. So -- and I have questions for the Mayor also --

19
20 LEG. KENNEDY:
21 All right. So I will --

22
23 LEG. KRUPSKI:
24 -- about local zoning and whatnot, because you can't just disregard
25 local zoning.

26
27 LEG. KENNEDY:
28 Correct. I'll turn it over to you then.

29
07:12PM 30 MAYOR DORMAN:
31 All right, just let me finish with that part. They're in court now
32 for non-conforming use, they're in court right now, okay? They
33 can't justify the people that are in it. They can't say that, you
34 know, this person, that person are all related, they can't do that,
35 so they're in court right now for that. And they're also in court
36 for renovating the inside of it without any permits. So these are
37 two issues, okay, that they're in court right now. Did you want to
38 say something?

39
07:13PM 40 MR. PROKOP:
41 No, I'm just here if there are questions.

42
43 P. O. GREGORY:
44 Are you finished? So Mr. Mayor, thank you for coming today.

45
46 LEG. KENNEDY:
47 Wait.

48
07:13PM 49 MAYOR DORMAN:
50 He had a question.

51
52 P. O. GREGORY:
53 I know, he's on the list. I can speak. So you used the term
54 blockbusting several times, and that has a very specific legal
55 term. So I take it by you using that term, these are people of
56 minority dissent or persuasion or --

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1
2 MAYOR DORMAN:
3 No.

4
5 P. O. GREGORY:
6 What makes you -- how do you --

7
8 MAYOR DORMAN:
9 Why do they have to be a minority?

07:13PM 10
11 P. O. GREGORY:
12 Well, you said they're trying to change the complexion or the --
13 not complexion. Something as a neighborhood, I forget the word
14 that you used.

15
16 MAYOR DORMAN:
17 I didn't say that.

18
19 P. O. GREGORY:
07:14PM 20 Character of the neighborhood.

21
22 MAYOR DORMAN:
23 I said you want to put a group of people, whether they're white,
24 black, Spanish, it doesn't make a difference; but if a group of
25 people buy a piece of property and force other people out to put a
26 certain group of people in there and then do the same thing all the
27 way down, that's blockbusting.

28
29 P. O. GREGORY:
07:14PM 30 Yeah, but these people are not buying in a neighborhood, they're
31 being employed by an employer who uses this --

32
33 MAYOR DORMAN:
34 No, the people who bought the house; not the people living in it,
35 the people who bought the house.

36
37 P. O. GREGORY:
38 So you're not understanding. So these two properties are owned by
39 Pal -0- Mine.

40
41 MAYOR DORMAN:
42 Right.

43
44 P. O. GREGORY:
45 And from your definition they are boarding houses to house
46 employees.

47
48 MAYOR DORMAN:
49 Right.

07:14PM 50
51 P. O. GREGORY:
52 Right. So --

53
54 MAYOR DORMAN:
55 I'm understanding now. I guess they can do that legally, but it
56 has to be through the zoning of the municipality; that never

1 happened.

2

3 P. O. GREGORY:

4 So these employees, one of which the house that you say is a legal
5 three-family.

6

7 MAYOR DORMAN:

8 Legal three-family home.

9

07:14PM

10 P. O. GREGORY:

11 Right. So they are not purchasing because they're boarders, by
12 definition they're renters. So is that what -- you know,
13 blockbusting means -- generally, my understanding of it is people
14 buying into a neighborhood, and they're generally minority people,
15 and it changes the general historic nature of a community, but
16 these are renters that have been employed, they have some type of
17 agreement for housing and maybe there's some agreement, less wages
18 for -- I don't know, whatever it is.

19

20 MAYOR DORMAN:

21 Right.

22

23 P. O. GREGORY:

24 They're being housed because they didn't respond to, you know, a
25 rental ad or something, the employer is providing that. And your
26 bone of contention, if I can define it that way, characterize it
27 that way, is that as the Village, you're not able to regulate this
28 -- these homes because of the decision that be made -- that may be
29 made by the inclusion into the Ag District.

07:15PM

30

31 MAYOR DORMAN:

32 I don't agree with all of that.

33

34 P. O. GREGORY:

35 Okay.

36 MAYOR DORMAN:

37 Okay? Blockbusting, I use that word because in the 70's it was a
38 very popular thing to do, blockbusting; the 60s, late 60s, 70s, I'd
39 say all the way up to the 80's. People did it, mostly in Brooklyn,
07:16PM 40 you know, Queens, things like that. So I use that term because I
41 got your attention.

42

43 P. O. GREGORY:

44 You certainly did.

45

46 MAYOR DORMAN:

47 Okay.

48

49 P. O. GREGORY:

07:16PM

50 Not in a good way necessarily, but you did.

51

52 MAYOR DORMAN:

53 But this is the reason why I used that term, because that's the way
54 you should be looking at it. Is it 100% blockbusting? No, but it
55 looks like it, okay. You have two homes that are zoned
56 residential, one is a legal three-family and one is a one-family,

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1 they're zoned residential. An Agricultural District three, four
2 lots down buys the two buildings, the two properties. What are
3 they going to do with it. Well, right now they're in court, like I
4 just said, no rental permits, no permits for renovations, nothing,
5 nothing on this whole thing. And now what do you think is
6 happening? So we look at this as if, okay, we're being challenged
7 here, for some reason, on these two homes.

8
9 Now all the residents in the neighborhood are going, *What ever*
07:17PM 10 *happened to our residential neighborhood?* We have Pal-O-Mine
11 across the street, fine, that's okay, they live with it, they
12 understand it. They got over the big building, they got over all
13 the stuff, so everybody understands that, but now what do they
14 want? So after these two buildings, everybody -- that's why I
15 bring up Suffolk County property. Right behind it is Suffolk
16 County property. So what are you going to do? You're going to
17 give them about five acres in the back? So then you've got five
18 acres in the back, they've got seven acres in the front and then
19 they wind up taking up the whole block.

07:17PM 20
21 You know, to me, I consider myself a person who has a little bit of
22 a vision, okay, and I try to see what's ahead so I don't get hit
23 with a brick, so I try to see what's ahead, and that to me seems a
24 possibility. But the term blockbuster is to make you think, it's
25 to get your attention. I'm here to ask you to look at it again.
26 You know, if you say to me, *Hey, Mayor, we don't care about you,*
27 *we're going to do this anyway. Okay, great, I'll see you later,*
28 you know, and then we'll take care of that. All right? And no
29 hard feelings, because I am here to protect my village and I'm
07:18PM 30 going to do that. But at least evaluate it again, look at this
31 thing again, because between the SEQRA and these other things, I
32 really think you should. You shouldn't put yourselves and your
33 colleagues in a position, you may have a problem down the road,
34 that's all. That's all I'm saying.

35
36 P. O. GREGORY:
37 We got it.

38
39 MAYOR DORMAN:
07:18PM 40 You got it?

41
42 P. O. GREGORY:
43 Yeah, we got it (*laughter*).

44
45 MAYOR DORMAN:
46 Okay, good. I'm glad you got it.

47
48 P. O. GREGORY:
49 You're very clear.

07:18PM 50
51 MAYOR DORMAN:
52 All right? Anybody else? You're good?

53
54 P. O. GREGORY:
55 Mr. Krupski, our resident farmer, has a question for you.

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1 MAYOR DORMAN:
2 A farmer. How are you?

3
4 LEG. KRUPSKI:
5 I'm well, thanks.

6
7 MAYOR DORMAN:
8 Good.

9
10 LEG. KRUPSKI:
11 It's a sunny day.

12
13 MAYOR DORMAN:
14 It's a sunny day.

15
16 LEG. KRUPSKI:
17 So under your zoning, do you have -- you said it's a boarding
18 house; do you have definition of boarding house? I mean, you said
19 it's a legal three-family --

07:19PM

20
21 MAYOR DORMAN:
22 It's a legal three-family.

23
24 LEG. KRUPSKI:
25 -- and they've turned it into a boarding house.

26
27 MAYOR DORMAN:
28 Yeah.

29
30 LEG. KRUPSKI:
31 So how do you make that distinction?

32
33 MAYOR DORMAN:
34 Well, I mean, the actual terminology in the code, I'd have to refer
35 to --

36
37 MR. PROKOP:
38 We don't have a definition. I'm the person that -- excuse me.

39
40 LEG. KENNEDY:
41 Use the mic.

42
43 MR. PROKOP:
44 Again, Joseph Prokop. I'm the person that used that term. It's
45 not a definition or a code, I used it to characterize the building
46 so you would -- to try to give an understanding of the current use.
47 That's why I used that term.

07:19PM

48
49 LEG. KRUPSKI:
50 I just was curious because --

51
52 MR. PROKOP:
53 Excuse me. And to clarify a question -- to clarify further
54 confusion that I might have caused. When I said three-family, it's
55 actually three dwelling. So it really -- it's not a family that
56 we're concerned about, or we don't need to get into a definition of

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1 a family, it's actually dwellings, and that's all regulated by the
2 -- it's actually the State code, you know, as far as the dimensions
3 of the units and things like that. That's regulated by New York
4 State, not by -- actually now by the International Code, not
5 directly by the Village, but the Village administers that code.

6
7 LEG. KRUPSKI:

8 I mean, I do appreciate your concern about Home Rule, and I
9 understand that completely; coming from town government, I know how
10 important it is. But the Ag -- I think the way the board looked --
11 the Suffolk County Farmland Board looked at this -- and you didn't
12 make any comments at the Suffolk County Farmland Board, right; is
13 that right?

14
15 MR. PROKOP:

16 No.

17
18 LEG. KRUPSKI:

19 Okay. So that -- I think the way the board looked at it is without
20 comment from the local municipality or from the neighbors or anyone
21 else, that housing provided -- so you've got a parcel there that's
22 already in the Ag District and it was -- what was submitted to us
23 was that this would be housing for that operation, basically
24 workforce-type housing. But I don't -- I don't see where the Ag &
25 Markets Law could trump local zoning. You know, maybe I'm wrong
26 there, but I don't see how -- if your local zoning says you can't
27 have something -- I mean, suppose they wanted to put up, you know,
28 a high rise, something ridiculous, a carnival or something there,
29 how Ag & Markets Law could trump local zoning.

30
31 MAYOR DORMAN:

32 You're saying it can or it can't?

33
34 LEG. KRUPSKI:

35 I don't believe it can. I don't believe it should, but I don't
36 believe it can.

37
38 MAYOR DORMAN:

39 Right. But by doing this, you are, you're attempting.

40
41 LEG. KRUPSKI:

42 So -- and I didn't hear what Legislator Cilmi had said because I
43 was reading something relevant to this. Did you suggest that --
44 because I remember four years ago the original Pal-O-Mine
45 application came before us and we did not vote -- and I don't
46 remember if we didn't vote to include it or we didn't close the
47 hearing, but it went for a whole 'nother year until the issues that
48 they had with the Village were resolved and then that parcel was
49 voted into the Ag District for inclusion.

50
51 MAYOR DORMAN:

52 And we didn't fight that.

53
54 LEG. KRUPSKI:

55 Exactly, because you had time to --

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1 MAYOR DORMAN:
2 We had to time to reevaluate.

3
4 LEG. KRUPSKI:
5 -- resolve those issues, right.

6
7 MAYOR DORMAN:
8 We had time to redo our master plan, all the stuff here.

9
07:22PM 10 LEG. KRUPSKI:
11 Yes.

12
13 MAYOR DORMAN:
14 And I'm not arguing that point.

15
16 LEG. KRUPSKI:
17 So we respected that because we thought that was a good process.

18
19 MAYOR DORMAN:
07:22PM 20 It was fine. No, that was fine.

21
22 LEG. CILMI:
23 And I think at the time, Al, the applicant agreed to withdraw -- if
24 my memory serves me correctly, maybe the Mayor remembers.

25
26 LEG. KRUPSKI:
27 I think you're right.

28
29 LEG. CILMI:
07:22PM 30 I think the applicant agreed to withdraw her application at that
31 point and they worked out some --

32
33 MAYOR DORMAN:
34 Well, to give us time to --

35
36 LEG. CILMI:
37 Right, they worked out some things with the Village and then they
38 applied the following year and the Village I think had no problem
39 with the application at that point.

07:22PM 40
41 MAYOR DORMAN:
42 But either way it worked out. And I even said that before, I'm not
43 here for that. You know, I understand the Ag District, I
44 understand what you've got going, I agree with it, everything was
45 fine. This year isn't, because you're saying it doesn't trump.
46 You okay, you put them in the Ag District, they consider that
47 trumped. Now I'm going to have to go through a big expense, okay,
48 to turn this around. And I'm here -- now, he's the lawyer, okay,
49 he has all those things in his head, the lawyer stuff.

07:23PM 50
51 You know, I tell people I'm just a guy in the neighborhood who
52 became Mayor, and that's all I am, okay. And I'm here to protect
53 my village. You're going to put them in the Ag District, we're
54 going to have to spend thousands of dollars, hundreds of thousands
55 of dollars to change this, which I'm willing to do, the board is
56 willing to do. But why? Why do we have to do this?

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1
2 We need to talk to people about this and the purpose of it, the
3 purpose of it. I don't think you have. I don't think you have
4 said to them -- not you but, you know, your committee and
5 everything with the board. I don't think you have said to them,
6 *Hey, what are you going to use these buildings for? Why are you in*
7 *court right now? Why are you in court with the Village and you're*
8 *coming to us and you want to put a building that's in court --*
9 *there's litigation here, okay, and you want to put this into the Ag*
07:24PM 10 *District. Why? Why don't we settle this out, why don't you work*
11 *this out?* Nobody's done this, and I'm not -- you know, I'm not
12 here to throw stones at you, I'm just telling you, nobody's done
13 this. We didn't go to the other meetings, you know, I just wanted
14 you guys to do what you have to do.

15
16 LEG. KRUPSKI:
17 Yeah, your --

18
19 MAYOR DORMAN:
20 But this is not --

21
22 LEG. KRUPSKI:
23 Your comments, these comments at that meeting, I believe it was in
24 March, would certainly have been helpful.

25
26 MAYOR DORMAN:
27 Well --

28
29 LEG. KRUPSKI:
07:24PM 30 And I don't believe that it was disclosed that the property isn't
31 core either.

32
33 MAYOR DORMAN:
34 You know, if I would have done it -- in all honesty, if I were to
35 have received -- and March was a bad month; if you think about
36 March, it's a very bad month. But if I would have received some
37 type of head's up that this was even coming about, maybe I would
38 have, okay. But it was just, you know, one of those things that
39 just went by; okay? These two pieces of property don't belong in
07:25PM 40 that district. You put them in that district, it's going to be a
41 problem. And I'm just here, you know -- I get sworn to protect my
42 village, you get sworn to protect your County, and that's part of
43 our village and that's why I'm here. And we want to protect the
44 Village. Home Rule is threatened by this; we can't sit back and
45 let that happen.

46
47 P. O. GREGORY:
48 Okay. Legislator Browning.

49
07:25PM 50 LEG. BROWNING:
51 So I want to go back to the three-family dwelling, and just
52 curious.

53
54 MAYOR DORMAN:
55 What?

56

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1 LEG. BROWNING:
2 The three-family dwelling, right?

3
4 MAYOR DORMAN:
5 Yeah, three-family home.

6
7 LEG. BROWNING:
8 Are the current residents -- so there's people living there right
9 now.

07:25PM 10
11 MAYOR DORMAN:
12 Yeah.

13
14 LEG. BROWNING:
15 Are they disruptive in the neighborhood?

16
17 MAYOR DORMAN:
18 Well, I would have to get a list of all the fines that were issued.
19 I'm going to say for the most part probably not.

07:26PM 20
21 LEG. BROWNING:
22 No, I mean the residents; are the residents disruptive?

23
24 MAYOR DORMAN:
25 The people that live there.

26
27 LEG. BROWNING:
28 Yeah.

29
30 MAYOR DORMAN:
31 Probably not. I haven't heard anything negative, you know, to a
32 point, other than that they work for Pal-O-Mine, they're using it
33 as the way they're using it.

34
35 LEG. BROWNING:
36 So I know Mr. Prokop knows my district and he knows the issues that
37 I've had to deal with in my district for many years. And, you
38 know, I've always been told the definition of a family is not
39 necessary by blood.

07:26PM 40
41 MAYOR DORMAN:
42 Right.

43
44 LEG. BROWNING:
45 That all 18 of us could move into your house together and say we're
46 family, God forbid (*Laughter*). But it's a fact that we could do
47 that. I mean, I have a family in my district, and we call them the
48 Brady Bunch -- they're 13 children and the parents -- but there's
49 no law that prohibits them as a family to live together. You know,
07:26PM 50 I'm one of seven, and there was nine of us who lived in a house.
51 So that's the thing, that if this three-family dwelling and if you
52 have a number of individuals living in each of the homes, they
53 could say, *We're a family*.

54
55 MAYOR DORMAN:
56 They could say a lot. You know, if their last names are different,

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1 then I guess that would change the --

2

3 LEG. BROWNING:

4 It doesn't matter, my cousin's last name is different than mine.

5

6 MAYOR DORMAN:

7 That's fine, that's fine, but I'm not here to argue that point.

8 This is a three-family house, that prior to Pal-O-Mine buying,

9 okay, somebody owned it and they used to rent it out to three

07:27PM 10 people living in that -- you know, there was like three separate

11 places.

12

13 LEG. BROWNING:

14 But could they not be doing the same thing? Have they -- is it

15 still divided as a three-family residence?

16

17 MAYOR DORMAN:

18 Well, they went in there and did their own alterations, which is

19 why they're in court also. Okay?

07:27PM 20

21 LEG. BROWNING:

22 That you can do.

23

24 MAYOR DORMAN:

25 Well, we can do using as it as a boarding house also. It's not

26 conforming what they're using it for. And all the people admit

27 that they work for Pal-O-Mine, and they get a discount.

28

29 LEG. BROWNING:

07:27PM 30 Right. But again, what's a boarding house? I mean, we can talk a

31 sober home, you know, we could talk about a home --

32

33 MAYOR DORMAN:

34 We could go down that road all day.

35

36 LEG. BROWNING:

37 We could talk about a home for disabled people --

38

39 MAYOR DORMAN:

07:28PM 40 Sure.

41

42 LEG. BROWNING:

43 -- that's a boarding-type house.

44

45 MAYOR DORMAN:

46 Absolutely.

47

48 LEG. BROWNING:

07:28PM 49 So again, I think you need to be cautious when you refer to it as a

50 boarding home.

51

52 MAYOR DORMAN:

53 Well, I mean, you know, I understand and I appreciate the comment,

54 I do. The bottom line is there's two pieces of residential

55 property, residential homes, two-pieces, not even connected to

56 theirs which I don't think it has to be anyway. But there are two

1 pieces of land four parcels away from their property that they
2 bought and they're using for Pal-O-Mine. They're running classes
3 there, you know, educational classes, I guess, for their people,
4 showing them how to do things and all that stuff, and they're doing
5 all of this. That can't be. You can't just come in and change the
6 zoning without going through the process at least, and they haven't
7 even done that.

8
9 So how do you pass this in the Ag District when they never even
07:29PM 10 filed an application in the Village of Islandia, a change of zone,
11 or to use it for what they want to use it for, which I would say is
12 probably an educational school for, I don't know, equine or
13 something. Now, I don't know if they would get it, I don't have
14 the slightest idea, but the board would have a chance to decide.
15 Well, that's that Home Rule thing I'm talking about. So no
16 application requesting to use this building for anything, just buy
17 it and now we're going to go in the Ag District and that would be
18 the end of that. Not to mention the taxes that are involved,
07:29PM 19 because when the house goes, let's say you knock the house down,
20 well, there goes the property tax, that goes down because now
21 you're just paying for land. You know? But that's not the issue.

22
23 LEG. BROWNING:
24 Yeah.

25
26 MAYOR DORMAN:
27 The issue is taking two pieces of property, residential pieces of
28 property, putting it into the Ag District to avoid whatever, but it
29 can't be done.

07:30PM 30
31 LEG. BROWNING:
32 But I believe that the residents are still subject to your local
33 zone.

34
35 MAYOR DORMAN:
36 They are.

37
38 LEG. BROWNING:
39 So even if it becomes an Agricultural District --

40
41 MAYOR DORMAN:
42 No, it's --

43
44 LEG. BROWNING:
45 I believe the residence still has to fall under your village zoning
46 and you can still do something about that.

47
48 MAYOR DORMAN:
07:30PM 49 Yeah, I think if you're listening to me deep, okay, we don't want
50 that to happen. We want to have -- we want to be the first ones to
51 get involved. It's Home Rule, we're the ones that are supposed to
52 be doing this, not you. We're supposed to be deciding whether that
53 house becomes an -- gets rezoned to whatever they want to do; we're
54 the ones that decide that, this body doesn't decide that. This
55 body decides the Ag District and you go to put them in there.

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1 LEG. BROWNING:

2 Okay.

3

4 MAYOR DORMAN:

5 But you don't come into the Village and rezone our property. When
6 was the last time --

7

8 LEG. BROWNING:

9 The County is not rezoning your property.

07:30PM

10

11 MAYOR DORMAN:

12 Okay. But by putting them --

13

14 LEG. BROWNING:

15 I don't believe they are. I guess, George -- I mean, that's the
16 issue is that --

17

18 MR. NOLAN:

19 I do believe that if -- and I remember this from an incident up at
20 Asharoken a number of years ago in the 18th district. When a piece
21 of land goes into an Ag District, their -- the local zoning powers
22 are diminished to some degree. So it's -- I don't remember exactly
23 -- it's not completely diminished, but local zoning loses something
24 when something goes into an Ag District.

07:31PM

25

26 LEG. BROWNING:

27 Okay. Thanks, George.

28

29 P. O. GREGORY:

30 Okay, Legislator D' Amaro.

07:31PM

31

32 MAYOR DORMAN:

33 It loses a lot. It loses a lot, because once the agricultural
34 board Upstate gets their hooks into everything. I've dealt with
35 them, you're a piece of cake (*laughter*).

36

37 P. O. GREGORY:

38 Legislator D' Amaro?

39

40 LEG. D' AMARO:

41 Mr. Mayor.

07:31PM

42

43 MAYOR DORMAN:

44 Yes, sir.

45

46 LEG. D' AMARO:

47 Nice to see you.

48

49 MAYOR DORMAN:

50 Thank you.

51

52 LEG. D' AMARO:

53 I think what you are telling us is a lot of common sense, and I
54 appreciate your testimony here today. But I do have a couple of
55 questions for either you or your Counsel, all right?

56

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1 What I would like to know is the multiple dwelling that we're
2 talking about; three units, correct? Is that by CO; is that CO'd
3 that way.

4
5 MAYOR DORMAN:
6 Yeah.

7
8 LEG. D'AMARO:
9 It is. Okay.

10
11 MAYOR DORMAN:
12 It's been there for --

13
14 LEG. D'AMARO:
15 Is it the Village's position that the current use is violating the
16 CO?

17
18 MAYOR DORMAN:
19 It's our -- go ahead.

07:32PM

20
21 MR. PROKOP:
22 I have to say respectfully that the matter is currently in -- I'm
23 sorry to be the attorney here, but I have to say --

24
25 LEG. D'AMARO:
26 I know how you're going to answer that.

07:32PM

27
28 MR. PROKOP:
29 -- to protect the Village, that -- the attorney on this side, I'm
30 sorry. But this whole thing is before our court now, you know, the
31 use of the building. The point that I was trying to make here --

32
33 LEG. D'AMARO:
34 Well, let me ask that a different way. Is that an issue in the
35 litigation, that --

36
37 MR. PROKOP:
38 The use of the building is, yes.

07:33PM

39
40 LEG. D'AMARO:
41 -- the use of the building is violating your Village Code, your
42 Zoning Code as well as the CO, the Certificate of Occupancy?

43
44 MR. PROKOP:
45 I'm not the attorney handling the case, I'm sorry, but I understand
46 that to be one of the issues.

07:33PM

47
48 LEG. D'AMARO:
49 Well, because if you're claiming -- you have to be careful using
50 the word boarding house. To me, boarding house is something where
51 there are transient occupants. If this is being used in connection
52 with the business, I don't know how transient it is, but that's a
53 whole gray area that we can't really get into here. I don't
54 disagree with you, I don't agree with you, it doesn't really
55 matter. My point is only that having served on a zoning board
56 myself for ten years, you have a code, it mandates the use, it

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1 clearly delineates what you can do and what you cannot do in a
2 particular location. So in that litigation, the Village is
3 claiming that the use of that multiple dwelling is violating your
4 code or the certificate or both; is that correct?

5
6 MR. PROKOP:
7 There's an aspect of the current use which we believe is in
8 violation, yes.

9
07:34PM 10 LEG. D'AMARO:
11 Now, is that -- how far along is that case? I mean, has that been
12 decided? Do you know the status?

13
14 MR. PROKOP:
15 That hasn't been decided, no.

16
17 MAYOR DORMAN:
18 They go back into court tomorrow; no, Thursday.

19
07:34PM 20 LEG. D'AMARO:
21 So what you're asking us to do at a minimum is until that issue is
22 resolved, to hold off on taking any action here; is that what
23 you're asking?

24
25 MAYOR DORMAN:
26 I'm not asking for that.

27
28 LEG. D'AMARO:
29 Let me ask it another way, before you answer me.

07:34PM 30
31 MAYOR DORMAN:
32 Okay.

33
34 LEG. D'AMARO:
35 Let's assume that the current use does not violate your code and
36 does not violate the Certificate of Occupancy; does this parcel
37 still belong in an Ag District?

38
07:34PM 39 MAYOR DORMAN:
40 No.

41
42 LEG. D'AMARO:
43 Why not?

44
45 MAYOR DORMAN:
46 It doesn't belong there because the intent means a lot. So
47 whatever intent they have to use this property, they need to
48 explain, they need to tell people. If they came to us and said,
49 *We want to take this building. We want to use this building as an*
07:34PM 50 *educational place to educate our employees and this is what we mean*
51 *by agricultural and everything else,* then the board would decide;
52 you're on a board, the board decides. Just to take it for granted
53 that they're going to do whatever they want to do is wrong.

54
55 LEG. D'AMARO:
56 Well, it would --

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07:35PM

07:35PM

MAYOR DORMAN:
There's no application for that property, nothing.

LEG. D'AMARO:
Right.

MAYOR DORMAN:
Now, now to take the Ag District, fill out an application and say,
I want to be part of the Suffolk County Ag District. I have these
two houses here. Let me throw something out. What if this --

LEG. D'AMARO:
So your concern is even if you lose the court battle, let's say,
just assuming.

MAYOR DORMAN:
Yeah.

LEG. D'AMARO:
Let's just say the court decides, no, the use is compliant with the
local code --

MAYOR DORMAN:
Right.

LEG. D'AMARO:
And the CO.

MAYOR DORMAN:
Right.

LEG. D'AMARO:
It's a proper use.

MAYOR DORMAN:
Right.

LEG. D'AMARO:
Your concern is that if it's in the Ag District, you don't really
know going forward how this property will be used in connection
with the Agricultural District.

MAYOR DORMAN:
We don't know because no one ever came to us --

LEG. D'AMARO:
So would you --

MAYOR DORMAN:
-- nobody filled out an application or anything.

LEG. D'AMARO:
Okay, fair enough. Would you -- would the Village object to it
being used for housing employees of the -- what's the name of it,
Pal-O-Mine?

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MAYOR DORMAN:

That would be the board, the Village Board. I could make -- you know, myself, I couldn't give you that answer. I'd have to bring it up in front of the board and we'd have to talk about it. Because we also have to talk to those residents that are right across from there.

LEG. D'AMARO:

Right.

MAYOR DORMAN:

Now you're going to have all these people living in the house, and there's more than just a few people living in this house.

LEG. D'AMARO:

How close is it to the neighboring residential?

MAYOR DORMAN:

Across the street.

LEG. D'AMARO:

Right across the street.

MAYOR DORMAN:

From here to Cilmi.

LEG. D'AMARO:

Right.

MAYOR DORMAN:

It's from here to here.

LEG. D'AMARO:

There's a single family dwelling right across the street?

MAYOR DORMAN:

All across the street and then all across the street that way; it's all single family homes that were built in cul-de-sacs.

LEG. D'AMARO:

Right.

MAYOR DORMAN:

All right, and very nice homes, you know. The part that really gets me is the fact that you could take two parcels not even attached and just say, *I'm going to buy these two parcels and I'm going to put them in the Agricultural District.*

LEG. D'AMARO:

Yeah. Well, if it's in a residential district, I'm not so sure -- I mean, I understand if you have three dwellings and you can get a rental permit, you probably have a rental permit process and all of that.

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1 MAYOR DORMAN:
2 No application (*sic*).

3
4 LEG. D'AMARO:
5 But I'm not sure that you can use it to house employees; that's a
6 commercial or business use.

7
8 MAYOR DORMAN:
9 And that's how I'm looking at it; I'm looking at it from a few
10 different ways.

07:37PM

11
12 LEG. D'AMARO:
13 So there's no business use permitted in the zone that these homes
14 are located in?

15
16 MAYOR DORMAN:
17 No.

18
19 LEG. D'AMARO:
20 They're residentially zoned?

21
22 MAYOR DORMAN:
23 These are residential homes. So let's say they went six blocks the
24 other way and they bought houses.

25
26 LEG. D'AMARO:
27 I mean, if I'm housing employees in connection with my business,
28 that's a commercial use of property.

29
30 MAYOR DORMAN:
31 Right.

32
33 LEG. D'AMARO:
34 Even if they're not paying rent, it's even more of a commercial
35 use.

36
37 MAYOR DORMAN:
38 Yes.

07:37PM

39
40 LEG. D'AMARO:
41 So that's the Village's position and --

42
43 MAYOR DORMAN:
44 And they have cars coming in the back and everybody's parking and
45 leaving at night.

46
47 LEG. D'AMARO:
48 Right. So those are pretty important issues.

49
50 MAYOR DORMAN:
51 Certain people leave, certain people don't, stuff like that.

52
53 LEG. D'AMARO:
54 Right. Now -- okay. And we really don't know the answer, if we
55 were to put this in the district, if it would somehow negate your
56 Village's ability to explore those issues.

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1
2 MAYOR DORMAN:
3 I think it will.

4
5 LEG. D'AMARO:
6 Right.

7
8 MAYOR DORMAN:
9 I've dealt with the State --

10
11 LEG. D'AMARO:
12 Yeah.

13
14 MAYOR DORMAN:
15 -- on this. I don't know how much experience you've got --

16
17 LEG. D'AMARO:
18 I tend to agree with you on that.

19
07:38PM 20 MAYOR DORMAN:
21 I've dealt with them and they could care less.

22
23 LEG. D'AMARO:
24 Right. So you're asking us, in your capacity as Mayor, to just at
25 least hold off until it can be decided whether this commercial use
26 is in violation of your code. Not even whether it's appropriate or
27 not, but whether or not it's even violating the residential zoning
28 code.

29
07:38PM 30 MAYOR DORMAN:
31 Well, let it settle its way through court.

32
33 LEG. D'AMARO:
34 Uh-huh.

35
36 MAYOR DORMAN:
37 Okay, our court.

38
39 LEG. D'AMARO:
40 Right.

41
42 MAYOR DORMAN:
43 Okay? But again, I don't think everybody here is familiar with
44 this. And if you look at the map and you put your house right
45 where Pal-O-Mine is, your house, and then go about four parcels
46 down --

47
48 LEG. D'AMARO:
49 Right.

50
51 MAYOR DORMAN:
52 -- and find out that somebody just bought those parcels and they're
53 going to change that around. What does that allow you? To go a
54 mile down the road, buy two more houses and say, *That's*
55 *agricultural, so you can do this any way you want?* I don't think
56 that was the intent.

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LEG. D' AMARO:

Right. It's a very --

MAYOR DORMAN:

I really don't think that was the intent.

LEG. D' AMARO:

It's a powerful tool --

MAYOR DORMAN:

Absolutely.

LEG. D' AMARO:

-- that the County has to promote agriculture --

MAYOR DORMAN:

Yes, to help people.

LEG. D' AMARO:

-- and the equine use or whatever it is. I get it.

MAYOR DORMAN:

I'm all for that.

LEG. D' AMARO:

But your local control or local concern is that, you know, where's the buffer area, how close is this impinging on residential neighborhoods and is it appropriate?

07:39PM

MAYOR DORMAN:

And when does it stop? When does it stop? Do you have to absorb all that property in that area? I don't know.

LEG. D' AMARO:

Right.

MAYOR DORMAN:

But I know the intent of that district was not this.

LEG. D' AMARO:

Right. Okay.

MAYOR DORMAN:

People are capitalizing on this; it's not the intent.

LEG. D' AMARO:

Thank you very much. I appreciate it.

07:39PM

MAYOR DORMAN:

Thank you, sir.

P. O. GREGORY:

Okay, that's all I have. Any questions? All right. Thank you, Mr. Mayor.

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1 MAYOR DORMAN:

2 Thank you.

3
4 LEG. KRUPSKI:

5 We have another speaker.

6
7 P. O. GREGORY:

8 Yeah. I don't have any other cards. Is there anyone else that
9 would like to speak, please come forward. I see -- please state
10 your name for the record.

07:39PM

11
12 MR. SNEAD:

13 My name is Lee Snead, I am the attorney for Pal-0-Mine Equestrian.
14 I've listened to the Mayor and Mr. Prokop's rather interesting
15 discussion, but let's talk about a couple of facts.

16
17 This is not a boarding house. There is one person living in Lot
18 35. This was made clear to -- in the application that was sent to
19 the Village when we made the application to come into the
20 Agricultural District. The Mayor makes a lot of suggestions that
21 the zoning is changing or we are changing the use on this property;
22 it's a residential property, it's zoned residential. And under the
23 Village of Islandia Code, agriculture is a legitimate use within a
24 recreation -- within a residential district, and that's what we're
25 talking about here.

07:40PM

26
27 As to the second house, Lot 19, which is north of it, there is --
28 it is a residential structure. It is intended that we will use it
29 to house one of our people who is there. Now, who are these
30 people? These people are interns. They come and they work at
31 Pal-0-Mine to learn a potential living in assisting people who have
32 mental and other developmental disabilities, veterans who have been
33 injured, and they are working at the Pal-0-Mine facility doing
34 that. We house them in the facility that they're in now, the one
35 person, as a condition of their employment. But that employment is
36 within the agricultural farming context which is authorized under
37 the Village's zoning.

07:40PM

38
39 We've talked here about the impact that the Agriculture and Markets
40 Law has on local zoning and that impact is as follows. Local
41 zoning applies unless it unreasonably interferes with farming if
42 you are in an Agricultural District. So the question here is
43 whether housing a person in a three dwelling house somehow
44 fundamentally violates the zoning code that would otherwise allow
45 Pal-0-Mine to go out and rent that same house to three individuals.
46 I'm amazed that the Mayor is making the argument, it seems like
47 less of an impact to the community.

07:41PM

48
49 Let's talk about that community. Actually, let's talk about the
50 house. The house used to be an active, local family farm. It
51 presently has crops being grown on it and a greenhouse that has
52 existed there for probably the past ten years. It has a farm stand
53 on it where the man who owned the property used to sell vegetables
54 to his neighbors across the street. The property has been used in
55 the very same fashion, growing vegetables, neighbors across the
56 street for the past two years with not one complaint to Pal-0-Mine,

07:42PM

1 nor one complaint to the Village as far as we are aware.

2
3 *(Timer Sounded)*

4
5 You haven't heard the Mayor say there's been a complaint or that
6 anybody has a problem with it. So --

7
8 P. O. GREGORY:

9 Mr. Snead, Legislator Krupski has a question for you, maybe you can
07:43PM 10 get through the rest of your statement. And then Legislator
11 D' Amaro.

12
13 MR. SNEAD:
14 Certainly.

15
16 LEG. KRUPSKI:

17 Yeah, could you give us the history of both properties, please?

18
19 MR. SNEAD:

07:43PM 20 The second property is a residential structure, too. It's a
21 smaller residential structure with a small garage behind and it's,
22 I think, probably about a half an acre of land behind it. It's in
23 woods which is going to be converted to crops this year; we're
24 going to clear it and convert it.

25
26 All this being said, we have an opinion from the Agriculture and
27 Markets Department that what is going on on that site is
28 agriculture. It is consistent with agriculture. Agriculture is
07:43PM 29 authorized in the Village of Islandia on residential properties,
30 and that's all the Mayor seems to have a problem with is what is
31 the nature of the residential person who is going to be coming in
32 and living there. They want to have some control. We don't
33 understand what control it is they want with the resident.

34
35 Let's talk about this issue of the lawsuit on the house. That's on
36 the corner property where the individual is living. The Village
37 came to the house and assessed a violation for not having a rental
38 permit. They did it against the prior owner. They haven't even
39 sued Pal-O-Mine, they sued the people we bought the property from;
07:44PM 40 that is the case that is sitting before the court. It will be
41 going before the court again tomorrow for me to appear, I've
42 already made that fact plain to the prosecutor and my guess is that
43 the matter will be dismissed. We even spoke with the prosecutor, I
44 spoke with the prosecutor, and said with regard to the deck that
45 was built by our predecessor, we will put in a building permit
46 application to legitimize it; that's one of the other violations.
47 The third violation is that we're doing business there; what
48 business are we doing? We've got a bunch of kids who are coming in
49 learning how to be farmers, learning how to grow things, learning
07:45PM 50 how to manage their money during the day and they leave. That's
51 it, that's what's going on here.

52
53 Now, the intent of the Agriculture and Markets Law, the Agriculture
54 District Program, is to advance farming, to advance agriculture in
55 all of its states; beehives, equine, crops, animal husbandry, and
56 that's all we're doing. These two lots are going to be used in

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1 conjunction with the existing agricultural use of Pal-O-Mine
2 Equestrian which is already in the district. The fact that there
3 are not -- that these two properties are not zoning crops is
4 meaningless; all they have to be doing is working toward the end of
5 agriculture which in this case is equine, equine operations. So
6 it's fully consistent with what is in zoning, it's fully consistent
7 with what's in the Agriculture and Markets Law.

8
9 The Planning Department looked at this, gave their opinion that
07:46PM 10 it's fully consistent, that the land is viable, agricultural land
11 under the definition and under the way that the County normally
12 treats things.

13
14 P. O. GREGORY:
15 Mr. Snead?

16
17 MR. SNEAD:
18 We don't have to have contiguous lots, that's clear. And housing
19 is a -- housing for farming folks is a legitimate issue.

07:46PM 20
21 P. O. GREGORY:
22 Okay. So, if I may. So I'm not sure if it was identified, but how
23 many people are in the three-family house? Because it was defined
24 as --

25
26 MR. SNEAD:
27 One.

28
29 P. O. GREGORY:
07:46PM 30 -- a boarding house.

31
32 MR. SNEAD:
33 One, one.

34
35 P. O. GREGORY:
36 One person in the boarding house? Okay.

37
38 MR. SNEAD:
07:47PM 39 And that was made clear in the application that was presented to
40 the AFPB and that was submitted back to the Village when the County
41 Planning Department sent them a copy of the application. So
42 they've been aware of this the whole time.

43
44 P. O. GREGORY:
45 Right.

46
47 MR. SNEAD:
48 They chose not to come to the AFPB and put these issues in front of
49 you, and they may -- we could have discussed them then as well.

07:47PM 50
51 P. O. GREGORY:
52 Right. So many years ago, I'm talking like 2000, I worked for the
53 Town of Babylon. I worked -- I was head of their Constituent
54 Service Department. I got a frantic call from a woman from West
55 Babylon, I forget the street, and she said, and I quote, "*They're*
56 *blockbusting my neighborhood, all these minorities.*" I guess my

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1 voice didn't sound ethnic enough because she didn't realize there
2 was an African American on the other end of the phone.

3

4

*(*Laughter*)*

5

6 *"Can you help 'trickle them in' to give me the opportunity to sell*
7 *my house and leave?"* So with a great deal of restraint, we ended
8 that conversation. But from what you describe, you are certainly
9 not blockbusting the neighborhood.

07:48PM 10

11 MR. SNEAD:

12 No.

13

14 P. O. GREGORY:

15 And we know what that means; there's a very --

16

17 MR. SNEAD:

18 Yes.

19

20 P. O. GREGORY:

21 -- defined and racial term.

22

23 MR. SNEAD:

24 Yes. It's usually a term used by someone who doesn't want someone
25 else to have something.

26

27 P. O. GREGORY:

28 Exactly, exactly. And usually people of color; well, always people
29 of color.

07:48PM 30

31 MR. SNEAD:

32 Or other minorities, you're exactly right.

33

34 P. O. GREGORY:

35 Well -- okay.

36

37 MR. SNEAD:

38 But here's the point. And Legislator D' Amaro, you made the
39 suggestion that using this as a place to keep employees is somehow
07:48PM 40 a business. That business is farming, that farming business is
41 agriculture which is authorized in a residential district, number
42 one.

43

44 Number two, let's take it out of the context of letting them stay
45 there. They could give them a stipend or a salary and they could
46 then rent the same house to them for a rent, which comes out to be
47 the same thing. So what are we really talking about here? We're
48 talking about people living in a residential home, that's all we're
49 talking about.

07:49PM 50

51 P. O. GREGORY:

52 Speaking of Legislator D' Amaro, he had some questions for you.

53

54 MR. SNEAD:

55 Absolutely.

56

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1 LEG. D'AMARO:

2 Yeah, it's an interesting issue. I can see both sides. I agree
3 with you, if it's residentially used, it's in a residential
4 district, right?

5
6 MR. SNEAD:

7 Uh-huh.

8
9 LEG. D'AMARO:

07:49PM 10 But the difference here is that someone -- the person who owns the
11 house doesn't live in it or the proponent -- it's not being rented,
12 it's really the owner of the house is using it commercially to
13 house employees; is that correct?

14
15 MR. SNEAD:

16 Well, I don't know. It's a not for profit organization, two
17 lots -- one, two, three lots north who is operating as an
18 agricultural business, which agriculture is commerce.

19
07:50PM 20 LEG. D'AMARO:

21 No, but I'm not talking about -- I'm looking from the Village
22 perspective.

23
24 MR. SNEAD:

25 I understand.

26
27 LEG. D'AMARO:

28 That's in a residential district; is it being used in a commercial
29 use or a residential use?

07:50PM 30
31 MR. SNEAD:

32 Well, let me back up. Pal-O-Mine Equestrian, the main site we're
33 talking about, is in a residential district.

34
35 LEG. D'AMARO:

36 Right, but I'm talking about this site. That's in the Ag District,
37 right, right now?

38
39 MR. SNEAD:

07:50PM 40 No, let's talk about the two different --

41
42 LEG. D'AMARO:

43 Well, I have the questions here.

44
45 MR. SNEAD:

46 And I'm trying to answer them.

47
48 LEG. D'AMARO:

49 Just follow me, follow me.

50
51 MR. SNEAD:

52 Sure.

53
54 LEG. D'AMARO:

55 The two lots we're talking about today to include in the Ag
56 District?

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1
2 MR. SNEAD:
3 Yes.

4
5 LEG. D' AMARO:
6 Those are zoned residentially.

7
8 MR. SNEAD:
9 In the residential zoning district, yes.

07:50PM 10
11 LEG. D' AMARO:
12 Right. You could take a position that they are being used in
13 connection with the business.

14
15 MR. SNEAD:
16 Yes.

17
18 LEG. D' AMARO:
19 Okay. So that's, I think, where the Village is looking at this, is
07:50PM 20 it a commercial use of that property.

21
22 MR. SNEAD:
23 And what I'm telling you is that that business that is Pal-O-Mine
24 Equestrian --

25
26 LEG. D' AMARO:
27 Right.

28
29 MR. SNEAD:
07:51PM 30 -- is in a residential district, and it's only authorized because
31 it's agricultural.

32
33 LEG. D' AMARO:
34 Right, but I'm not talking about that district. I'm talking about
35 the use of these two lots in a residential zone in connection with
36 a business, it seems to me you could make the argument that's a
37 commercial use. So let me --

38
39 MR. SNEAD:
07:51PM 40 You could if you're assuming that an agricultural use is different
41 than a commercial use. And again, Pal-O-Mine Equestrian is in a
42 residential district and it is a business use of sorts. So that's
43 why it's authorized, it's an agricultural functional.

44
45 LEG. D' AMARO:
46 Right. Let me ask you a question. If these two properties are put
47 into the Agricultural District --

48
49 MR. SNEAD:
07:51PM 50 Uh-huh.

51
52 LEG. D' AMARO:
53 -- does the owner of the properties have to comply with the local
54 zoning?

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1 MR. SNEAD:
2 He has to comply with the local zoning unless the local zoning
3 unreasonably restricts farming.

4
5 LEG. D'AMARO:
6 Okay.

7
8 MR. SNEAD:
9 Or agriculture, I should say.

07:52PM 10
11 LEG. D'AMARO:
12 Do you think that it would unreasonably restrict farming if the
13 Village required a rental permit? Well, it's not being rented,
14 right, you had said; it's not a rental?

15
16 MR. SNEAD:
17 No. Well, you could do it that way, I suppose. And if it were
18 rented, I suppose they could ask that.

19
07:52PM 20 LEG. D'AMARO:
21 Would it unreasonably interfere with farming if there were
22 renovations done without a building permit?

23
24 MR. SNEAD:
25 Not at all.

26
27 LEG. D'AMARO:
28 So you would still have to comply with building permit procedures?

29
07:52PM 30 MR. SNEAD:
31 Absolutely, absolutely.

32
33 LEG. D'AMARO:
34 Uh-huh. And with regard to taxes, it doesn't come off the tax
35 roll because it's not actively used in crops, and that's the
36 difference.

37
38 LEG. D'AMARO:
39 Right.

07:52PM 40
41 MR. SNEAD:
42 Only that portion that is put into crops comes out.

43
44 LEG. D'AMARO:
45 Right.

46
47 MR. SNEAD:
48 So it has to comply with all the health and safety issues of the
49 Village with regard to the structure.

07:52PM 50
51 LEG. D'AMARO:
52 Would it have to be -- would the dwellings have to be used in
53 compliance with the zoning law?

54
55 MR. SNEAD:
56 It --

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07:53PM

07:53PM

07:53PM

07:53PM

LEG. D'AMARO:
Or would that interfere with the farming?

MR. SNEAD:
They would be because they're residential.

LEG. D'AMARO:
No, I'm saying would they have to be? Would it be required? In other words, this is a multiple dwelling, three units, three dwellings, so to speak, attached. So the use of that dwelling, would that still have to comply with the residential district requirements?

MR. SNEAD:
Yes.

LEG. D'AMARO:
It would, in your opinion?

MR. SNEAD:
Yeah. I mean, if it's a residential dwelling, as long as it's being used as a residence that would comply.

LEG. D'AMARO:
In other words --

MR. SNEAD:
And it can't be used in a way that doesn't comply.

LEG. D'AMARO:
Like if you have three units, there are certain limitations on what you can and cannot do in a residential dwelling.

MR. SNEAD:
There may be, yep.

LEG. D'AMARO:
Right. So your position is that the owner would still have to comply with all of that.

MR. SNEAD:
Unless it's unreasonably restricted agriculture which --

LEG. D'AMARO:
Well, that's, of course, the gray area.

MR. SNEAD:
Yeah.

LEG. D'AMARO:
All right. I can see both sides of this.

MR. SNEAD:
If I might go on. The issue on SEQRA -- and it's a procedural point, which I'm sure there --

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1
2 P. O. GREGORY:
3 I have another Legislator.

4
5 MR. SNEAD:
6 Oh, I'm sorry.

7
8 P. O. GREGORY:
9 Cilmi has a question for you.

07:54PM 10
11 LEG. CILMI:
12 Thanks, Mr. Chairman. You were going to say something about SEQRA.

13
14 MR. SNEAD:
15 Yeah.

16
17 LEG. CILMI:
18 Make it brief and I'll ask the other questions I have.

07:54PM 19
20 MR. SNEAD:
21 Sure. I am informed that the Village of Islandia has a portion of
22 the lease that contains a critical environmental area, and the
23 argument is made that that should have been identified on the farm.
24 But environmental areas are only important when the property that's
25 at issue is contiguous or substantially contiguous to it. I
26 presume that when the County Planning Department looked at the
27 SEQRA form, they made that determination appropriately.

07:55PM 28
29 At any rate, there's a remedy that the Village would have if it
30 believes it has a strong case in that area, but let's back up and
31 talk about what we're talking about here. We're again talking
32 about using the house in the same form that it's been used in the
33 last couple of years and as a residential unit in a residential
34 zone. So what environmental harm are we talking about here?

35
36 LEG. CILMI:
37 So let me ask you this, then. What is the impetus behind the
38 application?

07:55PM 39
40 MR. SNEAD:
41 It's to obtain these properties, A, for use as dwellings.

42
43 LEG. CILMI:
44 But you have that use as of right now.

45
46 MR. SNEAD:
47 I completely agree.

07:55PM 48
49 LEG. CILMI:
50 So what's the impetus?

51
52 MR. SNEAD:
53 And to put into use as crops and sale of crops from the properties.

54
55 LEG. CILMI:
56 Which you would have to get authorization, if you don't already

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1 have authorization from the Village from a zoning perspective
2 anyway. So again, what's the impetus? That's my question.

3
4 MR. SNEAD:

5 Well, the impetus is they want to have it in the district. I mean,
6 that's -- if what you're saying is you can do everything you want
7 anyway, why are you asking for agricultural status; is that the
8 question?

9
07:56PM 10 LEG. CILMI:

11 Well, is your point here, or is Pal-O-Mine's point that you want to
12 use one of these pieces of property as a farm, an actual where
13 you're growing crops?

14
15 MR. SNEAD:

16 Yeah; both of them, actually.

17
18 LEG. CILMI:

19 You're going to grow crops on both pieces of property.

20
21 MR. SNEAD:

22 Absolutely. There's crops being grown on the corner property now
23 and have been for the past two years, and we're going to clear a
24 portion of the northern lot to put into crops as well.

25
26 LEG. CILMI:

27 And -- but they're not existing farms.

28
29 MR. SNEAD:

07:56PM 30 Well, the one on the corner is and the one north is not a in-farm
31 status, correct; it's not a farm operation.

32
33 LEG. CILMI:

34 The one with the three dwelling residences on it --

35
36 MR. SNEAD:

37 It's on the corner.

38
39 LEG. CILMI:

07:56PM 40 And that's the one that's currently being used --

41
42 MR. SNEAD:

43 As a farm.

44
45 LEG. CILMI:

46 -- as a farm.

47
48 MR. SNEAD:

49 Yes.

07:56PM 50
51 LEG. CILMI:

52 With one person in this three dwelling house.

53
54 MR. SNEAD:

55 Correct.

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1 LEG. CILMI:

2 So I guess your point is that if you are accepted into the
3 Agricultural District, then if at some point the Village says *you*
4 *can't farm here because it violates our zoning*, or whatever, then
5 you can appeal to --

6
7 MR. SNEAD:

8 The State.

9
07:57PM

10 LEG. CILMI:

11 -- the State and get some relief in that respect.

12
13 MR. SNEAD:

14 Yes, that's exactly right.

15
16 LEG. CILMI:

17 So you mentioned something about using one of the facilities, I
18 guess currently, as an educational facility for interns who are
19 exploring their agricultural --

07:57PM

20
21 MR. SNEAD:

22 No, that's not what I meant to say.

23
24 LEG. CILMI:

25 Okay.

26
27 MR. SNEAD:

28 What I'm saying is that the houses are intended to be used to house
29 the interns. The interns are assisting the people who are being
07:58PM 30 educated or therapeutically helped at the Pal-O-Mine facility.
31 These are young children often, kids in their teens learning how to
32 do things, and one of them --

33
34 LEG. CILMI:

35 Okay.

36
37 MR. SNEAD:

38 And the floor of the main building on the corner, the first floor
39 is used essentially as a classroom.

07:58PM

40
41 LEG. CILMI:

42 Okay. So, if we were to select a piece of commercial or
43 residential property somewhere, you know, some distance from an
44 existing farm, and if the owner of that farm, let's say Legislator
45 Krupski, came to us and said, *You know, there's this piece of*
46 *property a mile down the road. We want to use that property to*
47 *house some of the folks who work on the farm and, therefore, we'd*
48 *like to put that property in an Agricultural District.*

07:59PM

49
50 MR. SNEAD:

51 Uh-huh.

52
53 LEG. CILMI:

54 Is it your legal opinion, then, that that would be an acceptable
55 agricultural use and that it should be added into that Agricultural
56 District?

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1
2 MR. SNEAD:
3 Absolutely, and there's case authority on that. You may use -- you
4 may use farmland as residential housing for workers even when it
5 violates zoning, and the example is this. Upstate a guy had a
6 farm, the local zoning said no trailer homes. The farmer said,
7 *Look, I've got to have a place to put my people and I don't want to*
8 *have to spend 10,000 -- you know, \$10 million to build the housing,*
9 *let me put in some trailer homes,* and it got litigated and it went
07:59PM 10 all the way up and it was held that denying the farmer the right to
11 put those workers in a trailer home was an unreasonable restriction on
12 zoning.
13
14 LEG. CILMI:
15 Now, I assume it's not your intent to put trailer homes on
16 this property.
17
18 MR. SNEAD:
19 No, I was making an analogy.
08:00PM 20
21 LEG. CILMI:
22 But, but, but -- I mean, by using the analogy that you just used,
23 you underscored the fear, I think, that exists on the part of
24 Village. Because, you know, the State could basically totally
25 undercut the Village's wishes when it comes to zoning.
26
27 MR. SNEAD:
28 They could but they don't.
29
08:00PM 30 LEG. CILMI:
31 Well, you just said they did in this particular case.
32
33 MR. SNEAD:
34 Well, they did in that particular case, because in that particular
35 case what the Village was trying to restrict unreasonably impacted
36 farming.
37
38 LEG. CILMI:
39 So --
08:00PM 40
41 MR. SNEAD:
42 And there was --
43
44 LEG. CILMI:
45 So trailers could end up on these two pieces of property.
46
47 MR. SNEAD:
48 You could make the argument, sure. I'm not going say you can't
49 make the argument. Do we intend to do that? No. We've got two
08:00PM 50 existing houses.
51
52 LEG. CILMI:
53 Okay. So let me then -- let me then switch gears a little bit and
54 ask what, if any, conversations have been held between Pal-0-Mine
55 and the Village with respect to Pal-0-Mine's intentions on these
56 two pieces of property?

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1
2 MR. SNEAD:
3 Other than them receiving our application? Nothing.
4
5 LEG. CILMI:
6 Okay.
7
8 MR. SNEAD:
9 Remember, we've had these properties for a while, we've been using
08:01PM 10 them this way, and we just decided to put them into the
11 Agricultural District.
12
13 LEG. CILMI:
14 Right. But, I mean, clearly, clearly you remember, and I'm sure
15 Lisa remembers, the debate that erupted as a result of the initial
16 application --
17
18 MR. SNEAD:
19 Uh-huh.
08:01PM 20
21 LEG. CILMI:
22 -- a few years ago.
23
24 MR. SNEAD:
25 Uh-huh.
26
27 LEG. CILMI:
28 So recollecting that eruption, I would have thought that there
29 might be some dialogue between Pal-O-Mine and the Village when it
08:01PM 30 comes to including two new parcels into an Agricultural District.
31
32
33 MR. SNEAD:
34 I don't know what to say to that, Legislator. I was not involved
35 in that before. But what I will say is that ultimately Pal-O-Mine
36 received your blessing to be in the Agricultural District without
37 any restrictions whatsoever.
38
39 LEG. CILMI:
08:02PM 40 Right. But --
41
42 MR. SNEAD:
43 And because they had --
44
45 LEG. CILMI:
46 But there was a significant -- but there was a significant debate
47 to the point where the application was withdrawn.
48
49 MR. SNEAD:
08:02PM 50 Yes.
51
52 LEG. CILMI:
53 At one point.
54
55 MR. SNEAD:
56 Uh-huh.

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08:02PM

08:03PM

08:03PM

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08:03PM

LEG. CILMI:
To me, that's significant enough to -- you know, to at least trigger something, you know, with the applicant that maybe we should have a conversation with the Village in advance of our application to the County.

MR. SNEAD:
Legislator Cilmi, I don't know. Honestly I don't know how to answer that. I'm not saying you're wrong, but I'm not saying it's required and, quite frankly, the acquisitions --

LEG. CILMI:
Clearly not required. Clearly not required.

MR. SNEAD:
Yeah, and the Village was apprised of all of this. I mean, it's not like we just decided to slip this in and didn't tell them. They were given a copy of the application, they were told what was going to be done.

LEG. CILMI:
By Pal-O-Mine?

MR. SNEAD:
By your organization, the Suffolk County Planning Department.

LEG. CILMI:
Right. With respect to the occupancy of the two houses that are on these properties, I think I heard you say that it's your intent to knock one of the houses down completely.

MR. SNEAD:
No, no.

LEG. CILMI:
No?

MR. SNEAD:
No. It is our intent to knock down the trees on the back half of the northern lot to use that for crops. The houses will remain, they are intended to be used as housing. They are intended to be used as housing in accordance with their Certificates of Occupancy and the --

LEG. CILMI:
Okay, so stop there for a second. So you're making representations today that there's one person living in that three dwelling property.

MR. SNEAD:
Which is the same representation I made the board when we applied

LEG. CILMI:
I understand that. But you're saying also, on the other hand you're saying that your intention is to use the properties as they

1 are -- as the Certificates of Occupancy allow. So if the
2 Certificate of Occupancy on that particular piece of property
3 allows for multiple -- you know, and I don't know if there's a
4 limit to the number of folks that could live in there, but multiple
5 people, then at some point you could open the house up to multiple
6 people. Even though there's only -- unless you're providing the
7 Village with some sort of covenant that you're only going to have
8 one person there.

9
10 MR. SNEAD:

11 Well, we would certainly have the right to do that. I don't know
12 why that would be a problem for the Village, because they have
13 agreed it's already a multiple use dwelling. I mean, I -- I mean,
14 if what you're suggesting to me is that we go back and sit down
15 with the Village and negotiate something, I don't know that that's
16 necessarily the right way to go because right now we've got to make
17 a decision about whether this particular application moves forward.
18 And, you know, if we were to put three people -- let's say the
19 occupancy on that house is three people, and if we were to put
20 three people in it, it doesn't violate anything and why would the
21 Village have a problem with it?

22
23 LEG. CILMI:

24 I understand that. But in your testimony -- I just want to make
25 sure that we're all above board here.

26
27 MR. SNEAD:

28 Sure.

29
30 LEG. CILMI:

31 In your testimony you're saying there's only one person there,
32 there's not multiple people there, but the reality of it is that
33 there could be multiple people there.

34
35 MR. SNEAD:

36 Yes, and I was responding to the allegation that there were
37 multiple people there --

38
39 LEG. CILMI:

40 I understand. Understood.

41
42 MR. SNEAD:

43 -- and that it was being used as a boarding house and all of the
44 other invective that was being thrown out.

45
46 LEG. CILMI:

47 Right. So you just said a few minutes ago that your intent is to
48 remove a number of trees.

49
50 MR. SNEAD:

51 Uh-huh.

52
53 LEG. CILMI:

54 What is on the other side of those trees right now?

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1 MR. SNEAD:
2 On the back side of that -- well --

3
4 LEG. CILMI:
5 Whatever; the trees are in between --

6
7 MR. SNEAD:
8 Let me lay the lot out for you.

9
10 LEG. CILMI:
11 Go ahead.

12
13 MR. SNEAD:
14 The lot lays out east to west. On the west side is the house which
15 fronts on the road; on the east side is the standard trees, it's
16 about half of the lot. On the east side of that is the County
17 parkland and on the north side of the lot entirely is another
18 residential home.

19
08:06PM 20 LEG. CILMI:
21 Okay. So the trees, the existing trees are not separating in any
22 way or providing any sort of buffer, if you will, between another
23 residence and whatever else is on the property.

24
25 MR. SNEAD:
26 No, they're not.

27
28 LEG. CILMI:
29 So by removing those trees it's not -- in your opinion, at least --
08:06PM 30 it would not be an infringement upon or allow an infringement upon
31 the rights of whoever is adjacent to the property.

32
33 MR. SNEAD:
34 Certainly not.

35
36 LEG. CILMI:
37 Because in this case you're saying that the County is adjacent to
38 the property where the trees are separating.

39
08:07PM 40 MR. SNEAD:
41 Yes. And to one other point that was alluded to. There's no way
42 that the County can sell that property behind it to us anyway
43 because it's parkland, it's inalienable. So it's not like we're
44 going to be expanding into the parkland and creating a 20-acre
45 compound.

46
47 LEG. CILMI:
48 Do you expect to have -- under current village codes, zoning, do
49 you expect to have a problem taking those trees down?

08:07PM 50
51 MR. SNEAD:
52 No.

53
54 LEG. CILMI:
55 Okay. Do you expect to have a problem doing any of the farming on
56 the property?

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08:08PM

08:08PM

08:08PM

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MR. SNEAD:
No. Farming is authorized within the residential zone.

LEG. CILMI:
Okay. So it brings me back again to what's the impetus behind the application?

MR. SNEAD:
The impetus behind the application is if we intend to do something that the Village doesn't want, that we have the right to bring that to the State if it unreasonably restricts farming. That's the purpose of the act, that's the State law.

LEG. CILMI:
But you can't anticipate what that might be.

MR. SNEAD:
I have no idea what that would be right now. What I can tell you, I know what we plan to do is level those trees and use the houses as residences.

LEG. CILMI:
Okay. Thank you. Mr. Chair, I don't know if there are any other questions on your --

P. O. GREGORY:
No.

LEG. CILMI:
So --

MR. NOLAN:
I think there other speakers.

P. O. GREGORY:
Yeah; well, there might be another speaker.

LEG. CILMI:
Oh, great. All right, thank you. I would like to possibly, through the Chair, you can ask what the timeframe of considerations are from the department. Because if we're going to recess this or if we're going to close it, I want to know exactly what we're working with.

P. O. GREGORY:
Okay. All right, is there anyone else here -- oh, Al, you have another question?

LEG. KRUPSKI:
No, I can just answer Legislator Cilmi's question about the timeframe, that's all.

MR. SNEAD:
If there are any other questions, I'd be happy to answer them. Otherwise --

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1
2 P. O. GREGORY:
3 Okay. All right, thank you, sir. Is there anyone else that would
4 like to speak on this matter?
5
6 D. P. O. CALARCO:
7 I have a quick question.
8
9 P. O. GREGORY:
08:09PM 10 Oh. Mr. Snead, Legislator Calarco has a question for you.
11
12 D. P. O. CALARCO:
13 I'm sorry, I just had a real quick question. Would you have the
14 street addresses on these?
15
16 MR. SNEAD:
17 I'll give it to you. I think one's Dewey and the -- it's on Old
18 Nicolls Road and the street -- I got them as lot numbers, I don't
19 have them as street numbers, I'm sorry.
08:09PM 20
21 D. P. O. CALARCO:
22 Okay, that's okay. Thank you.
23
24 MR. SNEAD:
25 Thank you.
26
27 LEG. MURATORE:
28 You have one more speaker.
29
08:09PM 30 P. O. GREGORY:
31 Okay, I think I saw Marianne; was that your hand that's stuck up
32 there? Okay, please come forward.
33
34 MS. JOHNSTON:
35 Thank you for letting me speak. I've listened to this and I can
36 tell you I'm almost embarrassed by the conversation that I heard,
37 truthfully. Blockbusting? What kind of people are going to be
38 there? This is a three-family dwelling, legally zoned, permissible
39 under New York State Agriculture and Markets Law to house workers
08:10PM 40 on a farm. They don't have to be contiguous and the town clearly,
41 the Village clearly has every intention of interfering with the
42 right-to-farm; they've so stated it here today by their language.
43 And I ask very respectfully that you not facilitate that any
44 further. Thank you.
45
46 P. O. GREGORY:
47 Thank you.
48
49 *Applause*
08:10PM 50
51 Okay. Anyone else like to speak? No? Okay, I'm going to --
52 Mr. Krupski.
53
54 LEG. KRUPSKI:
55 I will make a motion to close the hearing.
56

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1 LEG. LINDSAY:

2 Second.

3

4 P. O. GREGORY:

5 Motion by Legislator Krupski to close Procedural Motion 13. Second
6 by Legislator Lindsay.

7

8 LEG. CILMI:

9 Yeah, on the motion.

10

11 P. O. GREGORY:

12 On the motion.

13

14 LEG. CILMI:

15 Could we, through the Chair, ask Director Lansdale to -- is she
16 still in the room?

17

18 MR. STRAUSS:

19 Yeah, she's here, she's hiding.

08:11PM

20

*(*Laughter*)*

21

22

23 LEG. CILMI:

24 Oh, there she is.

25

26 P. O. GREGORY:

27 Oh, there you are.

28

29 LEG. CILMI:

08:11PM

30 Ah, there she is. Hi, Sarah.

31

32 DIRECTOR LANSDALE:

33 Hi.

34

35 LEG. CILMI:

36 Could you just speak to us briefly about the timeframe here? Does
37 this need to get closed? I mean, I'm inclined -- look, this is a
38 Public Hearing, we've heard from the public, we've heard from the
39 Village, we've heard from the applicant. My inclination is to
40 close it and then debate this in committee where it should be
41 debated. I mean, we're not -- we shouldn't be debating this here
42 today, this is a Public Hearing. So my inclination is to allow it
43 to be closed and then debate it at that point. But can you speak
44 to the timing of the whole thing, please?

08:11PM

45

46 DIRECTOR LANSDALE:

47 Sure. The timing is mandated under New York State Ag and Markets
48 Law, and I have the specific citation if you'd like and also the
49 flow chart. We are required to submit within 120 days of the

08:12PM

50 enrollment period the recommendations, all the certified
51 applications by July 29th, 2017. The enrollment period opened on
52 March 1st and ended on March 31st, and so 120 days from that is on
53 or about July 29th. So we have -- you know, we have the Public
54 Hearing today. This could be debated, if it's closed today, at the
55 EPA Committee on July 17th, and then July 25th would be before the
56 Legislature for your consideration.

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1
2 LEG. CILMI:
3 Okay. So if the interested parties come to that committee meeting
4 on the 25 --
5
6 DIRECTOR LANSDALE:
7 The 17th.
8
9 LEG. CILMI:
08:13PM 10 The 17th, rather, and the committee tables the bill at that point,
11 or the bill fails at that point, then as far as their application
12 this year it would not move forward; is that correct?
13
14 DIRECTOR LANSDALE:
15 It would either not move forward or it would be delayed and we
16 would -- there are no penalties outlined in Ag & Markets Law if we
17 fail to meet the 120-day deadline. But we have in the -- since
18 I've been here at the County for the past number of years, we have
19 not missed that deadline to file within 120 days and I don't think
08:14PM 20 the County has ever done that; I would have to research that. But
21 I think we've been very diligent about it administering the Ag &
22 Markets Program on behalf of the State here.
23
24 LEG. CILMI:
25 I agree. Okay, thank you.
26
27 P. O. GREGORY:
28 Okay. So we have a motion and a second to close. All in favor?
29 Opposed? Abstentions?
08:14PM 30
31 LEG. D'AMARO:
32 Opposed.
33
34 LEG. TROTТА:
35 Opposed.
36
37 MR. RICHBERG:
38 Thirteen *(Amended Vote: Fourteen - Opposed: Legislators D'Amaro &*
39 *Trotta - Not Present: Legislator Spencer - Absent: Legislator*
08:14PM 40 *Martinez)*
41
42 P. O. GREGORY:
43 Okay, *(Public Hearing) for IR 1271-17 - Adopting Local Law No.*
44 *-2017, A Local Law to eliminate cremation approval fee (Trotta).*
45 I don't have any cards for this Public Hearing. Anyone here who
46 would like to speak on it, please come forward. Okay, what is your
47 pleasure, Mr. Trotta? 1271.
48
49 LEG. TROTТА:
08:14PM 50 Recess, please.
51
52 P. O. GREGORY:
53 Motion to recess by Legislator Trotta. I will second. All in
54 favor? Opposed? Abstentions?
55
56

1 MR. RICHBERG:
2 Fifteen. *(Amended Vote: Sixteen - Not Present: Legislator Spencer*
3 *- Absent: Legislator Martinez)*

4
5 P. O. GREGORY:
6 *(Public Hearing on) IR 1273-17 - Adopting Local Law No. -2017, A*
7 *Charter Law requiring departmental justification of proposed fee*
8 *increases (Trotta). I don't have any cards for this Public Hearing*
9 *as well. Anyone like to speak on it, please come forward. Okay,*
10 *Legislator Trotta?*

11
12 LEG. TROTТА:
13 Motion to close.

14
15 P. O. GREGORY:
16 Motion to close. Second by Legislator McCaffrey. All in favor?
17 Opposed? Abstentions?

18
19 MR. RICHBERG:
20 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
21 *Martinez).*

22
23 P. O. GREGORY:
24 *(Public Hearing on) IR 1366-17 - Adopting Local Law No. -2017, A*
25 *Local Law to enact a campaign finance reform act to limit campaign*
26 *contributions from County contractors and public employee unions*
27 *(Trotta). I don't have any cards for this Public Hearing. Anyone*
28 *like to speak on it, please come forward. Seeing none, Mr. Trotta?*

29
30 LEG. TROTТА:
31 Motion to recess.

32
33 P. O. GREGORY:
34 Motion to recess. I'll second. All in favor? Opposed?
35 Abstentions?

36
37 MR. RICHBERG:
38 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
39 *Martinez).*

40
41 P. O. GREGORY:
42 *(Public Hearing on) IR 1422-17 - Calling for a Public Hearing for*
43 *the purpose of improving treatment facilities for Suffolk County*
44 *Sewer District No. 14 - Parkland (CP 8118) (County Executive). I*
45 *don't have any cards for this Public Hearing. Anyone like to speak*
46 *on it, please come forward. Okay, seeing none. Motion to close.*
47 *Second by Legislator Kennedy. All in favor? Opposed?*
48 *Abstentions?*

49
50 MR. RICHBERG:
51 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
52 *Martinez).*

53
54 P. O. GREGORY:
55 *(Public Hearing on) IR 1423-17 - Calling for a Public Hearing for*
56 *the purpose of improving sewage conveyance facilities for Suffolk*

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1 *County Sewer District No. 6 - Kings Park (CP 8144) (County*
2 *Executive)*. I don't have any cards for this Public Hearing.
3 Anyone like to speak on it, please come forward. Seeing none.

4
5 LEG. TROTТА:
6 Motion to close.

7
8 P. O. GREGORY:
9 Motion to close by Legislator Trotta, second by Legislator Kennedy.
10 All in favor? Opposed? Abstentions?

11
12 MR. RICHBERG:
13 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
14 *Martinez)*.

15
16 P. O. GREGORY:
17 *(Public Hearing on) IR 1424-17 - Calling a Public Hearing for the*
18 *purpose of considering increasing the maximum amount to be expended*
19 *for improving facilities for Suffolk County Sewer District No. 7 -*
20 *Medford (CP 8150) (County Executive)*. I don't have any cards for
21 this Public Hearing. Anyone like to speak on it, please come
22 forward. Okay, seeing none, Legislator Calarco?

23
24 D. P. O. CALARCO:
25 Motion to close.

26
27 P. O. GREGORY:
28 Motion to close. I'll second. All in favor? Opposed?
29 Abstentions?

30
31 MR. RICHBERG:
32 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
33 *Martinez)*.

34
35 P. O. GREGORY:
36 *(Public Hearing on) IR 1425-17 - Calling a Public Hearing for the*
37 *purpose of considering increasing the maximum amount to be expended*
38 *for improving facilities for Suffolk County Sewer District No. 20 -*
39 *William Floyd (CP 8147/8148) (County Executive)*. I don't have any
40 cards for this Public Hearing. Anyone like to speak on it, please
41 come forward. Okay, whose area is this?

42
43 LEG. BROWNING:
44 Close.

45
46 P. O. GREGORY:
47 Motion to close by Legislator Browning. I'll second. All in
48 favor? Opposed? Abstentions?

49
50 MR. RICHBERG:
51 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
52 *Martinez)*.

53
54 P. O. GREGORY:
55 *(Public Hearing on) IR 1426-17 - Calling for a Public Hearing for*
56 *the purpose of considering increasing the maximum amount to be*

1 *expended for improving facilities for Suffolk County Sewer District*
2 *No. 14 - Parkland (CP 8151) (County Executive). I don't have any*
3 *cards for this Public Hearing. Anyone like to speak on it, please*
4 *come forward. Okay, I'll make a motion to close.*

5
6 LEG. LINDSAY:
7 I'll second.

8
9 P. O. GREGORY:
08:17PM 10 Second by Legislator Lindsay. All in favor? Opposed?
11 Abstentions?

12
13 MR. RICHBERG:
14 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
15 *Martinez).*

16
17 P. O. GREGORY:
18 *(Public Hearing on) IR 1427-17 - Calling for a Public Hearing for*
19 *the purpose of considering proposed increases and improvements of*
08:17PM 20 *facilities Suffolk County Sewer District No. 22 - Hauppauge*
21 *Municipal (CP 8171) (County Executive). I don't have any cards for*
22 *this Public Hearing. Anyone like to speak on it, please come*
23 *forward. Okay, seeing none, I'll make a motion to close.*

24
25 MS. HORST:
26 Mr. Presiding Officer? If you could recess this one for one cycle?

27
28 P. O. GREGORY:
29 Ah, yes, okay. Motion to recess.

30
31 LEG. KENNEDY:
32 Second.

33
34
35 P. O. GREGORY:
36 Second by Legislator Kennedy. All in favor? Opposed?
37 Abstentions?

38
39 MR. RICHBERG:
08:18PM 40 *Sixteen (Not Present: Legislator Spencer - Absent: Legislator*
41 *Martinez).*

42
43 P. O. GREGORY:
44 I just wanted to see if you were awake, Katie.

45
46 MS. HORST:
47 *(Laughter).*

48
49 P. O. GREGORY:
08:18PM 50 *(Public Hearing on) IR 1431-17 - Calling a Public Hearing for the*
51 *purpose of considering increasing the maximum amount to be expended*
52 *for improving facilities for Suffolk County Sewer District No. 3 -*
53 *Southwest (CP 8181) (County Executive). I don't have any cards for*
54 *this Public Hearing. Anyone like to speak on it, please come*
55 *forward. I'll make a motion to close.*

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1 LEG. McCAFFREY:
2 Second.

3
4 P. O. GREGORY:
5 Second by Legislator McCaffrey. All in favor? Opposed?
6 Abstentions?

7
8 MR. RICHBERG:
9 *Seventeen (Absent: Legislator Martinez).*

08:18PM 10
11 P. O. GREGORY:
12 *(Public Hearing on) IR 1432-16 - Calling a Public Hearing for the*
13 *purpose of considering increasing the maximum amount to be expended*
14 *for improving facilities for Suffolk County Sewer District No. 3 -*
15 *Southwest (CP 8183)(County Executive). I don't have any cards on*
16 *this Public Hearing. Anyone like to speak on it, please come*
17 *forward. Okay, same motion, same second. All in favor? Opposed?*
18 *Abstentions?*

19
08:18PM 20 MR. RICHBERG:
21 *Seventeen (Absent: Legislator Martinez).*

22
23 P. O. GREGORY:
24 *(Public Hearing on) IR 1433-17 - Calling for a Public Hearing for*
25 *the purpose of considering increasing and improving facilities for*
26 *Suffolk County Sewer District No. 3 - Southwest (CP 8170)(County*
27 *Executive). I don't have any cards for this Public Hearing.*
28 *Anyone like to speak on it, please come forward. Okay, same*
29 *motion, same second. All in favor? Opposed? Abstentions?*

08:19PM 30
31 MR. RICHBERG:
32 *Seventeen (Absent: Legislator Martinez).*

33
34 P. O. GREGORY:
35 *(Public Hearing on) IR 1452-17 - Adopting Local Law No. -2017,*
36 *A Local Law to improve food allergy safety and awareness at food*
37 *service establishments in Suffolk County (Spencer). I don't have*
38 *any cards for this Public Hearing. Anyone like to speak on it,*
39 *please come forward. Okay, seeing none, Legislator Spencer.*

08:19PM 40
41 LEG. SPENCER:
42 Motion to recess.

43
44 P. O. GREGORY:
45 Motion to recess by Legislator Spencer. I'll second. All in
46 favor? Opposed? Abstentions?

47
48 MR. RICHBERG:
49 *Seventeen (Absent: Legislator Martinez).*

08:19PM 50
51 P. O. GREGORY:
52 *(Public Hearing on) IR 1476-17 - Adopting Local Law No. -2017, A*
53 *Charter Law to increase sewer funding and protect water quality in*
54 *Suffolk County (Trotta). I don't have any cards for this Public*
55 *Hearing. Anyone like to speak on it, please come forward. Okay,*
56 *seeing none, Legislator Trotta.*

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1
2 LEG. TROTTA:
3 Motion to close.

4
5 P. O. GREGORY:
6 Motion to close.

7
8 LEG. KENNEDY:
9 Second.

08:19PM 10
11 P. O. GREGORY:
12 Second by Legislator Kennedy. All in favor? Opposed?
13 Abstentions?

14
15 MR. RICHBERG:
16 *Seventeen (Absent: Legislator Martinez).*

17
18 P. O. GREGORY:
19 Okay, *(Public Hearing on) IR 1509-17 - Adopting Local Law No.*
08:19PM 20 *-2017, A Local Law establishing a policy to reserve County sewer*
21 *capacity (Browning).* I do have several cards. MaryAnn Johnston,
22 come on down.

23
24 MS. JOHNSTON:
25 I would like to ask what's behind door one.

26
27 *(*Laughter*)*

28
29 Good afternoon. As Legislator Browning knows, this is something I
08:20PM 30 have advocated for for several years, as we have continually
31 allowed the excess capacity at Bergen Point, should it exist, to be
32 used to develop new, high density development. While we have
33 places like East Islip, Oakdale, Bohemia, Bayport, Bluepoint,
34 Shirley and further points east and west that are not sewerred, this
35 is what we object to.

36
37 Furthermore, I support this bill because it will hopefully restrict
38 some of the urbanization projects that are being considered and are
39 opposed almost universally by the residents. That being well
08:21PM 40 known, Heartland and Hub. The hub started out at 450 units. In
41 its own DGIS it was required to do an on-site sewer plant. The
42 County interfered with that. As a result, if this was not forced
43 to go through, the people in the surrounding area of the Ronkonkoma
44 Hub will not benefit from having that excess capacity clean up the
45 waters of Ronkonkoma Lake, that's important. These are the things
46 we need to do. We are a lifeboat. We have not a single river,
47 stream or tributary that is not on the 303-B Impaired Waters list.
48 What will it take for us to understand that we have to limit
49 development or build infrastructure. It seems to me you don't have
08:21PM 50 the money for either, so we need to ask the developers who come to
51 this County to do what they need to do. You want to build
52 9500 units on land that was supposed to go to the Edgewood Brush
53 Plains Preserve? You better build your own sewer plant and not
54 track it down Veterans Highway, bring it into Sayville, pump it all
55 over and dump it three miles into the Atlantic Ocean. This is not
56 a good plan; never was, never will be.

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1
2 I respectfully support Legislator Browning's bill, but I ask very
3 seriously, 300 gallons per day per household. And 300,000 gallons
4 is the top? Well, how many units are we anticipating at 999 units?
5 I don't know of any in the County besides Heartland and the Hub.
6 Even the Meadows at Yaphank is only 825, but they didn't have to
7 build a sewer either. So I'm asking very respectfully that if
8 we're going to move forward and you're going to gain the respect of
9 the people who pay the taxes to live here, you better do something
08:23PM 10 about what you're doing with our water quality. Just last week
11 most -- better than half of our beaches were closed, and that's
12 because you're not doing what you need to do to change the quality
13 of our water. You're doing what you need to do to help the
14 development community.

15
16 P. O. GREGORY:
17 MaryAnn?

18
19 MS. JOHNSTON:
08:23PM 20 The residents are tired. Thank you.

21
22 P. O. GREGORY:
23 MaryAnn, Legislator Trotta has a question for you.

24
25 LEG. TROTТА:
26 Did you say that the 800 units isn't sewerred by William Floyd;
27 what's that called?

28
29 MS. JOHNSTON:
08:23PM 30 The way they did it was they said, *Oh, we have the Darood Plant*
31 which was under the DEC Consent Order. They knew damn well they
32 weren't going to be able to modernize it sufficiently well to build
33 it, so they built the buildings first, the apartments first and
34 then came before the sewer board to say, *Guess what? The Darood*
35 *Plant won't work.* Big surprise.

36
37 LEG. TROTТА:
38 So what --

39
40 MS. JOHNSTON:
41 Only 1600 feet from the headwaters, the surface waters of the
42 Carmens River.

43
44 LEG. TROTТА:
45 Wait, stop a minute. This big project they're building at the
46 William Floyd Parkway and the Expressway doesn't have a sewage
47 treatment plant?

48
49 MS. JOHNSTON:
08:24PM 50 It does now.

51
52 LEG. TROTТА:
53 Oh, it does.

54
55 MS. JOHNSTON:
56 You've got to sewer what you already built, don't you?

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1
2 LEG. TROTТА:
3 So it has a sewage treatment plant.

4
5 MS. JOHNSTON:
6 Yeah, brand new.

7
8 LEG. TROTТА:
9 Okay.

10
11 MS. JOHNSTON:
12 In the Pine Barrens. Thank you. Anybody else?

13
14 P. O. GREGORY:
15 Okay, thank you. Mario Mattera.

16
17 MR. MATTERA:
18 Hi. One thing I've got to say is I cannot believe that I'm going
19 to agree with MaryAnn.

08:24PM

20
21 *(*Laughter*)*

22
23 MaryAnn, I commend you for that. I just can't believe that.

24
25 *(*Laughter*)*

26
27 Woo! Please, you didn't start my three minutes. No, no, no, you
28 can't do that.

08:24PM

29
30 P. O. GREGORY:
31 No, you spoke.

32
33 MS. MATTERA:
34 Hi. My name is Mario -- good evening, Presiding Officer Gregory
35 and all Legislators. Thank you very much for letting me speak here
36 today.

08:24PM

37
38 My name is Mario Mattera, I'm the business agent with Plumbers
39 Local 200. I represent approximately 1100 members and their
40 families; 80% live in Suffolk County and so do I, which I'm very
41 proud of that. I also am here representing the Nassau-Suffolk
42 Building Trades today to speak on this very, very special
43 Resolution, 1509, which I commend Legislator Browning for bringing
44 this forward.

08:25PM

45
46 You know, everything could be amended in a lot of ways, but I'm
47 going to tell you just quick. The Riverhead plant, this is an
48 amazing plant. The only plant that was built -- I gave everybody a
49 packet, the only plant that was built that will use reclaimed
50 water. That right now Indian Point Golf Course is being irrigated.
51 But I'm still upset that it goes -- in the wintertime it goes into
52 the Peconic, which it shouldn't have been, it should be going back
53 into our groundwater to help out our precious aquifer.

54
55 You know, you look at Nassau County, they're in deep trouble.
56 Nassau County with Bethpage with the plume, Nassau County tying

1 into the Lloyd; once you tie into the Lloyd you're done, we're over
2 with. Right now you have Queens is opening up three wells that
3 were closed, because what's happening with the growth inside
4 Queens. So guess what? That aquifer is in Nassau County. It's
5 like taking a cup and a straw and sucking it dry, that's what's
6 happening.

7
8 Right now Nassau County is suing Queens so they don't open up those
9 wells. Good luck with that, that's what's going to happen. I feel
10 in the near future Suffolk County Water Authority -- I'm speaking
11 on behalf of Mario Mattera, not on behalf of the Water Authority --
12 we will be supplying water to Nassau County in the near future,
13 because we have certain projects that we are having these projects
14 built with special state-of-the-art sewage treatment plants that
15 take out the nitrogen, okay, that take out the nitrogen that goes
16 back in that replenishes our groundwater.

17
18 Nassau County right now, just to give everybody a head's up, you
19 have Cedar Creek, 70 millions gallons per day gets pumped out to
20 our ocean. You have Bay Park, 70 million gallons per day gets
21 pumped out to our ocean. Bergen Point, full capacity, 50 million
22 gallons per day will be pumped out to the ocean. Everybody knows
23 with the tides right now, how problem -- what the problem is with
24 that. All I'm saying is -- I'm trying to get this in, I've got 38
25 more seconds. I'm trying to get this in; we need to reclaim our
26 water. We need to make sure the depletion of our aquifer is not
27 happening for the future of our families. I am very, very
28 concerned what's happening in Nassau County. Right now you have
29 pipelines coming down from the Croton Water Supply because
30 Manhattan is booming so much because they don't have enough water
31 supply.

32
33 *(*The following was taken and transcribed by*
34 *Lucia Braaten - Court Stenographer*)*

35
36 MR. MATTERA: (Continued)

37 We cannot be Nassau County, we are Suffolk County. We are too
38 smart. We do not have a parking lot and everything getting pumped
39 out to the ocean, into the bay, and nothing -- Nassau County got
40 replenished back into our aquifer.

41
42 Please, we need to make sure these developments, and I will be
43 there to help get State and Federal monies to make sure these
44 developers will get help. All right. Please, listen to this. We
45 need to make sure that this vote goes into committee today. I'd
46 like to close this. Let's put this into committee today. Thank
47 you so much.

48
49 P. O. GREGORY:
50 All right.

51
52 MR. MATTERA:
53 Any questions?

54
55 P. O. GREGORY:
56 Thank you, Mario. Oh, Legislator D' Amaro has a question.

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1
2 MR. MATTERA:
3 Hold on. MaryAnn, how did I do?

4
5 MS. JOHNSTON:
6 (Indicated with thumbs up).

7
8 *(Laughter)*

9
08:28PM 10 MR. MATTERA:
11 Thanks, MaryAnn. Yes, Lou.

12
13 LEG. D'AMARO:
14 Mario, you're talking about 1509?

15
16 MR. MATTERA:
17 Yes, I am. Am I --

18
08:28PM 19 LEG. D'AMARO:
20 Your opposed. You're opposed to --

21
22 MR. MATTERA:
23 No, I'm not.

24
25 LEG. D'AMARO:
26 You're in favor of 1509?

27
08:28PM 28 MR. MATTERA:
29 I'm in favor of 1509. I'm sorry, did I not say that?

30
31 AUDIENCE MEMBER:
32 You said that.

33
34 LEG. D'AMARO:
35 No, I'm just -- I'm surprised that you would be in favor of this
36 bill.

37
08:28PM 38 MR. MATTERA:
39 Because you've got to understand something, we -- guess what. We
40 do not -- we could build all day long. What happens when we have a
41 moratorium because we don't have -- we don't have enough water
42 supply for the future for our families? Then guess what happens.

43
44 LEG. D'AMARO:
45 No. I'm trying to understand. All -- I'm just looking at the bill
46 and all it says is that we can connect -- this is about connecting
47 from outside the district.

48
08:28PM 49 MR. MATTERA:
50 No. This is -- this is a bill that any project over 300,000
51 gallons per day discharge cannot be hooked up into a Suffolk County
52 sewage treatment plant facility. You need to build your own
53 state-of-the-art sewage stream plant like this one right here that
54 we built in Riverhead. Very simple, and at the developer's cost,
55 by the way. But we will help the developer go to the State and
56 to -- and to the Federal Government to get grants for special

1 sewage treatment plants like this. By us not replenishing --

2

3 LEG. D'AMARO:

4 But what if -- what if it's going to generate 301,000 gallons, but
5 it's not appropriate to build an onsite system?

6

7 MR. MATTERA:

8 Why couldn't you build an onsite system? It's done all over.

9

08:29PM

10 LEG. D'AMARO:

11 I'm just saying, what if I can't envision -- I can envision a
12 scenario where there's a project proposed that is a good project,
13 but, yet, you can't fit or can't put an onsite sewer treatment
14 facility.

15

16 MR. MATTERA:

17 Well, right now, I'll just talk about --

18

19 LEG. D'AMARO:

08:29PM

20 And, by the way, that's adverse to the County's trend where we've
21 been discouraging for as long as I've been here the proliferation
22 and the construction of onsite sewer treatment plants, because now
23 they're within all these communities and that's exactly what we
24 don't want to do.

25

26 MR. MATTERA:

27 But if you have a plant like this, like our great Legislator, Al
28 Krupski, was here and got a beautiful picture of him -- by the way,
29 Al, that was a good shot. There's a good picture of Al with our
30 County Executive and everybody right at this -- at this facility.
31 That's why everybody got that packet. I want you to read up --
32 read up on this. The only sewage treatment plant,
33 state-of-the-art, in all New York State. Florida, I was just down
34 in Naples, Florida, that's all they do. Obviously, they have water
35 problems down in Florida. That's all they do is use reclaimed
36 water for all of their golf courses down there.

08:30PM

37

38 LEG. D'AMARO:

39 But I'm trying to say, it's like sewerage is sewerage, so --

40

41 MR. MATTERA:

42 No, no, no. You got --

43

44 LEG. D'AMARO:

45 But 300,000 gallons, why not 250, why not 350? I mean, I'm trying
46 to understand.

47

48 MR. MATTERA:

49 You know what, I'm trying to sit there and not hold back
50 development. But when you get to a certain size project --

08:30PM

51

52 LEG. D'AMARO:

53 Right.

54

55 MR. MATTERA:

56 You know, MaryAnn brought up Heartland.

1
2 LEG. D'AMARO:

3 But aren't the larger projects the one we want hooked into the
4 sewer treatment plant?

5
6 MR. MATTERA:

7 Because the problem is going -- pumped out. Our precious water
8 supply is not going back in, it's getting pumped out to the ocean.
9 Just to give you a heads-up, Heartland Project alone, just give you
08:30PM 10 a couple of numbers, we're using over 2 million gallons per day
11 consumption that would be used, 1.6 million will be getting pumped
12 out to the ocean.

13
14 LEG. D'AMARO:

15 Right.

16
17 MR. MATTERA:

18 Think about it. What are we doing to our aquifers if we're
19 polluting them?

08:30PM 20
21 LEG. D'AMARO:

22 Well, it's going to be either that 1.6 million or some other
23 1.6 million.

24
25 *(Negative Response from Audience)*

26
27 MR. MATTERA:

28 You know, my whole point --

29
30 LEG. D'AMARO:

31 Could we just please hold down the comments? I would appreciate
32 that.

33
34 MR. MATTERA:

35 You know, my whole point with this is we need to make sure that we
36 use -- we reclaim our water supply.

37
38 LEG. D'AMARO:

39 No, I agree with that.

08:31PM 40
41 MR. MATTERA:

42 So, really, we could talk about certain sizes, and this and that,
43 and you could put a whole bunch of jobs together.

44
45 LEG. D'AMARO:

46 Right.

47
48 MR. MATTERA:

49 You know, I feel that the number of 300,000 shows a very sizeable
08:31PM 50 project that needs to be reclaimed.

51
52 LEG. D'AMARO:

53 Well, any 300,000 gallons needs to be reclaimed. I don't disagree
54 with that in concept, that's the direction we want to go.

1 MR. MATTERA:

2 Right.

3
4 LEG. D'AMARO:

5 But if we have an existing sewer treatment facility that can
6 accommodate and it's appropriate, why not?

7
8 MR. MATTERA:

9 Well, you know what the other problem I have is? This is another
08:31PM 10 problem that I have. You have a sewage treatment plant that got
11 money from Irene, okay? I'm going to be very, very blunt, right
12 from Irene. That was storm recovery money. Not all of it was
13 going to go to development, a lot of it was.

14
15 LEG. D'AMARO:

16 Right.

17
18 MR. MATTERA:

19 That was to go and use for the South Shore, so when we had a storm
08:32PM 20 surge that came in and the water got pumped back out. That's not
21 happening here. And I'm going to tell you something. That's
22 another thing that I feel is very important, that way the South
23 Shore gets to be sewerred for the right reasons, and that was storm
24 recovery money from Irene back in the day, and then we got hit with
25 Sandy. And then the next thing you know, we never still did it.
26 We really need to make sure -- that's another thing. I know it has
27 nothing to do with 1509, but that capacity should be used for
28 sewerred the South Shore with the problem that we have with the
29 storm surges, Lou.

08:32PM 30
31 LEG. D'AMARO:

32 Okay.

33
34 MR. MATTERA:

35 So, you know, to get back to the project, the sizable project, I
36 think it's a great start, because you have a big job. It needs to
37 have its own state of the art sewage treatment facility.

38
39 LEG. D'AMARO:

08:32PM 40 I don't know if I agree with that statement, I have to tell you.

41
42 MR. MATTERA:

43 Okay.

44
45 LEG. D'AMARO:

46 In a large project, even, we are trying to discourage from putting
47 in more and more sewer treatment plants all throughout Suffolk
48 County.

49
50 MR. MATTERA:

51 And you'd rather see --

52
53 LEG. D'AMARO:

54 We're getting away from doing that.

1 MR. MATTERA:
2 Would you rather see it get dumped out to the ocean?

3
4 LEG. D'AMARO:
5 No, of course not, I wouldn't rather see it.

6
7 MR. MATTERA:
8 Well, what about -- what are we going to be --

9
10 LEG. D'AMARO:
11 But we already have an existing plant where that's going to happen
12 no matter whose 300 gallons or 300,000 goes --

13
14 MR. MATTERA:
15 What are we going to do with the depletion of our aquifer?

16
17 LEG. D'AMARO:
18 No, no, but you're not -- you're not hearing me, Mario. All I'm
19 saying is that if we have a plant that has the capacity and it's
08:33PM 20 appropriate to hook any development, whether it's 30 gallons or
21 300,000, certainly, it should go into that plant.

22
23 MR. MATTERA:
24 So, again, what are we doing with our -- look at Nassau County.
25 What are we doing -- now I'm going to ask you, what are we going to
26 do with the problem that we have with our precious water supply?

27
28 LEG. D'AMARO:
29 Well, we're working on that problem every day.

30
31 MR. MATTERA:
32 Okay.

33
34 LEG. D'AMARO:
35 But what I'm saying --

36
37 MR. MATTERA:
38 But by having --

39
40 LEG. D'AMARO:
41 What I'm saying --

42
43 MR. MATTERA:
44 Okay.

45
46 LEG. D'AMARO:
47 -- is the 300,000 gallons, or the 1.6 million, or whatever we're
48 talking about, whether it comes from project A, B or C doesn't
49 really matter. I mean, we need to generally move in the direction
08:33PM 50 of, you know, the upgraded sewer treatment plants. I agree with
51 that, that's not a problem, but we already have the capacity in
52 these existing sewer treatment facilities.

53
54 MR. MATTERA:
55 The capacity that we're using, though, was for storm recovery that
56 we are not using, Lou, Legislator. You know, right now I would

1 I love to ask anybody here that was here when Irene hit and the
2 Federal government monies came in, and the Federal Government money
3 was supposed to be used for most of it, not all of it, for storm
4 recovery. Have we done anything to go sewer the South Shore with
5 the problem that we have on the South Shore? Can anybody answer me
6 that question? I'm not trying to be a wise ass here, excuse me --
7 oh, sorry, wi seguy.

8
9 *(Laughter)*

10
11 LEG. D'AMARO:
12 It's okay.

13
14 MR. MATTERA:
15 I'm not trying to be a wi seguy.

16
17 LEG. D'AMARO:
18 Neither am I. I just --

19
20 MR. MATTERA:
21 You know what --

22
23 LEG. D'AMARO:
24 I was just a little surprised that we would somehow tie our own
25 hands. When we review a project, if it's generating flow, and it's
26 appropriate to put it into an existing sewer treatment facility,
27 then that's where it should go. I mean, I'm not saying in every
28 case, but I'm saying we should analyze that as we go along, okay?

29
30 MR. MATTERA:
31 I just --

32
33 LEG. D'AMARO:
34 But to put an artificial 300,000 gallons on something when it's --
35 whether it's that project's 300,000 gallons, and then we get it
36 from another place to get the 300,000 gallons, I mean, we have --

37
38 MR. MATTERA:
39 But where is --

40
41 LEG. D'AMARO:
42 -- hundreds of thousands of gallons of capacity in Southwest Sewer
43 District.

44
45 MR. MATTERA:
46 And guess what, what was that capacity supposed to be used for?

47
48 LEG. D'AMARO:
49 It's supposed to be used for sewerage, and that's what we're doing.

50
51 MR. MATTERA:
52 No. I'm saying, wasn't it supposed to be used for storm recovery?

53
54 LEG. D'AMARO:
55 Well, yes, but --

08:35PM

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1 MR. MATTERA:
2 That 100 million -- 100 million dollars was supposed to be used for
3 storm recovery.

4
5 LEG. D'AMARO:
6 But we are moving forward with sewerage --

7
8 MR. MATTERA:
9 Really?

10
11 LEG. D'AMARO:
12 -- most of the South Shore. Sure we are.

13
14 MR. MATTERA:
15 Okay. Hopefully. Hopefully, it --

16
17 LEG. D'AMARO:
18 We are, we are.

19
20 MR. MATTERA:
21 I hope it happens, that's what I'm saying. So I -- this is my
22 feelings on this.

23
24 LEG. D'AMARO:
25 Yeah. I mean, we have a \$30 million State grant to help with that
26 330.

27
28 MR. MATTERA:
29 My feelings with this is that, in other words, in a certain size
08:35PM 30 project, I would like to see the aquifer replenished. That's my
31 case today.

32
33 LEG. D'AMARO:
34 Okay. Thank you.

35
36 MR. MATTERA:
37 Thank you. Thank you.

38
39 *(*Applause*)*

08:35PM 40
41 P. O. GREGORY:
42 Okay. All right. Thank you. All right. Harry Somma.

43
44 LEG. KRUPSKI:
45 I had a question for Mario.

46
47 P. O. GREGORY:
48 Oh, I'm sorry. Mario. I'm sorry, my bad. Legislator Krupski had
49 a question for you.

08:36PM 50
51 MR. MATTERA:
52 Oh, sorry about that.

53
54 LEG. KRUPSKI:
55 That's okay. Thank you. Thank you, Mr. Presiding Officer. So the
56 question is so you do support either recharging the aquifer or

1 reusing the water, such as Riverhead does to water the County golf
2 course. Would you support lowering the amount of gallons? I mean,
3 and I applaud Legislator Browning for recognizing that we need to
4 stop pumping our freshwater overboard and really wasting it,
5 because it's our resource and we're wasting it. Would you support
6 lowering that 300,000 down to a lesser limit to encourage the reuse
7 and to encourage recharging the aquifer?

8
9 MR. MATTERA:

08:36PM 10 You know what I would love to see, I would love to see the County
11 make sure they're using the monies and build the proper sewage
12 treatment plants like Hauppauge. That's -- it's a necessity. You
13 know, we could talk about it all day long about our infrastructure.
14 Our infrastructure, we're back in the dark ages. The problem again
15 is Nassau County. Legislator, look at what's happening with Nassau
16 County. Suffolk County Water, my feelings, this is my feelings,
17 will be supplying in the near future water supply to Nassau County,
18 because they're in -- they're in deep trouble. And you know what,
19 I want to be prepared for that. And then once we start helping
08:37PM 20 Nassau County, we're going to be depleting our precious resources.
21 And you know what, we could talk about development all day long.
22 There'll be a moratorium put on, because that's what the problem --
23 I feel that will be a problem down the future, and I don't want to
24 see that.

25
26 I am for development. Trust me, you wouldn't see -- and I'm for
27 growth. And when it comes growth, comes that we have to have the
28 proper infrastructure in place. And the proper infrastructure is
29 this state of the art sewage treatment plant for the future, not
08:37PM 30 build one that's not going to take the nitrogen out.

31
32 I'm very proud that you were there for this. I was there at that
33 ribbon-cutting, which I felt probably every Legislator should have
34 been there, because this was a very exciting day, very exciting
35 day.

36
37 LEG. KRUPSKI:
38 It's a big deal.

39
08:37PM 40 MR. MATTERA:
41 Very big deal. And you know what, we could still do the building
42 and have growth and make sure we protect our precious water supply.

43
44 LEG. KRUPSKI:
45 All right. Thank you.

46
47 MR. MATTERA:
48 Okay?

49
08:38PM 50 P. O. GREGORY:
51 All right. Thank you, Mario. Okay. Now Harry Somma.

52
53 MR. MATTERA:
54 Okay. Thank you.

1 MR. SOMMA:

2 Good evening. Thank you for the opportunity to testify. My name
3 is Harry Somma. I'm a Program Coordinator with Citizens Campaign
4 for the Environment. CCE strongly supports the passage of this
5 resolution. CCE would like to thank this Legislature for their
6 continued commitment to solving the water quality issues associated
7 with nitrogen discharges and other contaminants in Suffolk County.

8
9 It has been said many times that nitrogen is the number one threat
08:38PM 10 to our water quality. However, the real underlying culprit is
11 overdevelopment. Suburban sprawl has been allowed to continue for
12 too long without properly addressing sewage treatment and
13 management. As a result, it is sewage from the overwhelming number
14 of existing cesspools and septic tanks, existing cesspools and septic tanks,
15 that is the primary contributor to our water quality crisis. The
16 critical issue is that there is -- that there are currently large
17 swaths of unsewered areas within densely populated coastal areas
18 that also have short groundwater to surface water travel times.
19 These unsewered areas have been identified in the Suffolk County
08:39PM 20 Comprehensive Water Resources Management Plan of 2015 as
21 particularly deleterious to the water quality of our bays and
22 harbors. Any excess capacity at Suffolk's sewage treatment plants
23 needs to be reserved for these areas.

24
25 In fact, as is reflected in this resolution, it should be the
26 intention of this Legislature to prioritize densely populated
27 unsewered areas in granting access to existing sewer
28 infrastructure. These existing areas must be prioritized over new
29 development. This resolution does exactly that, and CCE supports
08:39PM 30 that guiding principle. The legislation ensures that the excess
31 capacity at Suffolk's sewage treatment plant is prioritized to
32 existing unsewered areas within the respective districts, instead
33 of being used up by mega developments from outside the bounds of
34 those districts. This is critical.

35
36 Our current focus and efforts needs to be on fixing our existing
37 problems with existing solutions. Those problems include 209,000
38 currently unsewered parcels in Suffolk within high priority areas,
39 which are identified in the Suffolk County Comprehensive Water
08:40PM 40 Resources Management Plan as either areas that contribute to
41 drinking water or surface waters within a short period of time, or
42 are very densely populated.

43
44 The Towns of Huntington, Babylon, Islip and Riverhead, with sewage
45 treatment plants nearby, have a combined total of 138,000
46 unsewered homes. New development should find new solutions, rather
47 than piggybacking on the existing sewage treatment infrastructure,
48 especially from outside of their sewer district. The capacity of
49 each treatment facility is finite and needs to be preserved for
08:41PM 50 currently developed and yet unsewered areas within their districts,
51 especially those areas that lie within sensitive coastal areas.
52 Such areas may never be sewerred if the capacity of their local
53 sewage treatment plant is continually being depleted by new
54 developments.

55
56 We are living in a critical time. We all know about the water

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1 quality issues, harmful algal blooms, turtle die-offs, fish kills
2 that continue getting worse. We also know what we need to do. And
3 we ask the Legislature to utilize every available tool and
4 opportunity at your disposal to fight for the restoration of our
5 bays and harbors, and this resolution is one of those
6 opportunities.

7
8 P. O. GREGORY:
9 Mr. Somma, Legislator D' Amaro has a question for you.

08:41PM 10
11 LEG. D' AMARO:
12 Hi, how are you?

13
14 MR. SOMMA:
15 Hi.

16
17 LEG. D' AMARO:
18 I have a question for you. Would your position on this bill change
19 if I told you that the Southwest Sewer District can handle -- the
08:41PM 20 capacity it has now can handle every single parcel within its
21 boundaries, the Heartland project, and every single
22 outside-the-district parcel that has conceptual approval?

23
24 MR. SOMMA:
25 I'm not sure about that. I -- you know, I'd have to see those
26 numbers to make that kind of statement.

27
28 LEG. D' AMARO:
29 Okay. But assuming that that's --

30
31 MR. SOMMA:
32 I don't --

33
34 LEG. D' AMARO:
35 Assuming that's accurate.

36
37 MR. SOMMA:
38 Do you know what the excess capacity --

39
08:42PM 40 LEG. D' AMARO:
41 I'm asking you the question. If that were the case, would your
42 position on this bill change?

43
44 MR. SOMMA:
45 No.

46
47 LEG. D' AMARO:
48 No?

49
08:42PM 50 MR. SOMMA:
51 These major developments need to have their own treatment --

52
53 LEG. D' AMARO:
54 But wait a minute, wait a minute. If we could get every single
55 parcel within the Southwest Sewer District -- the plant already has
56 that capacity, and it has the capacity for Heartland, and it has

1 the capacity for other businesses already hooked up outside and
2 those that are coming.

3
4 MR. SOMMA:
5 I just --

6
7 LEG. D'AMARO:
8 That wouldn't challenge you on this bill?

9
10 MR. SOMMA:
11 That's a very --

12
13 LEG. D'AMARO:
14 You'd want us to still build another sewer treatment plant?

15
16 MR. SOMMA:
17 That's a far-reaching hypothetical that I don't -- I don't see --

18
19 LEG. D'AMARO:
08:42PM 20 That's factually accurate, what I just told you.

21
22 MR. SOMMA:
23 I'm not sure exactly.

24
25 LEG. D'AMARO:
26 I'm just telling you.

27
28 MR. SOMMA:
29 And if it is, I haven't heard anything.

08:43PM 30
31 LEG. D'AMARO:
32 So your answer is no, it wouldn't change your position?

33
34 MR. SOMMA:
35 Right.

36
37 LEG. D'AMARO:
38 Really? So your preference would be, even though the Southwest
39 Sewer District can handle every single parcel, you still want to
08:43PM 40 build another plant?

41
42 MR. SOMMA:
43 These projects should have their own treatment, and it should be
44 state-of-the-art.

45
46 LEG. D'AMARO:
47 Really? Why? That's exactly opposite of the policy we've taken
48 for 10, 12 years now.

49
08:43PM 50 MR. SOMMA:
51 Well, you see, this passes of the cost, you know, right on to us.

52
53 LEG. D'AMARO:
54 Okay. All right. Thank you. I appreciate it.

55
56

1 P. O. GREGORY:
2 Legislator McCaffrey has a question for you.

3
4 LEG. MC CAFFREY:
5 Hi. Would your position change if we took into account the fact
6 that the water we're now taking out of the -- out of the aquifers,
7 out of the groundwater, would that make a difference if we found
8 out that this would have an adverse impact on our drinking water
9 and on our groundwater in the future? Even if we had that capacity
08:44PM 10 in the Southwest Sewer District, is that -- is that as important to
11 us as the -- as making sure that we have -- you know, that we could
12 take the nitrates out of the water? I mean, one way or the other,
13 we're going to -- we're going to do that, whether it be building a
14 plant, or whether or not we're pumping it back through the
15 Southwest Sewer District, in my Legislative District, by the way,
16 and then on into the -- into the ocean.

17
18 MR. SOMMA:
19 The hope is that these developments would build the state of the
08:44PM 20 art systems that would be able to replenish the aquifers, and, you
21 know, encourage the reuse of water. So --

22
23 LEG. MC CAFFREY:
24 Yeah. And that's what I'm saying, that's equally important to all
25 of us --

26
27 MR. SOMMA:
28 Yes.

29
30 LEG. MC CAFFREY:
31 -- is the drinking water, not just the fact that there may be
32 capacity there. And, additionally, what I -- what I understand is
33 the capacity of that plant for within the district, and maybe these
34 other ones, does not include some of the unsewered residential
35 areas that are outside the district that would want to be included
36 in there and they're already built. You know what I mean? So you
37 can't go and say, "Well, okay, we're going to build a sewer plant
38 for homes that are already built." It may make more sense fiscally
39 to run some of these force mains that we speak about into the areas
08:45PM 40 that are outside the district, but need to be hooked up to that. I
41 mean, that's a possibility, too, as well, right?

42
43 MR. SOMMA:
44 If it's existing, we do want a -- we do want a path to be able to
45 hook it up to existing sewerage infrastructure, whether it's within
46 the district --

47
48 LEG. MC CAFFREY:
49 Correct. And that's the capacity that may be being saved for the
08:45PM 50 Heartland, or whatever, but it could be utilized for existing homes
51 as well.

52
53 MR. SOMMA:
54 Yes.

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1 LEG. MC CAFFREY:

2 And if we pass this bill and we force them to do what they should
3 do, which is build their own sewer plant and recharge the aquifer,
4 then we could save that capacity for down the road for existing
5 homes to eventually be hooked up to.

6
7 MR. SOMMA:

8 Hopefully.

9
08:45PM 10 LEG. MC CAFFREY:

11 Thank you.

12
13 *(Applause)*

14
15 P. O. GREGORY:

16 Okay. Thank you, sir. All right. Anyone else like to speak on
17 this public hearing, please come forward. Okay. Seeing none,
18 Legislator Browning?

19
08:46PM 20 LEG. BROWNING:

21 George, I do have to recess for CEQ, right?

22
23 MR. NOLAN:

24 Yeah. I do not believe CEQ has passed on this yet.

25
26 LEG. BROWNING:

27 Okay. So recess for one cycle.

28
08:46PM 29 P. O. GREGORY:

30 Okay. Motion to recess by Legislator Browning, I will second. All
31 in favor? Opposed? Abstentions?

32
33 MR. RICHBERG:

34 *Sixteen -- 17. (Not Present: Legislator Martinez)*

35
36 P. O. GREGORY:

37 *I. R. 1517 - A Local Law to Clarify Pet Groomer Training*
38 *Requirements (Calarco).* I don't have any cards on this public
39 hearing. Anyone like to speak on it, please come forward. Seeing
08:46PM 40 none, Legislator Calarco?

41
42 D. P. O. CALARCO:

43 Motion to close.

44
45 P. O. GREGORY:

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

48
49 LEG. TROTТА:

08:46PM 50 Opposed.

51
52 MR. RICHBERG:

53 *Sixteen. (Not Present: Legislator Martinez)*

54
55 P. O. GREGORY:

56 *I. R. 1523 - a Local Law to -- A Local Law Repealing the Wireless*

1 *Communications Surcharge Authorized by Article Six of County Law of*
2 *the State of New York, and Imposing the Wireless Communications*
3 *Surcharges pursuant to the Authority of Tax Law Section 186-g*
4 *(P. O.).* I don't have any cards for this public hearing. Anyone
5 would like to speak on it, please come forward. Seeing none, I'll
6 make a motion to close. Do I have a second?

7
8 LEG. CILMI:
9 Second.

08:47PM 10
11 P. O. GREGORY:
12 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

13
14 MR. RICHBERG:
15 *Seventeen. (Not Present: Legislator Martinez)*

16
17 P. O. GREGORY:
18 *I. R. 1524 - A Local Law to Establish a Temporary Moratorium on*
19 *Ride-Sharing Services in Suffolk County (Fleming).* And I have more
08:47PM 20 than a few cards, 24 by last count.

21
22 LEG. LINDSAY:
23 Mr. Presiding Officer, for the record, please note my recusal filed
24 with your office and the County Board of Ethics.

25
26 P. O. GREGORY:
27 Yes. Okay. First, Mr. Leita. Is he still here? And then on
28 deck, Laura Cummings.

08:47PM 29
30 MR. LEITA:
31 I'm going to waive introductions, because you all met me earlier.
32 I hope you all remember. Anyway, I want to say I am a current
33 cabdriver, and I am going to switch to Uber, and I believe that
34 Uber should be able to operate. They operate all over the country.
35 I've used them in Brooklyn, I've used them in other states with
36 great success. My wife is legally blind, she has used Uber. It's
37 helped her out a great deal.

38
08:48PM 39 The cab companies fail people. They're limited to local areas, and
40 they don't serve outside their municipality for picking up people
41 quite often, and they don't want to change this, it's been the way
42 they've done it forever. And I, with a broken heart, have had to
43 turn people who are inebriated down and watch them get in their own
44 cars and drive because I legally was not allowed to pick them up.
45 The Governor's bill that would allow Uber fixes this. It's not
46 that Uber needs more regulation, it's that the cab companies need a
47 little bit less. As a cabdriver, I'm telling you, I've seen this
48 time and time again.

08:48PM 49
50 As far as the sexual predator issue, which is more of an issue with
51 Legislator Kennedy's bill, but it also pertains to this one, there
52 is an article in Newsday as of very recently that the State has
53 said that as of tomorrow, they are going to resolve it, and that
54 that bill is going to be fixed. I have that article in my pocket,
55 but if you all Google Newsday, then you'll see it. And I know that
56 Leslie Kennedy is on the ball with this one. We can all put our

1 faith in her that she's watching the County for this.

2
3 As far as the issue where one of the cabdriver owners, Slessinger,
4 said before, what about who's going to cover insurance if a
5 cabdriver picks up somebody that he hacks off the rail? The answer
6 to that is that cabdriver is doing that -- that Uber driver is
7 doing that illegally. That is against Uber's policy and it is
8 against the law. You cannot hack with Uber. By hacking, I mean
9 picking up a fare that you've solicited. You have to be summoned
08:49PM 10 by the app in order to pick up somebody by the Governor's law and
11 by current taxicab laws.

12
13 What it will allow me to do is to turn on my phone and work when I
14 want, so I can I have a flexible schedule, because I have a sick
15 mother and I have a legally blind wife, and I can't work 12-hour
16 shifts, which is what the current cab companies force people to
17 work, 12-hours shifts. It's tiring and it's monotonous, which
18 leads me to another point, tired driving, which as bad as drunk
19 driving. I am sad to admit to you that I've done that, because I
08:50PM 20 was forced to and I was desperate. You work for 12 hours and
21 you're driving people, and it's busy and it's New Year's Even, and
22 you could barely keep your eyes open. Coffee stops to do the trick
23 after a while. You need to pay the bills.

24
25 There is no law preventing cab companies from doing this right now.
26 But what there is with Uber is the ability that when I'm tired, my
27 safety is going to take precedence, and I'm turning that app off
28 and I'm going home and I'm going to get some sleep. And that's a
29 good thing for your loved ones that I'm going to be driving home,
08:50PM 30 that I want to get home safely.

31
32 I personally as a cab driver help the disabled into my car the same
33 way taxicabs do. My car is the same size as the taxicab I drive.
34 I can help people that are disabled into my car the same way. I'm
35 a big guy. I can put their wheelchairs in the trunk. I've done
36 this before and I will continue to do it the same way taxicabs
37 companies do.

38
39 P. O. GREGORY:
08:50PM 40 Thank you.

41
42 MR. LEITA:
43 Thank you very much. Does anybody have any questions?

44
45 P. O. GREGORY:
46 Legislator Fleming has a question for you.

47
48 MR. LEITA:
49 Yes, sir.

50
51 LEG. FLEMING:
52 Thank you, Mr. Presiding Officer.

53
54 MR. LEITA:
55 Oh, Ma'am, I'm sorry.

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1 LEG. FLEMING:
2 No worries. Sometimes it's -- well, never mind.

3
4 MR. LEITA:
5 Who answered my email, I'd know who you were.

6
7 LEG. FLEMING:
8 It's easy to mistake, because there are many more men up here than
9 there are woman, but that's okay.

08:51PM 10
11 MR. LEITA:
12 There was nothing meant by that, honestly.

13
14 LEG. FLEMING:
15 No worries. Thank you for your testimony and for your -- for
16 waiting so long to express your opinion. And I agree that there's
17 no question that there are many benefits associated to this
18 technology-driven ride sharing.

08:51PM 19
20 Currently the State Law does not allow the localities to regulate
21 it in any way or set rules. But, also, there's a 4% surcharge
22 which currently goes directly back to the State, just like the MTA
23 tax goes directly back to the State, at a time when our public
24 transportation system is grossly underfunded. Just wondering if
25 you'd have any objection to the original proposal where half of
26 that would come back to Suffolk County for support for the public
27 transportation system?

28
29 MR. LEITA:
08:52PM 30 I do not have any objection to that.

31
32 LEG. FLEMING:
33 Thank you.

34
35 MR. LEITA:
36 As long as any amendment to the Governor's Law is made hot while
37 Uber is running, the way that the sex offender law is being dealt
38 with. The Governor's Law passed. There was a concern with Level 1
39 sex offenders, so they're modifying the law while it's there,
08:52PM 40 because people are going to die of drunk driving if they can't get
41 a safe affordable ride over the holidays.

42
43 LEG. FLEMING:
44 Thank you.

45
46 MR. LEITA:
47 The money --

48
49 LEG. FLEMING:
08:52PM 50 No, no. My only question was would you object to half of the
51 surcharge, not increasing the surcharge, but that some of it would
52 come back to the County for public transportation?

53
54 MR. LEITA:
55 As long as it wasn't done through a moratorium, but it was done
56 through action in the State to get them to change the law, so

1 that --

2

3 LEG. FLEMING:

4 Understood. Thank you, sir.

5

6 MR. LEITA:

7 -- the money goes to the proper place. Thank you.

8

9 LEG. FLEMING:

10 Thank you.

11

12 MR. LEITA:

13 Any other questions?

14

15 LEG. FLEMING:

16 Thank you, Mr. Presiding Officer.

17

18 P. O. GREGORY:

19 I have a question for you.

08:52PM

20

21 MR. LEITA:

22 Yes, sir. I got sir right this time.

23

24 P. O. GREGORY:

25 So you -- so since you are kind of going to the other side, so
26 you --

27

28 MR. LEITA:

29 That's what I'm doing, and my boss is sitting back here tonight,
30 too.

08:52PM

31

32 P. O. GREGORY:

33 Oh, that's very awkward, I'm sure.

34

(Laughter)

35

36 So how long did you drive a taxi?

37

38

39 MR. LEITA:

08:52PM

40

41 I've been -- I first drove a cab in -- when I was 19 years old in
42 1993 -- '2, actually, and I drove for a company called Artie's that
43 was very disreputable. They didn't have insurance on all their
44 cars, and they lied to the drivers and said they did. And the
45 person who was running it was eventually arrested, because he had
46 drivers living in the car.

46

47 P. O. GREGORY:

48 Okay. I got, I got it.

49

08:53PM

50

51 MR. LEITA:

52 And now I work for a much more reputable company, but there's still
53 some problems.

53

54 P. O. GREGORY:

55 But 1993, I wouldn't have -- I wouldn't have pegged you over 28
56 years old.

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1
2 MR. LEITA:
3 I'm 45 years old, sir.

4
5 P. O. GREGORY:
6 Wow, okay. You look very good.

7
8 MR. LEITA:
9 I'm a lifelong resident of Bay Shore.

08:53PM 10
11 P. O. GREGORY:
12 All right. So -- and I know you're a driver, you're not a business
13 owner, but I just want to kind of get your perspective, if I may.
14 So one of the arguments that has been presented from the taxi and
15 limousine's point of view is that they have to register with local
16 towns to get a TLC, Suffolk County TLC. There's a lot of cost, and
17 expense, and insurance, and things of that nature, and as the Uber
18 drivers don't have to go through such a licensing process. So it
19 creates -- so you're two -- you're competitors in the same field,
08:54PM 20 but one has higher costs because of restrictive local laws and
21 regulations, where the other doesn't.

22
23 MR. LEITA:
24 Similar field, but not exactly the same.

25
26 P. O. GREGORY:
27 Well, you both transport people.

28
29 MR. LEITA:
08:54PM 30 Yes.

31
32 P. O. GREGORY:
33 Right? You know, you're not transporting cargo or animals or --

34
35 MR. LEITA:
36 Correct, there is minor differences, but yes.

37
38 P. O. GREGORY:
39 Right. So -- and you get a fee for transporting people from point
08:54PM 40 A to point B.

41
42 MR. LEITA:
43 My problem with the legislation as it's given town by town that you
44 say, is that having it on that level instead of a county or state
45 level is too restrictive. And I think that, yes, there should be a
46 level playing field, but the cab companies need to get it so that
47 they're not regulated town by town. Don't stop Uber from doing the
48 right thing just because somebody else right now has been going
49 through the wrong thing.

08:54PM 50
51 P. O. GREGORY:
52 So you don't think the towns have a right to regulate livery
53 services --

54
55 MR. LEITA:
56 I side with the Governor.

1
2 P. O. GREGORY:
3 -- within their jurisdiction?

4
5 MR. LEITA:
6 I do not. I side with the Governor on that issue.

7
8 P. O. GREGORY:
9 Okay.

10
11 MR. LEITA:
12 That it's because there's too many drunks that need a ride home and
13 other people that need a safe ride home. My wife is legally blind
14 and has been stuck for four hours until she was told the cab
15 company was just shutting down because they heard it was going to
16 snow later on.

17
18 P. O. GREGORY:
19 Okay.

20
21 MR. LEITA:
22 And I just think that it needs to be dealt with on a higher level
23 than town by town, village by village, because it's a system that's
24 been exploiting drivers, failing customers, and it's just -- it's
25 outdated.

26
27 P. O. GREGORY:
28 Gotcha. Okay. All right. Thank you very much.

29
30 MR. LEITA:
31 Thank you, sir.

32
33 P. O. GREGORY:
34 All right.

35
36 MR. LEITA:
37 Any other questions?

38
39 P. O. GREGORY:
08:55PM 40 All right. No. Ms. Cummings, Laura Cummings.

41
42 MR. LEITA:
43 Thank you for your time.

44
45 LEG. BARRAGA:
46 DuWayne, can I ask a question of the County -- of Nolan? George,
47 as a follow-up to Legislator Fleming's comment with reference to
48 the 4% going back to the State, is there anything that prevents
49 Suffolk County from implementing a surcharge or a fee per ride for
08:55PM 50 Uber?

51
52 MR. NOLAN:
53 The State has a -- the State legislation has an express preemption
54 clause which locks us out entirely. The only thing we can do is we
55 can opt out of allowing them to pick up passengers here. But
56 beyond that, we are powerless, because the State expressly did that

1 in their legislation.

2

3 LEG. BARRAGA:

4 So we are excluded from any additional fee --

5

6 MR. NOLAN:

7 Anything.

8

9 LEG. BARRAGA:

08:56PM 10 -- anything implemented against them?

11

12 MR. NOLAN:

13 Yes.

14

15 LEG. BARRAGA:

16 You're sure of that?

17

18 MR. NOLAN:

19 Totally.

08:56PM 20

21 P. O. GREGORY:

22 Okay. Ms. Cummings, and then on deck, Pat Russo.

23

24 MS. CUMMINGS:

25 Yes, hi. Good evening. Thank you for letting me address this
26 meeting of the Legislators. Thank you for hearing me. This is my
27 first time, I'm a little nervous. But I speak to you from a --
28 from the point of a nondriver, from a passenger, from someone who's
29 legally blind, and has had her own struggles with accessibility in
08:56PM 30 pretty much every aspect of life. But just want to share with you
31 some of the reasons I feel like Uber -- a moratorium should not be
32 passed on Uber, that it presents more opportunity and benefit than
33 holding it back would benefit the majority of people.

34

35 Myself, I've had some trouble with transportation all my life. You
36 know, even systems like Suffolk County Paratransit aren't perfect,
37 even though they're wonderful institutions. But because there may
38 be accessibility problems or something, you know, should we shut
39 them down until we fix it? No, we got to keep running. But I've
08:57PM 40 had problems. I've been stranded, I've been left outside in dark
41 parking lots by taxis trying to get home from work, who never came.
42 And you call the dispatch and they just -- they say either, "Oh,
43 no, you know, it will be ten minutes," and three hours later you're
44 still there. And I understand, they work hard, they do the best
45 they can. But in my experience with Uber, you're able to see right
46 on your phone where your driver is, where they're coming. You know
47 that they're going to -- you know, you can kind of track their
48 progress. You know what license plate car to get into, you know
49 what your driver looks like. You know that the drivers are rated
08:57PM 50 based on how -- you know, how they perform with the passengers, so
51 it makes me feel safer.

52

53 You know, the other thing, my worst problem with the cabs sometimes
54 is you get in and the driver asks you to give them directions.
55 "How do I get there? Where do I turn? Where do I go?" If you
56 step in my shoes for a moment, you can't read street signs, you

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1 can't see landmarks, one highway looks like the next, residential
2 streets are indistinguishable from each other. And you get this
3 moment of panic, of, "Oh, my gosh, I don't have the skills to get
4 this person to get me home. What am I going to do?" So with Uber,
5 I've never had to worry about that. I get in the car. The app
6 already tells the driver exactly where to go, turn here, turn here.
7 I can relax.

8
9 And the other -- the other aspect of accessibility is I think, just
08:58PM 10 briefly, that this also will allow drivers who are disabled, who
11 can't work a full 12, 16-hour shift, drivers with children, drivers
12 who have other responsibilities. I think it would be a great thing
13 economically, a great thing for passengers, and a great thing for
14 people looking for work. And I thank you for your time and for
15 listening to me.

16
17 P. O. GREGORY:
18 Thank you. Okay.

19
08:58PM 20 MS. CUMMINGS:
21 Any questions?

22
23 *(Applause)*

24
25 P. O. GREGORY:
26 Pat Russo, and then Patricia Gatling.

27
28 MS. RUSSO:
08:59PM 29 Good evening, Presiding Officer, and honorable Legislators. My
30 name is Pat Russo, and I thank you for the opportunity to testify
31 this evening on the implementation of TNC statutes, and in support
32 of Introductions 1524 and 1542.

33
34 I'm an Adjunct Professor at John Jay College of Criminal Justice,
35 I'm an attorney by trade, and for 15 years of my life where I had a
36 private practice. I worked as a State Prosecutor with the State
37 Inspector General's Office as an Inspector General for the City of
38 New York, where I was involved in vetting and licensing issues for
39 employees and daycare operators, as well being the former Chief
08:59PM 40 Judge for the -- for the New York City Taxi and Limousine
41 Commission.

42
43 I'm here to testify about the importance of ensuring public safety,
44 public safety for those using taxis, limousines and TNCs alike. I
45 understand that lesser deregulation for TNCs has a lot of appeal to
46 many. After all, this country is built on people who work hard and
47 might not have achieved all of that with excessive regulation. But
48 calls to deregulate or reduce regulations at the possible cost of
49 public safety should be rejected. Like fashion trends who have
09:00PM 50 come back every few years, calls for deregulation have also come
51 back.

52
53 I testify in support of what you've tried to do to ensure safety
54 since you enacted the legislation in 2014 to create the Suffolk
55 County Taxi and Limousine Commission, some role in taxi regulation
56 and for-hire vehicles. The duties include protecting the public,

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1 and including background checks for those drivers, ensuring access
2 to service, and ensuring that vehicles are safe and properly
3 insured. A criminal background check is the responsibility of a
4 regulator, not a private company with the financial interest in
5 getting as many drivers on the road as quickly as possible.

6
7 In April of 2017, two months ago, the Massachusetts Department of
8 Public Utilities completed an audit of its new TNC drivers and
9 found that more than 8,200 of the nearly 71,000 drivers, who had
09:00PM 10 already cleared the TNC's background checks, have been banned after
11 failing a new State records review. The numbers included 51
12 registered sex offenders, and hundreds who were rejected for other
13 sex related crimes and violent histories. Others were banned for
14 other licensing offenses and not meeting driver's license
15 requirements. As a result, now regulators and Legislators from
16 Portland, Oregon, Rhode Island and Colorado have publicly responded
17 to statements with to the Massachusetts audit with a sort of buyers
18 remorse and are considering similar audits.

19
09:01PM 20 In May of 2015, Professor Matthew Daus and I wrote a report
21 together, "One Standard For All", and provided a comprehensive
22 analysis of available background checks, examining the type of
23 checks in for-hire vehicle drivers in a variety of jurisdictions,
24 and to determine what the best practice would be. I believe a copy
25 of that report has been provided to all of you. In sum, the use of
26 the biometrics, fingerprints in the driver-vetting process provides
27 efficient, cost effective and comprehensive results. Further,
28 equal standards are required, regardless of the class of type of
29 license being sought by the driver applicant.

09:02PM 30
31 *(Timer Sounded)*

32
33 I'll wrap it up quickly. In neighboring New York City, TNCs
34 operate every day. Uber and Lyft are operating, and today, after
35 only five years, Uber has 50,000 drivers. The false narrative
36 you've heard, the fake news, if you will, is that Uber can't work
37 and operate in Suffolk County today. That's false. They choose
38 not to, because they don't want to meet the same regulations, the
39 same standards that your taxi and limousine --

09:02PM 40
41 P. O. GREGORY:
42 Mr. Russo.

43
44 MR. RUSSO:
45 -- drivers meet Every day. So, in short --

46
47 P. O. GREGORY:
48 Mr. Russo.

09:02PM 49
50 MR. RUSSO:
51 To level the playing field is what this is about.

52
53 P. O. GREGORY:
54 I have two Legislators that have questions for you, okay?

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1 MR. RUSSO:
2 Of course.

3
4 P. O. GREGORY:
5 So Legislator Fleming is first, and then Legislator Krupski.

6
7 LEG. FLEMING:
8 Thank you. Thank you for coming and waiting for such a long time
9 to speak.

09:02PM 10
11 I understand that the State legislation authorizes the Department
12 of Motor Vehicles to be the primary enforcement agency for any kind
13 of violations. Is that your understanding?

14
15 MR. RUSSO:
16 It is. And they were just -- they recently released rules in terms
17 of how they proceed to do that. But the primary work for vetting
18 of drivers will fall to the TNCs and their privately hired vendors.

09:03PM 19
20 LEG. FLEMING:
21 Understood. But just going back for a moment to the DMV
22 enforcement, I represent Montauk and East Hampton, and the local
23 Town Board in East Hampton imposed residency restrictions on Uber
24 last season, which actually prompted Uber to decide not to operate.
25 They didn't have their app working in East Hampton. So -- but I
26 know there are concerns in -- on the part of local town officials
27 because of the violations, safety violations and other violations
28 that they saw the ride-sharing companies engage in. And so I've
29 been asking who would enforce this? If the Supervisor, for
09:04PM 30 instance, or the Police Department started to observe, that, for
31 instance, ride-sharing folks were dropping the company's app-based
32 model and starting to just compete directly with traditional taxis,
33 or if, for instance, they went beyond the app-based ridership to
34 aggressively find customers or personally approach customers at the
35 nightclubs or at train stations, to whom do the local authorities
36 go? That's not a violation of the laws that they're putting in
37 place that they can do with regard to, for instance, zoning -- you
38 know where you can park. But these particular problems, which
39 caused huge problems for East Hampton last year, who do they go to?
09:05PM 40 I think it's the Department of Motor Vehicles; is that correct?

41
42 MR. RUSSO:
43 That's right. And that's where this County Legislature, following
44 up on what it had done three years ago to ensure public safety and
45 create your own Taxi and Limousine Commission, and the proposals
46 you have on board tonight to discuss are so critical, because
47 you're relying on an after-the-fact review by the Department of
48 Motor Vehicles. By opting out, you are still giving teeth to the
49 regulations and enforcement of the Suffolk County Taxi and
09:05PM 50 Limousine Commission and any other law enforcement officials
51 locally.

52
53 LEG. FLEMING:
54 So if the -- since we can't, and in the large part the towns can't
55 impose local restrictions consistent with the taxis' restrictions,
56 what they've learned to -- works in Montauk.

1
2 MR. RUSSO:
3 Right.

4
5 LEG. FLEMING:
6 They have to wait until the Department of Motor Vehicles does some
7 kind of a review? There's no real time enforcement that they can
8 rely on to try to quell the crowds or deal with traffic congestion
9 in Montauk?

09:06PM 10
11 MR. RUSSO:
12 You have outlined one of the practical concerns that, in essence,
13 we've kicked the can down the road. And even any DMV enforcement
14 that would take place would be after there would be sort of a
15 critical mass, if you will, for your town, for the villages and
16 towns, for the other Legislators tonight, that you have not -- you
17 don't have a voice to -- you know, an ear to hear what your
18 complaints would be, a local role. And that's what you're
19 exercising I think tonight in your consideration of 1524 and 1542,
09:06PM 20 ensuring public safety, and ensuring a local voice to respond to
21 local concerns that you would have in who's driving you or who's
22 driving others in your community.
23

24 LEG. FLEMING:
25 Understood. Just one other question. I understand that initially,
26 when the New York State bill was being negotiated, that the
27 ride-sharing companies, primarily Uber and Lyft, originally
28 proposed that some of the surcharge, per ride surcharge would be
29 returned to the County specifically to support public
09:07PM 30 transportation. Our public transportation system is grossly
31 underfunded. Do you have any concerns with regard to safety or
32 anything else if they were to go back to that original proposal and
33 we would be able to capture some of those dollars?
34

35 MR. RUSSO:
36 In terms of the tax.

37
38 LEG. FLEMING:
39 Correct.

40
41 MR. RUSSO:
42 No, I don't think that the surcharge or the tax itself is -- has a
43 causal relationship to the public safety concerns that I outlined
44 and you've kind of expressed in your bill and in your discussions
45 here tonight.

46
47 LEG. FLEMING:
48 So -- I'm sorry.

09:07PM 49
50 MR. RUSSO:
51 I don't think that that was necessarily -- there's no causal effect
52 between where the 4% goes to the State of Albany versus, let's say,
53 2% coming to the locality and 2% to the State. I agree with you, I
54 don't think that there's any causal effect on the public safety.
55 And I'm not sure why in the machinations of that Legislative
56 process that change took place to the detriment of the localities.

1
2 LEG. FLEMING:
3 But it works out better for the State. It works out better for the
4 State.

5
6 MR. RUSSO:
7 Right.

09:08PM

8
9 LEG. FLEMING:
10 But the question I guess I have is, so you wouldn't have any
11 objection to redistributing that 4% surcharge so that we can -- we
12 can see some of the money? If we, for instance, have to consider
13 the impacts on our infrastructure, on our public roads, on our law
14 enforcement, on our public safety, there would be no -- you
15 wouldn't have any objection --

16
17 MR. RUSSO:
18 No.

19
20 LEG. FLEMING:
21 -- to our capturing some of those dollars for those needs?

22
23 MR. RUSSO:
24 No, no. In fact --

25
26 LEG. FLEMING:
27 I appreciate it.

09:08PM

28
29 MR. RUSSO:
30 I think in any way that the locality can continue to exercise its
31 just role and responsibility in ensuring its safety, the taxis I
32 don't think has a role in that. The vetting process and the
33 concern and the -- sort of the misstatement that technology somehow
34 has only gone to the app companies and has not been a part of
35 for-hire transportation traditionally is a real problem. I'll give
36 you one --

37
38 LEG. FLEMING:
39 That's okay. I think you've just gone beyond my question.

40
41 MR. RUSSO:
42 Okay.

43
44 LEG. FLEMING:
45 I just wanted to ensure that if we had --

46
47 MR. RUSSO:
48 Yes.

49
50 LEG. FLEMING:
51 -- a fair distribution of that 4%, it wouldn't affect any of your
52 concerns and you wouldn't object to this.

53
54 MR. RUSSO:
55 No. I just think the law as it's created is unfair to the
56 locality.

1
2 LEG. FLEMING:
3 Thank you, Mr. Presiding Officer.

4
5 P. O. GREGORY:
6 Legislator Krupski.

7
8 LEG. KRUPSKI:
9 Thank you. You know, Legislator Fleming asked the question, and it
09:09PM 10 kind of related to what a previous speaker had said about a hacking
11 law and that Uber was not allowed to hack. And I -- how is that
12 enforceable? I don't understand that part. And I wasn't sure of
13 your answer, so I'm going to ask you again.

14
15 MR. RUSSO:
16 How it's enforceable?

17
18 LEG. KRUPSKI:
19 Yes.

09:09PM 20
21 MR. RUSSO:
22 Well, you've empowered a local agency, the Taxi and Limousine
23 Commission, to do so. Other jurisdictions, East Hampton,
24 Southampton, other towns currently have in place local regulations
25 on for-hire vehicle processes, and how they're vetted, licensed and
26 able to operate legally.

27
28 I think the concern that was expressed before was that if someone
29 is doing a -- what we call an illegal street hail. When I was a
09:09PM 30 Judge at the TLC, that was something where a person either with a
31 license as a for-hire vehicle or a straight plate is actually
32 coming up to you and saying, "Sir, where are you going?" They see
33 you in a suit. "I need to get to 300 Center Drive." And I operate
34 outside of licensure, outside of regulation. I think that's a
35 concern whether or not there's a TNC or not. The problem with the
36 TNC law is that it minimizes what's called trade dress. Trade
37 dress is where a cab has its identifying license number, its name,
38 Lindy's Taxi Service, East Hampton Taxi Service, whatever it might
39 be. Trade dress allows through the license plate and through any
09:10PM 40 sort of markings the ability of you, a consumer, a nonprofessional
41 law enforcement person, to recognize this is a for-hire vehicle. I
42 can have some idea of trust that there's something about this
43 person, rather than a hitchhiker. I mean, this is basically -- by
44 eliminating the trade dress, which was, by the way, initially in
45 the bill and removed, and the trade dress, as it is envisioned in
46 the TNC law, is something that could be seen from 50 feet away,
47 which is less than the distance of the back of this room to the
48 Presiding Officer, and must be removable. And I think by
49 definition, that seems like we're almost encouraging that which we
09:11PM 50 tell children, and certainly I tell my teenage daughters, "Don't
51 get in a car with a stranger or someone you don't know."

52
53 What's the responsibility of this body any oath-taker, any public
54 official, you know, the saying goes, the basics -- the basic of any
55 law is to ensure the safety of the public. By doing so, what
56 Albany has done is incredibly put the public at risk. And the case

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1 law, the cases that we have, the District Attorneys of San
2 Francisco and Los Angeles have settled with both Uber and Lyft from
3 making claims about their background checks, and that's exactly
4 what we have allowed to happen in New York under this law.

5
6 So I think what your issue is about hacking is very important. You
7 don't get into cars with strangers or somebody you don't know.
8 Well, you don't know who your cabdriver is, you don't who your limo
9 driver is. By having some sort of regulatory enforcement, you're
09:12PM 10 making a statement that some regulators, some person has made a
11 statement -- has done some vetting. There's a presumption there
12 for the consumer, which I think is all too important to know who's
13 driving you. You may not know the person, you may not have any
14 connection with that person ever again, but there's some sort of
15 basis and belief when you see that special license plate, when you
16 see the license displayed in the vehicle, that that person has
17 either been drug-tested or fingerprinted, which is what's happening
18 every day in New York City --
19

09:12PM 20 P. O. GREGORY:
21 Okay.

22
23 MR. RUSSO:
24 -- by -- for both Uber and Lyft, and they've grown.

25
26 LEG. KRUPSKI:
27 All right. So you mentioned drug testing. Is that a requirement
28 for the TNCs?
29

09:12PM 30 MR. RUSSO:
31 Not to my knowledge.

32
33 LEG. KRUPSKI:
34 Okay. Thank you.

35
36 MR. RUSSO:
37 I also, by the way, have full copies, Mr. Presiding Officer, of my
38 testimony. I just cut it short for time. I'll give that to your
39 Clerk, if you'd like.

09:12PM 40
41 P. O. GREGORY:
42 I do have -- Legislator Trotta and Legislator Stern have -- both
43 have questions for you. Legislator Trotta.

44
45 LEG. TROTТА:
46 I just have a two-second one. I'm for Uber 100%, but they should
47 go by the same rules that any other company does.

48
49 MR. RUSSO:
09:13PM 50 That's right. I think --

51
52 *(Applause)*

53
54 LEG. TROTТА:
55 Registered with the Town, whatever they are.

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1 MR. RUSSO:

2 Right.

3

4 LEG. TROTТА:

5 It should be a fair playing field. So what's happening here is not
6 a fair playing field.

7

8 MR. RUSSO:

9 I couldn't agree with you more.

10

11 LEG. TROTТА:

12 Okay.

13

14 MR. RUSSO:

15 And the idea is that it's anti-competitive. Cab companies and
16 limousine companies compete every day, but on the same playing
17 field.

18

19 LEG. TROTТА:

09:13PM 20 And so should Uber.

21

22 MR. RUSSO:

23 Right. And I can't believe that -- you know, and I've heard people
24 in Suffolk County, and now, you know, in perusing Nassau County,
25 other places in the state say that you can't -- you're doing it
26 every day, you're vetting drivers here every day. Your Taxi and
27 Limousine Commission does that. I can't believe you can't do
28 what's happening in New York City every day. Okay.

29

09:13PM 30 P. O. GREGORY:

31 Legislator Stern.

32

33 LEG. STERN:

34 Yeah, thank you. So thank you for --

35

36 MR. RUSSO:

37 You're quite welcome.

38

39 LEG. STERN:

09:13PM 40 You brought a lot of helpful information. There is -- towards the
41 back you have a list of municipalities, and there's a side-by-side
42 comparison between those that are for hire being compared with TNC.

43

44 MR. RUSSO:

45 Yes.

46

47 LEG. STERN:

48 On the bottom, the bottom two on page 80, you compare Boston and
49 Miami, and on the TNC side, they are both self-regulated.

09:14PM

50

51 MR. RUSSO:

52 No longer.

53

54 LEG. STERN:

55 Okay. So I was -- that's exactly my question. Is there an update
56 there and --

1
2 MR. RUSSO:
3 Yeah.

4
5 LEG. STERN:
6 And to what extent are they now regulated? And there was also a
7 citation that there had been a complaint that was filed, I believe
8 that was in Miami. I was wondering if you knew what, if any, kind
9 of resolution there was to that complaint being filed.

09:14PM 10
11 MR. RUSSO:
12 I'm not sure about the specific resolution in Miami, but in
13 Massachusetts, Boston and Miami -- Boston and Miami are operating
14 as the wild west, if you will, there's no regulation and no
15 control. What has happened in Massachusetts as of last year was
16 that the state passed a statewide TNC law, which in effect is
17 what's happened here in New York, and a few months earlier happened
18 in New Jersey. So now the Boston regulation is basically preempted
19 by the Commonwealth of Massachusetts regulation. So that's the
09:14PM 20 update in that case. That, however, that law had that specific
21 audit. So the update is what I provided in my testimony earlier,
22 sir, which is that Massachusetts has now done an audit of its TNC
23 bill and found that 12% of its drivers under TNC vetting failed and
24 had to be removed, because they were either sex offenders, had
25 violated -- had violent criminal history pasts that had not been
26 found, or didn't meet even the driver's license requirements in the
27 TNC law. So 12%. So, again, if we want to roll the dice on 12% of
28 the drivers that are backgrounded by a private company, we now have
29 empirical information as an update to that. So we'll probably at
09:15PM 30 some point refresh the report, but that's really the critical one.

31
32 One other update that we had in Massachusetts was that it turned
33 out that a violence -- a person who absconded, who had two rape
34 arrests and was pending, turned out to be an Uber driver in
35 Florida, and that ultimately was returned, and it was determined he
36 had been a TNC driver operating in Florida while he was --
37 actually, there were two open warrants for him. That's part of the
38 problem when you don't use a fingerprinting database. No matter
39 what, I give my name, my legal is Pasqualino Russo, and I'm also
09:16PM 40 known as Pat Russo, fingerprints don't lie. I've been
41 fingerprinted six times for my law enforcement background, never
42 arrested, never convicted of any crimes or anything, but I've gone
43 through the system, because no matter what name I give, my
44 fingerprints identify who I am. And, in this case, it only turned
45 up because of a separate incidence, you know, that a TNC driver
46 actually had two open warrants in Boston for rapes.

47
48 LEG. STERN:
49 Thank you.

09:16PM 50
51 MR. RUSSO:
52 Thank you.

53
54 P. O. GREGORY:
55 All right. Thank you, Mr. Russo.

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1 MR. RUSSO:
2 Thank you for your time.

3
4 P. O. GREGORY:
5 All right. Patricia Gatling, and then Rizzo Assouad.

6
7 MS. GATLING:
8 I'll put my glasses on so I could see. Good evening, Presiding
9 Officer, honorable Legislators. My name is Patricia Gatling and
09:16PM 10 I'm here to offer testimony before you based upon my professional
11 experience, 20 years as a prosecutor, 13 years as a New York City
12 Human Rights Commissioner, and Deputy Secretary for Civil Rights
13 under Governor Andrew Cuomo, regarding the New York State TNC Law
14 in support of 1524 and 1542.

15
16 Transportation equity is a civil and human rights priority. Access
17 to affordable and reliable transportation widens opportunity, and
18 is essential to addressing poverty, unemployment and other equal
19 opportunity goals, such as access to good schools and healthcare
09:17PM 20 services. An alarming result of the proliferation of TNCs is the
21 undeniable adverse impact on people with disabilities, senior
22 citizens, underserved communities, the environment, social
23 responsibility, and the labor force of the so-called on-demand
24 sharing economy.

25
26 The TNC business model halted progress in achieving accessibility
27 in public transportation for people with disabilities and seniors,
28 provide inadequate servicing to low income, minority, rural,
29 unbanked and technologically deprived communities, causes vehicle
09:18PM 30 proliferation and surge pricing when it adds -- which adds to
31 congestion and carbon emissions, and the so-called sharing economy
32 does not, in fact, apply. The lack of a fingerprinting requirement
33 jeopardizes the safety of the riding public, and the lack of equal
34 access for all individuals is discrimination.

35
36 I urge you to adopt Local Laws 1524 and 1542 and to opt out.

37
38 P. O. GREGORY:
39 Okay. Thank you, Ms. Gatling. Anyone? Okay. All right. Rizzo
09:18PM 40 Assouad. Assouad.

41
42 MR. ASSOUAD:
43 That's me.

44
45 P. O. GREGORY:
46 And Gilberto Carona.

47
48 MR. ASSOUAD:
49 Good evening. I'm here tonight as an owner of a limousine company
09:18PM 50 right here in Suffolk County, and all of my drivers are local
51 residents of the County. I'm here to talk about a law that is not
52 fair and it's not equal.

53
54 Back in 2009, I and a few other limousine company owners spoke to
55 you, the Legislators, to help us pass Suffolk County TLC, which
56 took some time, and you voted for it 18 to 0 and you passed it. At

1 that time, Levy was the County Executive and he didn't want nothing
2 to do with it. We fought hard to get it through. Finally, it
3 became law. And now we all have to obey this law as taxi and
4 limousines in Suffolk County. But, yet, you have companies like
5 Uber and others say they don't want to obey your rule, the law that
6 you helped pass, making it really difficult to compete with them,
7 as a matter of fact, impossible in many aspects.

8
9 Number one, it's impossible to hire new recruits as drivers,
09:20PM 10 because my drivers have to go through a vetting process, and they
11 have to be accepted first by Suffolk County TLC, Southampton Town
12 and East Hampton Town in order for me to operate. On top of this,
13 my insurance company has to accept them, and in many cases this
14 doesn't happen, and the rejects from our end end up working for
15 Uber. How is that fair?

16
17 Between Suffolk County, Southampton and East Hampton, I'm faced
18 with \$24,000 a year for permits. Yet, if one of my vehicles
19 doesn't have a permit, like it happened a week ago, two weeks ago,
09:21PM 20 the cops in Suffolk -- in Southampton gave my driver a ticket for
21 dropping off at one of the clubs. Nassau County last month,
22 because we were dropping off customers that we picked up right here
23 in Southampton and we dropped them off at Nassau Coliseum, I got a
24 \$3,000 ticket because I didn't have Nassau County permit. We never
25 had issues with Uber until this law passed.

26
27 I heard people saying the consumers allowed for cheap fares. Uber
28 is more expensive than us in the Hamptons.

29
09:21PM 30 P. O. GREGORY:
31 Mr. Assouad, your time's up, but I have a question for you.

32
33 MR. ASSOUD:
34 Yes, sir.

35
36 P. O. GREGORY:
37 So full disclosure, I have used Uber. I have no complaints about
38 the service.

39
09:22PM 40 *(Applause)*

41
42 But I understand your position as an owner of a limousine or taxi
43 company, and the argument that there could be potential -- there's
44 different treatment. But how do you address the issue? Because
45 when I talk to people, and I have -- I haven't used -- honestly, I
46 haven't used a taxi, I don't know, in 20 years. The people say --
47 when I talk to people, they say, "Well, it's a different
48 experience. The vehicles are not as nice. If I get picked up at
49 the train station, you know, it's very rare that I could get a ride
09:22PM 50 to my final destination by myself. I'm in with four people. It
51 may take me 45 minutes." It's, you know, this, that and the other.
52 How do -- How do you address that? How is -- because I think the
53 business model has changed, Uber has changed the landscape. How do
54 you change your business model to address those concerns, to change
55 the experience for the everyday riders?

1 MR. ASSOUAD:

2 We have to admit, Uber is a great model, but that doesn't mean they
3 can work above the law.

4
5 P. O. GREGORY:

6 Right, okay.

7
8 MR. ASSOUAD:

9 We have to agree, they have a great model. As I said, I have no --
10 I had no problem with Uber prior to this law passing. Uber, I'd
11 rather compete with Uber in the Hamptons than to compete with
12 fly-by-night operators.

13
14 P. O. GREGORY:

15 Right.

16
17 MR. ASSOUAD:

18 Uber is not cheap in the Hamptons, it's not. If you take a car
19 from Southampton to New York City, you will pay triple the price
20 what I would charge you, so they're not cheap by any means.

21
22 P. O. GREGORY:

23 I don't think it's -- well, it's cheaper in a sense from --

24
25 MR. ASSOUAD:

26 They are convenient, but they're not cheap.

27
28 P. O. GREGORY:

29 Right, okay. And from my experience, because I've used Uber in
30 different states, like I was in D.C. and I happened to use Uber,
31 and there's exactly -- you know, you call for the car and it's
32 actually a taxi pulls up. So there are places where taxis are on
33 the Uber app. Is that not an option locally? Is the law written
34 differently? Because I'm not familiar with the -- you know, the
35 two different laws.

36
37 MR. ASSOUAD:

38 Okay.

39
40 P. O. GREGORY:

41 Is that ability available, do you know?

42
43 MR. ASSOUAD:

44 When first Uber came out, they did approach us. They came to my
45 office and they were willing at that time to pay us \$500 for
46 24-hour service per vehicle. I couldn't afford. We live here, and
47 if I'm going to put a driver 24 hours a day in a car, it's going to
48 cost me \$25 an hour per driver, plus workers comp, unemployment and
49 social security, which they don't have to pay.

09:25PM 50
51 Now Ms. Fleming here asked about the 4%, 2%. We pay a lot more
52 than that to the County and the State. So, in my opinion, not the
53 2%. If the money is made in Suffolk County, the 4% should come
54 back to Suffolk County, that's my opinion. We -- I pay 7 1/2%
55 social security on my drivers. I pay 9 1/2% unemployment to the
56 State and the County, and I pay also 13 1/2% workers comp. Now the

1 State mandates that because they consider my drivers employees,
2 they're not independent contractor. How come the law applies
3 differently to different -- that's what I'm trying to understand.
4 How could the law apply differently?

5
6 P. O. GREGORY:

7 Well, there was a lawsuit I think last year, if I remember, I read
8 it in New York Times or Wall Street Journal, I think it was out of
9 California, and addressed that very exact issue. And the court
10 ruled that Uber drivers were independent contractors, and I don't
11 remember all the specifics, but it was a big thing, and -- but
12 the -- Uber did have to relent, to use a word, on some of what they
13 thought they didn't have to do, but they're certainly not
14 considered employees, but they had to provide more than they
15 previously had done. So -- but thank you. We do have a lot of
16 cards.

17
18 MR. ASSOUAD:

19 Yes, sir, Presiding Officer.

20
21 P. O. GREGORY:

22 Oh, Legislator Fleming has a question for you.

23
24 LEG. FLEMING:

25 Hi. No, I just have a quick question. I know that you were
26 accompanied by other people who had to leave --

27
28 MR. ASSOUAD:

29 Yes.

30
31 LEG. FLEMING:

32 -- this evening, so I appreciate your staying. And I understand
33 that the limousine services, not the taxi services, but the
34 limousine services out east are opposed to this, the -- you know,
35 the ride sharing come in -- coming in completely without having to
36 follow those rules. I know you're not alone in that opinion, in
37 other words.

38
39 MR. ASSOUAD:

40 No, I'm not alone. As a matter of fact, they are competition, and
41 we all agreed to a good competition, as long as we are all on the
42 same level playing field. I can't compete with someone who doesn't
43 have to go through what we go through.

44
45 LEG. FLEMING:

46 Right, I understand that.

47
48 MR. ASSOUAD:

49 Yeah.

50
51 LEG. FLEMING:

52 Can I also ask you, you mentioned that Uber is not cheap. Are you
53 aware of the surge pricing that happens in ride-sharing companies?

54
55 MR. ASSOUAD:

56 Yes.

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LEG. FLEMING:

Could you just describe for us what surge pricing is? Because I think it is important for people to understand that this isn't necessarily, especially at high volume times, this is not an inexpensive solution to our public transportation issues. What is surge pricing?

MR. ASSOUD:

Uber has surge pricing, which I can only speak about our area here, they're always double. For example, if you take a car from the Hamptons to -- from Manhattan to the Hamptons, that's different than if you take a car from the Hamptons to Manhattan. So from Manhattan to the Hamptons is a lot less expensive. Like if you order a car from East Hampton to Manhattan, you're going to be double, and in some cases triple.

LEG. FLEMING:

What about --

MR. ASSOUD:

They surge the --

LEG. FLEMING:

I'm sorry. What about during times of high volume?

MR. ASSOUD:

High volume, they can raise it up two or three times, or four times. Like in snow storms, for example, they have the surge, surge price, whatever.

LEG. FLEMING:

Surge pricing.

MR. ASSOUD:

We don't do that, we just don't do that. Our --

LEG. FLEMING:

Are you aware whether it's the drivers or the app software that is causing those prices to go up?

MR. ASSOUD:

I don't think it's the drivers. I tell you honestly, I applied for an Uber job just to see the procedures. I did it online on the phone, and I applied with my own regular plates, with my own driver's license a couple of weeks ago and I was accepted. And I called my insurance company and I said, "I want to work for Uber." They flatly told me, "We don't cover you. We don't cover you with this particular" -- "you have to go get special insurance," which we have as limousine companies. They couldn't offer me that insurance. In New York State there's very few companies that offer this kind of insurance.

LEG. FLEMING:

Okay.

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1 MR. ASSOUAD:
2 So I applied for Uber and I was accepted with my own regular
3 plates. I have friends that work for Uber and they're all crying.

4
5 LEG. FLEMING:
6 Yeah. No, I think -- I think -- my understanding is that it's the
7 app that sets the prices. So if there's surging traffic --

8
9 MR. ASSOUAD:
10 Yes.

11
12 LEG. FLEMING:
13 -- at a particular time --

14
15 MR. ASSOUAD:
16 Yes.

17
18 LEG. FLEMING:
19 -- the driver doesn't control that, but the prices can go very,
09:30PM 20 very high in busy --

21
22 MR. ASSOUAD:
23 Yes.

24
25 LEG. FLEMING:
26 In busy times. So I think that answers my question. Thank you,
27 Mr. Presiding Officer.

28
29 MR. ASSOUAD:
09:30PM 30 Another thing I want to tell you about your -- our area here --

31
32 P. O. GREGORY:
33 No, we -- no. We have other people that have questions for you,
34 and we have a lot of cards. Legislator Krupski.

35
36 LEG. KRUPSKI:
37 What's the similarities or differences? You mentioned that, you
38 know, you're complying with Suffolk County's regulations, but also
39 Southampton and East Hampton. How similar or different are those
09:30PM 40 regulations?

41
42 MR. ASSOUAD:
43 Well, in Southampton, you've got to get a permit and the driver has
44 to get a permit. Suffolk County, for example, if you're doing jobs
45 point to point in Suffolk -- in Southampton, meaning if you call me
46 and you want to go from your house in Southampton, let's say, to
47 LaParmigiana, I need to get a permit to pick you up in Southampton
48 and drop you off in Southampton from Southampton Town. If -- in
49 East Hampton is the same thing. Now those permits allow me to work
09:31PM 50 in Southampton and East Hampton, they are not allowing me to work
51 outside the jurisdiction. Now if I'm going to go pick you up from
52 Islip, I have to get a permit from Suffolk County Taxi and
53 Limousine Commissioner. So every area has different jurisdictions.

54
55 LEG. KRUPSKI:
56 Are there the same requirements? Do they vet the drivers as well?

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1
2 MR. ASSOUAD:
3 Yes. In Southampton --
4
5 LEG. KRUPSKI:
6 But is it the same?
7
8 MR. ASSOUAD:
9 Yes.
10
11 LEG. KRUPSKI:
12 Okay.
13
14 MR. ASSOUAD:
15 Now if we do get drug test from the County, drug test and
16 fingerprints, Southampton will accept that within 30 days. So I
17 don't have to pay them again, we don't have to pay again to get,
18 you know.
19
09:32PM 20 LEG. KRUPSKI:
21 Thank you.
22
23 MR. ASSOUAD:
24 Thank you.
25
26 P. O. GREGORY:
27 Okay. Oh, Legislator D' Amaro.
28
09:32PM 29 LEG. D' AMARO:
30 Thanks. Hello, sir. I just wanted to pick up on the insurance
31 aspect. When you -- you went through the application process with
32 Uber, so that's --
33
34 MR. ASSOUAD:
35 Yes, sir.
36
37 LEG. D' AMARO:
38 So you have firsthand experience.
39
09:32PM 40 MR. ASSOUAD:
41 Yes.
42
43 LEG. D' AMARO:
44 Great. So, when you called your insurance company, they said
45 that's for-hire, so we're not going to cover you in the event you
46 get into an accident; is that correct?
47
48 MR. ASSOUAD:
09:32PM 49 Word to word, I was told flatly not -- "You're not going to be
50 covered." Even if I'm not, even if I don't have a passenger in the
51 car and my app is on --
52
53 LEG. D' AMARO:
54 They won't cover you.
55
56

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1 MR. ASSOUAD:
2 -- I'm not covered.

3
4 LEG. D'AMARO:
5 So did you ask Uber if Uber provides insurance if your company does
6 not cover?

7
8 MR. ASSOUAD:
9 I went to one of their meetings they had in Mineola, I believe,
09:32PM 10 last month as a driver and I asked this question. They said it's
11 between you and your insurance company.

12
13 LEG. D'AMARO:
14 So Uber does not provide any insurance coverage? Because my
15 understanding --

16
17 MR. ASSOUAD:
18 They did not tell me at that time, no.

19
20 LEG. D'AMARO:
21 Well --

22
23 MR. ASSOUAD:
24 They said, "That's between you and your insurance company."

25
26 LEG. D'AMARO:
27 Okay. My understanding was that when you turn the app on, that
28 Uber does provide an umbrella coverage. It's a limited amount
29 when the app is on and there's no passenger, and then it greatly
09:33PM 30 increases when there's a passenger in the car until the passenger
31 exits the vehicle.

32
33 MR. ASSOUAD:
34 If they do have that, they did not -- they did not divulge this
35 information at the meeting they had.

36
37 LEG. D'AMARO:
38 I think it's -- I think it's a relatively new policy.

39
09:33PM 40 MR. ASSOUAD:
41 I don't know.

42
43 LEG. D'AMARO:
44 Yeah. When did you go to the meeting? I'm just curious, roughly.

45
46 MR. ASSOUAD:
47 I believe it was last month.

48
49 LEG. D'AMARO:
09:33PM 50 Last month? Yeah, I think it might be that new. Okay. Thank you,
51 I appreciate it.

52
53 MR. ASSOUAD:
54 Thank you.

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1 LEG. D'AMARO:

2 Thank you.

3

4 P. O. GREGORY:

5 Legislator Muratore.

6

7 LEG. MURATORE:

8 Thank you, Mr. Presiding Officer. Just a question on plates for a
9 taxi and limousine plate. How much does that cost, do you have any
10 idea?

09:33PM

11

12 MR. ASSOUAD:

13 The County is 300, Southampton is a 150, and East Hampton is 200.

14

15 LEG. MURATORE:

16 That's for the license plate?

17

18 MR. ASSOUAD:

19 That's just for the plate.

20

21 LEG. MURATORE:

22 Just for the plate.

23

24 MR. ASSOUAD:

25 Now Southampton, they got to pay 750 for a license a year. That's
26 a year.

27

28 LEG. MURATORE:

29 And Uber doesn't have to pay any of this?

30

31 MR. ASSOUAD:

32 No.

33

34 LEG. MURATORE:

35 They just use regular passenger plates?

36

37 MR. ASSOUAD:

38 That's right.

39

09:34PM

40 LEG. MURATORE:

41 Just another couple of questions. The taxi and limousine driver,
42 you have to go through a background check? Do they do -- does the
43 employer do a background check on you when he hires you as a taxi
44 and limousine driver?

45

46 MR. ASSOUAD:

47 Well, first, they have to pass Suffolk County TLC, which they do
48 fingerprinting and drug test, then they have to pass Southampton
49 for us, and then they have to pass my insurance. I have a driver
50 that came and applied and he had an arrest four or five years ago
51 for possession and my insurance rejected him, but, yet, now he's
52 driving for Uber.

09:34PM

53

54 LEG. MURATORE:

55 Now I don't know if you can answer this question for me, but I see
56 Laura Ahearn is in the -- in the audience, and maybe she could --

1 are sex offenders barred from driving a taxicab or a limo?

2

3 MR. ASSOUAD:

4 Just two weeks ago I had an applicant come and apply, and I
5 submitted his application to my insurance company before I sent him
6 for fingerprints and before -- because, first, I want to see if my
7 insurance let him drive, and the insurance company denied him. I
8 asked why. They said, "Look him up online." They couldn't tell me
9 why. They said, "Look him up online, you know why." He was a
10 child molester.

09:35PM

11

12 LEG. MURATORE:

13 Okay. So, you know, I hear what you're saying, and, you know, it's
14 really not fair. And I hope my colleagues are listening to this,
15 because, God, you're paying a lot of money, and these guys from
16 Uber, great service and everything, but I'm sure they don't have a
17 problem with it either. They want to be equal to you, too. So
18 maybe they'll stand up and say, "You know what, let's" --

19

20 MR. ASSOUAD:

21 No, they don't want to be equal to us.

09:35PM

22

23 LEG. MURATORE:

24 Well, maybe they do, we'll give them a shot.

25

26 MR. ASSOUAD:

27 They don't.

28

29 LEG. MURATORE:

30 And say, "Well, we want to be equal to the taxicab and the
31 limousine drive, we'll sign up for this, we'll go for a background
32 check, and we'll pay the fees, like everybody else does, and we'll
33 play fair."

09:36PM

34

35 MR. ASSOUAD:

36 Well, that's fair, then that's fair.

37

38 LEG. MURATORE:

39 You know, if they don't want to play fair, well, then I don't know
40 if I can support them.

09:36PM

41

42 MR. ASSOUAD:

43 Okay.

44

45 LEG. MURATORE:

46 You know, so you, like I have a lot of -- a lot of passion for you,
47 I see what you're going through. It's really not nice. So it's
48 very expensive to be a taxi and limousine driver, so, hopefully, we
49 can help you out here and work on this for you.

09:36PM

50

51 MR. ASSOUAD:

52 Thank you.

53

54 P. O. GREGORY:

55 All right. Thank you, sir.

56

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1 MR. ASSOUAD:

2 Thank you.

3
4 P. O. GREGORY:

5 Mr. Gilberto Carona, and then Rasson Elliot is on deck. Gilberto?
6 Are you here, Gilberto? Rasson Elliot? Okay. Philip Logue, and
7 then on deck, Joseph Medeiros.

8
9 MR. LOGUE:

09:36PM 10 Are we ready for three minutes?

11
12 P. O. GREGORY:

13 You got it.

14
15 MR. LOGUE:

16 All right. You guys have your decision already what you're going
17 to do. What you're hearing from business owners is misleading you,
18 okay? That you have a Taxi Limousine company -- Commission,
19 there's one person in charge of it, okay? That was made up from
09:37PM 20 taxi and limousine people. Those were the committees that made
21 that policy. The person that runs it is one person. Try to get a
22 TLC in Suffolk County, it takes you two to three months, okay?
23 Nassau County has TLC, it takes you two weeks, okay? Suffolk
24 County, you don't need TLC plates. You need to pay the -- for the
25 medallion that you put on your vehicle. In New York State, if you
26 have a livery company, yes, you must have livery plates. The only
27 one that with TLC is New York City and Nassau County that has
28 plates, okay?

29
09:38PM 30 Uber's trying to come in and be a competitor to the local taxi
31 companies, and they're upset because it's going to take some
32 financial gain away from them, okay? If you go out to the
33 Hamptons, and the Legislators from the Hamptons, they know how
34 Friday and Saturday nights are. Every taxi company in Suffolk
35 County has cars out there, because it's a heavy populated place,
36 okay? When it comes down to restrictions of where you could pick
37 up, Uber don't assign drivers to go to railroad stations, or malls,
38 or supermarkets unless there -- someone signs up to go there,
39 requests a car. Uber drivers are not going to be sitting at places
09:39PM 40 waiting, because we are going to be getting calls to pick
41 people up.

42
43 I have been an Uber driver -- I'm sorry. I have been a taxi
44 driver, I've been in transportation for 30 years. I work for a
45 company now that we have to be TLC'd, so I know what all the laws
46 are. We, as a county, should give Uber a chance and that's what I
47 have to say. Guys, go and look at your local taxicabs. They're
48 not ADA approved, okay? They're ex-police cars, they're
49 ex-taxicabs. They don't have wheelchair access, okay? So that's
09:39PM 50 all I have.

51
52 P. O. GREGORY:

53 Thank you, Mr. Logue. I do have -- Legislator Krupski has a
54 question for you.

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1 LEG. KRUPSKI:
2 Thank you. So you're a driver for Uber?

3
4 MR. LOGUE:
5 I applied to be a driver for Uber, yes.

6
7 LEG. KRUPSKI:
8 So have you driven?

9
09:40PM 10 MR. LOGUE:
11 No. I've been a client.

12
13 LEG. KRUPSKI:
14 Oh, okay. No, I wanted to ask someone who's actually driven,
15 because we had a concern come through our -- if you're not a
16 driver, I don't know if you'd answer it, you know, if you can. If
17 you can, it's fine.

18
19 MR. LOGUE:
20 Yeah, why not?

21
22 LEG. KRUPSKI:
23 So someone said that they got and they took -- they got the ride.
24 When do you tell the people how much the fare was? Because the
25 concern was that she said she got charged -- the driver wanted more
26 money after the ride than she was originally told.

27
28 MR. LOGUE:
29 Not true.

09:40PM 30
31 LEG. KRUPSKI:
32 Well, that -- it's hard for you to say that if --

33
34 MR. LOGUE:
35 Well, yes, it is hard.

36
37 LEG. KRUPSKI:
38 That's what she told us, so --

39
40 MR. LOGUE:
41 Normally, it's a computer-based program, okay? When you sign up
42 for -- to be picked up, you put in your point A to point B and it
43 estimates what the fare is going to be. High peak hours, yes, the
44 fare does get adjusted, but a Uber driver does not ask for any
45 money. They don't even get tips.

46
47 LEG. KRUPSKI:
48 Suppose they ask for more? I mean, that's what -- that was --

49
09:41PM 50 MR. LOGUE:
51 They can't ask for more.

52
53 LEG. KRUPSKI:
54 Well, that's --

55
56

General Meeting - June 20, 2017

1 MR. LOGUE:

2 The Uber driver does not ask for more, the application could ask
3 for more, okay?

4
5 LEG. KRUPSKI:

6 She said that she was asked for more after the ride. That's not --
7 that's not.

8
9 MR. LOGUE:

09:41PM 10 That's not a driver's control, yes.

11
12 LEG. KRUPSKI:

13 That shouldn't be happening, is that what you're saying?

14
15 MR. LOGUE:

16 Yes, it shouldn't be.

17
18 LEG. KRUPSKI:

19 Okay, thank you.

20
21 MR. LOGUE:

22 But it's possible, because depending on the time, and if the
23 patient -- person changes where they're going, it could change
24 the --

25
26 LEG. KRUPSKI:

27 That I'm not aware of, but no, that's fine, thank you.

28
29 P. O. GREGORY:

09:41PM 30 Legislator Fleming.

31
32 LEG. FLEMING:

33 Thank you. So you've made -- thank you for coming and voicing your
34 opinion, it's so important. You've made an application to Uber and
35 you're waiting, hoping to be hired by them? So where did you get
36 the tee shirt? I see you're wearing a tee shirt that says Uber.

37
38 MR. LOGUE:

39 I got it from Uber.

09:42PM 40
41 LEG. FLEMING:

42 Okay. So they gave it to you before you were hired as an Uber
43 driver?

44
45 MR. LOGUE:

46 It's for tonight to show off.

47
48 LEG. FLEMING:

09:42PM 49 It's for tonight to show off. Okay, thank you. I appreciate your
50 candor.

51
52 MR. LOGUE:

53 I think I could probably get you one.

54
55 LEG. FLEMING:

56 I'll skip that. Thank you. But I did want to ask you about -- you

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1 know, I appreciate that you're undoubtedly an honest person and,
2 you know, would follow the rules, and you say that, you know, Uber
3 drivers only come when they're called. But I could tell you there
4 were lots and lots of reports from my district about Uber drivers
5 abandoning the app when it got really hot out in Montauk and
6 approaching people personally. So I don't know. You don't have
7 personal knowledge of whether that happens or not, do you?

8
9 MR. LOGUE:

09:42PM 10 The only way you could get picked up by Uber or an Uber driver,
11 okay, yes it's possible. It's possible that we --

12
13 LEG. FLEMING:

14 No. I'm just wondering, you don't have personal knowledge that --

15
16 MR. LOGUE:

17 I have personal knowledge, that I drove a cab for a company in
18 Suffolk County and I was asked to go drop people off at
19 Southampton, and I was hacked to go -- to take other people home.
09:43PM 20 And I said no, because I wasn't licensed in the area.

21
22 LEG. FLEMING:

23 But there was no way to know whether whoever hacked you was waiting
24 for an Uber or not.

25
26 MR. LOGUE:

27 No. But you come -- you come out of the bars in East Hampton and
28 Southampton, you know how they are on Friday and Saturday night.

29
09:43PM 30 LEG. FLEMING:

31 Yes, I do, very congested.

32
33 MR. LOGUE:

34 Very.

35
36 LEG. FLEMING:

37 Very chaotic on the streets, and that's why it's so important --

38
39 MR. LOGUE:

40 Right.

41
42 LEG. FLEMING:

43 -- to the local officials out there and the local Police Department
44 to be able to impose their own rules that come out of their own
45 experiences to keep people safe, that's the issue.

46
47 MR. LOGUE:

48 That's like you had a gentleman here a little while ago, he was a
49 Judge, he was part of TLC, but DMV is going to run the Uber on the
09:44PM 50 State program, but DMV are not police officers. So they are going
51 to be governing the police officer with the petty -- the law to
52 tell them what they're supposed to do and not do.

53
54 LEG. FLEMING:

55 Right, yeah. I know going to DMV for your issues is not exactly a
56 recipe for success, from my perspective.

1
2 MR. LOGUE:
3 No, it's not.

4
5 LEG. FLEMING:
6 And I like the shirt, it looks good on you. Are you -- are you --
7 is Uber -- does Uber know that you're testifying as you're waiting
8 to hear --

9
10 MR. LOGUE:
11 Yes.

12
13 LEG. FLEMING:
14 -- if they're going to hire you or not?

15
16 MR. LOGUE:
17 Yes, yes.

18
19 LEG. FLEMING:
09:44PM 20 Okay. I thank you for your testimony. Thank you, Mr. Presiding
21 Officer.

22
23 P. O. GREGORY:
24 Legislator Muratore.

25
26 LEG. MURATORE:
27 Thank you. Thank you for coming and spending all this time here --

28
29 MR. LOGUE:
09:44PM 30 No problem.

31
32 LEG. MURATORE:
33 -- and giving a good effort. Well, first of all, you said about
34 ADA approved or ADS acceptable -- ADA acceptable (sic). Are all
35 Uber vehicles ADA accessible?

36
37 MR. LOGUE:
38 No.

39
40 LEG. MURATORE:
41 So they're not also?

42
43 MR. LOGUE:
44 No.

45
46 LEG. MURATORE:
47 Okay. So why did you bring that up, then? You said that --

48
49 MR. LOGUE:
09:45PM 50 Because you had a gentleman here tonight that basically threatened
51 you about ADA. But before he could make that statement, he should
52 look at the local taxis to see if they're ADA.

53
54 LEG. MURATORE:
55 Okay, good. So you're on a par with the taxi there? They don't --
56 they're not ADA accessible and you aren't, or some could be, some

1 cabs are. But, for the most part, you're going to be using --

2

3 MR. LOGUE:

4 Only in --

5

6 LEG. MURATORE:

7 You're just going to be using private vehicles, right?

8

9 MR. LOGUE:

10 Right.

11

12 LEG. MURATORE:

13 Use your own vehicle.

14

15 MR. LOGUE:

16 Right.

17

18 LEG. MURATORE:

19 Okay.

20

21 MR. LOGUE:

22 But only New York City cabs are ADA.

23

24 LEG. MURATORE:

25 ADA, right.

26

27 MR. LOGUE:

28 Okay. I worked for a company, I worked in --

29

09:45PM

30 LEG. MURATORE:

31 That's all right. That's fine, I understand. Just a couple of --

32 I guess it's more of an ethical question on your part. So now

33 you're going to have no background check, or the people who work

34 for your company is going have no background check, no drug

35 testing, no fingerprints, I don't even know if you have to have

36 proof of insurance, and you're going to be paying less fees, and

37 you're going to be taking bread off the guy in the back with his

38 cab company.

39

09:46PM

40 MR. LOGUE:

41 Not true.

42

43 LEG. MURATORE:

44 You think that's fair?

45

46 MR. LOGUE:

47 Not true.

48

49 LEG. MURATORE:

50 Nothing I said was true? All the --

51

52 MR. LOGUE:

53 Not true.

54

55 LEG. MURATORE:

56 You're going to have a background check?

1
2 MR. LOGUE:
3 First off, first off, Uber did a background check on me. But I
4 also am Suffolk County TLC, Nassau County TLC, New York City TLC.

5
6 LEG. MURATORE:
7 No, no, no, no. But that's you. That's you.

8
9 MR. LOGUE:
10 Right.

11
12 LEG. MURATORE:
13 There people there -- are there any Uber people out there that
14 are -- that are not taxi drivers right now?

15
16 AUDIENCE MEMBER:
17 Yes.

18
19 MR. LOGUE:
09:46PM 20 Yes, some are.

21
22 LEG. MURATORE:
23 Okay. So now they didn't --

24
25 MR. LOGUE:
26 Some are not.

27
28 LEG. MURATORE:
09:46PM 29 They didn't go through -- I don't want you to bring the taxi and
30 limousine into this.

31
32 MR. LOGUE:
33 But you are.

34
35 LEG. MURATORE:
36 No, I didn't.

37
38 MR. LOGUE:
39 Okay.

40
41 LEG. MURATORE:
42 I didn't.

43
44 MR. LOGUE:
45 Your Board is.

46
47 LEG. MURATORE:
48 I don't want to know what you did as the taxi and limousine, I want
49 to know you as an Uber driver.

50
51 MR. LOGUE:
52 As a --

53
54 LEG. MURATORE:
55 You're not going to have a background check.

56

General Meeting - June 20, 2017

1 MR. LOGUE:

2 Yes, I do.

3

4 LEG. MURATORE:

5 Uber does background checks?

6

7 MR. LOGUE:

8 Yes.

9

09:46PM 10 AUDIENCE MEMBER:

11 Yes.

12

13 MR. LOGUE:

14 Yes.

15

16 LEG. MURATORE:

17 They do? Okay, good.

18

19 MR. LOGUE:

20 Yes.

21

22 LEG. MURATORE:

23 So I stand corrected. What about drug test, they do a drug test?

24

25 MR. LOGUE:

26 No.

27

28 LEG. MURATORE:

29 Does the taxi and limousine do it?

30

31 MR. LOGUE:

32 Yes.

33

34 LEG. MURATORE:

35 Okay.

36

37 MR. LOGUE:

38 Does local towns do it?

39

09:46PM 40 LEG. MURATORE:

41 Fingerprints? Fingerprints?

42

43 MR. LOGUE:

44 Fingerprints? No.

45

46 LEG. MURATORE:

47 Uber, no? Does the tax and limousine do it?

48

49 MR. LOGUE:

09:47PM 50 Yes. Does local --

51

52 LEG. MURATORE:

53 How about insurance?

54

55 MR. LOGUE:

56 Yes.

General Meeting - June 20, 2017

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09:47PM

09:47PM

09:47PM

09:47PM

LEG. MURATORE:
Do you have to bring them proof of insurance?

MR. LOGUE:
Yes.

LEG. MURATORE:
See, I'm getting an education here, too.

MR. LOGUE:
Yes. I could show my app that says what vehicle I'm going to be driving, my insurance company, and everything else.

LEG. MURATORE:
How many -- how much fees are you going to pay Uber?

MR. LOGUE:
How much?

LEG. MURATORE:
To open -- to open up, to do your first run, how much are you going to pay Uber?

MR. LOGUE:
It depends on what I'm doing.

LEG. MURATORE:
Is it going to be the thousands of dollars that this young man in the back paid for his taxi and limousine license?

MR. LOGUE:
No, it's not going to be thousands.

LEG. MURATORE:
Oh, it isn't? Okay, good. Great. Okay. Thank you again for your time.

P. O. GREGORY:
Okay. Oh, Legislator D' Amaro.

LEG. D' AMARO:
I just want to follow up on Legislator Muratore's questioning. With respect to the insurance, did you notify your insurance company that you'll be driving for Uber?

MR. LOGUE:
No, I took out an umbrella policy.

LEG. D' AMARO:
But, okay, that's good. So the umbrella policy will provide coverage while you're driving?

MR. LOGUE:
Yes, and Uber has an umbrella policy.

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1 LEG. D'AMARO:
2 No, no. Did you take out that policy or did the company?

3
4 MR. LOGUE:
5 I take out -- I own a house. I take out my own umbrella policy --

6
7 LEG. D'AMARO:
8 Right.

9
10 MR. LOGUE:
11 -- on my vehicle, and Uber has a policy.

12
13 LEG. D'AMARO:
14 Right. But did your insurance company confirm that they will cover
15 you when you're driving for-hire for Uber?

16
17 MR. LOGUE:
18 They will cover me for any passenger I have in the vehicle.

19
09:48PM 20 LEG. D'AMARO:
21 Well, but did you tell them that you're driving --

22
23 MR. LOGUE:
24 No, I did not tell them.

25
26 LEG. D'AMARO:
27 Uh-huh, all right.

28
29 MR. LOGUE:
09:48PM 30 But I own a house in Suffolk County, I pay taxes here.

31
32 LEG. D'AMARO:
33 Right.

34
35 MR. LOGUE:
36 I upped all my insurance.

37
38 LEG. D'AMARO:
09:48PM 39 Right. But there are companies now that are fighting this issue
40 and disclaiming coverage.

41
42 MR. LOGUE:
43 Yes.

44
45 LEG. D'AMARO:
46 So I would highly recommend that you tell your insurance company
47 exactly what you're doing and make sure you have coverage, because
48 my understanding is that most of them now are starting to not cover
49 for-hire.

50
51 MR. LOGUE:
52 There's only certain --

53
54 LEG. D'AMARO:
55 And, in fact, they're requiring commercial policies that cost
56 thousands of dollars more than the premium you're paying now. So

1 you don't want to get into an unfortunate situation where if, God
2 forbid, you had an accident and you need the coverage and the
3 insurance company denies coverage because your policy doesn't cover
4 for-hire. So you might want to, you know, raise that issue, or you
5 might not, but I think that's creating a risk.

6
7 When you applied for Uber, did they mention that they supply any
8 insurance coverage?

9
09:49PM 10 MR. LOGUE:
11 No, but I had to read their policies and procedures and sign for
12 them.

13
14 LEG. D'AMARO:
15 Right.

16
17 MR. LOGUE:
18 And it's stated in there what the requirements are.

19
09:49PM 20 LEG. D'AMARO:
21 Right. But that's -- they don't make the decisions for your
22 insurance companies, obviously.

23
24 MR. LOGUE:
25 Of course not.

26
27 LEG. D'AMARO:
28 Yeah.

29
30 MR. LOGUE:
31 Of course not.

32
33 LEG. D'AMARO:
34 I think -- I think it's a gray area, sir.

35
36 MR. LOGUE:
37 Oh, it's definitely a gray area.

38
09:49PM 39 LEG. D'AMARO:
40 Well, if it's definitely a gray area and lives are at risk, don't
41 you think you should ask the question?

42
43 MR. LOGUE:
44 What my insurance will cover and not cover?

45
46 LEG. D'AMARO:
47 Yeah.

48
09:50PM 49 MR. LOGUE:
50 Yes.

51
52 LEG. D'AMARO:
53 Okay.

54
55 MR. LOGUE:
56 And I did that. And I was recommended to increase my insurance.

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1
2 LEG. D'AMARO:
3 No. You just told me you did not tell your company that you're
4 driving for-hire for Uber.
5
6 MR. LOGUE:
7 I did not tell my company. I said I am going to be driving
8 additional people in my car. I did not say I was going to be hired
9 for it, okay? And their recommendation was to go higher, increase
09:50PM 10 my policy and have an umbrella policy for additional passengers. I
11 am looking into a for-hire thing, insurance policy, but you can't
12 get it in New York State. And then you go into the assigned risk,
13 so your policy is very expensive.
14
15 LEG. D'AMARO:
16 Yeah, no. But I'm not talking about assigned risk. I'm just
17 saying that you can get it in New York State if you're willing to
18 pay a higher premium, a much higher premium. It would be a
19 commercial policy.
09:50PM 20
21 MR. LOGUE:
22 Yeah. I don't want to argue with you. I checked --
23
24 LEG. D'AMARO:
25 I'm not arguing. I'm just concerned about, you know, an innocent
26 person hiring you as a -- or any Uber driver as a driver, and
27 something goes wrong and there's an accident, then liability is on
28 the Uber driver, and then there's no insurance coverage. What do
29 we do?
09:51PM 30
31 MR. LOGUE:
32 There is insurance coverage.
33
34 LEG. D'AMARO:
35 You don't --
36
37 MR. LOGUE:
38 DMV. DM -- hold on.
39
09:51PM 40 LEG. D'AMARO:
41 Yeah, I'm holding.
42
43 MR. LOGUE:
44 DMV -- New York State requires Uber to have a minimum of insurance.
45 We, as operators in New York State, are required to have a minimum
46 of insurance.
47
48 LEG. D'AMARO:
49 Right. Right, but there's issues as to when the Uber insurance
09:51PM 50 will cover and not cover.
51
52 MR. LOGUE:
53 Right. Any time you have a passenger in your car, it's covered.
54 You have to read the policy, so.
55
56

General Meeting - June 20, 2017

1 LEG. D'AMARO:
2 So when you applied to Uber, your understanding is that as long as
3 the app is on, you have coverage?
4

5 MR. LOGUE:
6 Yes, sir.
7

8 LEG. D'AMARO:
9 From Uber.

09:51PM

10
11 MR. LOGUE:
12 Yes, sir.
13

14 LEG. D'AMARO:
15 So you're not concerned about your own insurance?
16

17 MR. LOGUE:
18 That's not what I said. I said I took out an umbrella policy,
19 also, myself.

09:51PM

20
21 LEG. D'AMARO:
22 Yeah. All right. Well, I think that you should really -- I think
23 have an obligation to tell your insurance company exactly what
24 you're doing, otherwise, you're putting people at risk.
25

26 MR. LOGUE:
27 No, I'm putting myself at risk.
28

09:52PM

29 LEG. D'AMARO:
30 And you're also putting your passenger at risk.
31

32 MR. LOGUE:
33 Okay. That's your opinion about it.
34

35 LEG. D'AMARO:
36 Well, okay.
37

09:52PM

38 MR. LOGUE:
39 You have 18 members of your -- of the Legislature, you only have
40 about ten here. I think that's putting the residents of Suffolk
41 County at risk, too, because people don't care.
42

43 LEG. D'AMARO:
44 You lost me.
45

46 MR. LOGUE:
47 Okay. You lost me, because you're trying to tell me I should do
48 something.
49

09:52PM

50 LEG. D'AMARO:
51 I didn't think it was tough to lose you. I'm just saying that when
52 you go and take someone for hire, there's an expectation that
53 there'll be insurance coverage, and I think you have an obligation
54 to tell your insurance company exactly what you're doing, and make
55 sure and get it in writing that you have coverage.
56

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1 MR. LOGUE:

2 Okay.

3
4 LEG. D'AMARO:

5 I have no more questions.

6
7 MR. LOGUE:

8 Wait a minute. See, wait.

9
09:52PM

10 P. O. GREGORY:

11 Okay. Thank you, sir.

12
13 MR. LOGUE:

14 Okay.

15
16 P. O. GREGORY:

17 All right. Mr. Medeiros, and then Alma Castaldo.

18
19
09:53PM

20 MR. MEDEIROS:

21 A tough act to follow, but I'll try my best. Thank you for giving
22 us this time and a platform to talk about how important Uber on
23 Long Island is to all of us. My name is Joseph Medeiros and I was
24 born and raised on Long Island. I served five years in the United
25 States Army as a Combat Medic. I separated --

26 *(Applause)*

27
28
09:53PM

29 Thank you. I only got three minutes, let's go. Separated from
30 service in December of last year. And when I got home from my
31 second tour in Afghanistan, I made a decision to hang up the boots
32 and become an entrepreneur. You know, I can do a complete combat
33 casualty assessment, treatment and evacuation in under ten minutes,
34 but, unfortunately, those skills don't transfer into the business
35 world. So I decided to go back to school with the intention of
36 obtaining a degree in business. I couldn't help but realize that
37 where we live in is changing at such a rapid pace, but that by the
38 time information is analyzed and written in textbook, it's already
39 outdated. I was back to the drawing board, so to say.

40
09:53PM

41 I knew I wanted to started my own business, but I needed a job to
42 raise the necessary capital. I didn't want a traditional 9 to 5.
43 And when I came across an advertisement for Uber, I thought it
44 would fit perfectly with what I wanted as my first civilian job.
45 Uber would allow me the freedom to set my own hours and be my own
46 boss. For the first time in a very long time, I would be in
47 control of where my efforts are focused. I wouldn't have to beg
48 for overtime, and nothing would stand in the way of my ambitions.
49 I don't speak for all vets, but I believe it's an awesome option
50 for those transitioning from the service.

09:54PM

51 Uber on Long Island means more to me than just employment
52 opportunity. It's another tool that can be used to limit drunk
53 driving incidents. The number of Uber drivers is still too small
54 to make an impact on the 28 deaths a day from alcohol related
55 vehicle fatalities. Combating drunk driving is something I take
56 personally because it changed my family forever. I was in sixth

1 grade. My mom went out to go pick up dinner. She was waiting to
2 make a left at an intersection. The light turned green, she
3 proceeded through the turn. By the time she was able to react, it
4 was already too late. The drunk driver ran a red light and slammed
5 her at 65 miles an hour. The violent collision caused a
6 subarachnoid hemorrhage in her brain, which has about a 50%
7 survivability rate.

8
9 I remember when my father got the phone call, he looked like he'd
10 just seen a ghost. He's a paramedic and he knew how bad her
11 condition was. He rushed all the kids off in the car and off we
12 went to the hospital. I didn't know it at the time, but he was
13 taking us to say good-bye to our mother, just in case she didn't
14 make it. I'll never forget that night in the hospital room seeing
15 my mother intubated, on a respirator, eyes swollen shut, EKG wires
16 and IV tubings all over. She was in a coma for about two weeks.
17 She miraculously pulled through and survived, but the damage to her
18 brain was so bad, she couldn't work in her career field anymore.
19 That was a traumatic experience for a young kid, one that I would
20 never want anyone to go -- any other kid to go through. Now with
21 Uber, I get to be on the front lines once again providing a safe
22 ride home.

23
24 I signed up for Uber back in April, and I was ready to hit the road
25 after my background check cleared. I was pretty surprised to learn
26 that ride-sharing wasn't legal in the great State of New York. I'm
27 not interested in the politics, but as a future businessman, I am
28 interested in the market, and the market doesn't care about
29 anybody's feelings. It's the unfortunate truth, but the guy that
30 bought 10,000 horses the day before Henry Ford was introducing the
31 assembly line, he lost big time, and the world kept spinning. And
32 I am so glad that disgruntled guy with the horses didn't come to
33 some public hearing because he was afraid of a new technology.

34
35 *(Applause)*

36
37 Hindering the advancement of new opportunities to avoid
38 interrupting the status quo is unacceptable.

39
40 Once again, my name is Joseph Medeiros, and Uber on Long Island is
41 important to me, because it will ease the transition into the
42 civilian world for veterans. It is another tool to combat drunk
43 driving. Thanks again for this opportunity to be heard.

44
45 *(Applause)*

46
47 P. O. GREGORY:
48 Thank you, sir, and thank you for your service. Legislator Fleming
49 has a question for you.

50
51 *(The following testimony was taken & transcribed by*
52 *Alison Mahoney - Court Stenographer)*

53
54 LEG. FLEMING:
55 Thank you, Mr. Presiding Officer. And thank you very much for your
56 service, sir.

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09:56PM

09:57PM

09:57PM

09:58PM

09:58PM

MR. MEDEIROS:
Yes, ma'am.

LEG. FLEMING:
And I feel for you for your experience with your mother. Just one question. Originally Uber and Lyft had said that the 4% per ride surcharge was going to be divided amongst local municipalities and the State and we -- who are terribly underfunded, just cut eight bus routes wholesale -- would be getting a percentage of that in order to support our public transportation. Would you have any problem if that were renegotiated and we would be able to somehow get those buses back or get folks who can't afford Uber and need to be in public transportation, to get the public transportation system supported by Uber surcharge? Not raising it, but just redistributing the proceeds; would that be a problem for you?

MR. MEDEIROS:
I don't think so. The only objection I would have is if it would prolong the process for the guys that have already went through the process of going and starting up and getting ready to drive on the 28th or 29th, whenever it is.

LEG. FLEMING:
Yeah. No, I appreciate that. And frankly, the process cannot stop it by the 29th because this bill can't pass -- because it has to go back to committee and then come back and we don't think that we can get something from the County Executive to make it move any more quickly. He already said that he wouldn't in the newspaper for the sexual offender concerns that Legislator Kennedy has, so that won't happen.

But I just wanted to ask you -- you know, the thing is that the negotiation originally, when the bill was moving through New York State, the companies were saying that a portion should come back to us, it does seem fair to me, and at the last minute it was switched and the State got the whole surcharge. So that's why you see these late efforts, at least on my part and I believe Legislator Spencer's part.

So anyway, I just wanted to clarify would not interfere in any way with your noble mission to just redistribute those funds so that our public transportation system was supported.

MR. MEDEIROS:
No, ma'am. Uber drivers have to hit the potholes as well.

LEG. FLEMING:
(*Laughter*). Thank you, and thank you very much for your service to our country.

LEG. SPENCER:
Thank you, sir.

LEG. FLEMING:
Thank you, Mr. Presiding Officer.

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1 D. P. O. CALARCO:

2 Thank you, Legislator Fleming. Okay, our next speaker is I believe
3 Alma Costal do. Alma Costal do? No? How about Lois Carter?

4
5 MS. CARTER:

6 Good evening. My name is Lois Carter and I just wanted to speak on
7 behalf of an applicant with Uber. I've utilized Uber outside New
8 York State, Florida, New Jersey, Maryland, and I had some
9 apprehension initially getting into a stranger's car, why would I
10 do that? Why wouldn't I just call a taxi and let them tell me that
11 it'll be there in 15 minutes; 15 minutes turned into 30 minutes,
12 you call back, now it's 45 minutes. But I'm glad that I did take
13 the chance to install the app, hail a ride, and I was able to see
14 on my phone where the driver was, the estimated time that the
15 driver would arrive. And it also additionally calmed my fears,
16 when I was in the car it actually showed me the route in which the
17 driver was going to take because I was outside of New York. And so
18 I wondered why it wasn't so readily available in Suffolk County,
19 and I had heard from different people that it cost so much, that it
20 cost over a thousand dollars in order to drive for Uber. And I
21 just said, *Oh, well, okay, that's what it costs, whatever.*

22
23 I then found out that there was an opportunity because the Governor
24 had said that it could now be available in Suffolk and that the app
25 was available, so I submitted my application. And with my
26 application being submitted, I submitted by insurance and all of
27 the information and I was glad that I was accepted because I'm a
28 divorcee, I'm a mother of two children and I had intended on
29 driving while my children are in school to avoid the cost of child
30 care. But I hear a lot of the concern that's going forth tonight
31 about the 4%, the 2%. We are all Suffolk County residents. We're
32 going to spend our money in the mall and at the local store and
33 we're going to pay our mortgage and we're going to pay our rent and
34 we're going to pay all of the things that we're going to -- from
35 the money that we earn. So it's not like we're sending the money
36 somewhere else or that it's not going to help the local economy, it
37 will. It will help us. It will help us who are in between jobs.
38 I have a Bachelor's Degree, but I don't have full-time employment,
39 but I'm considering what is my child care costs going to be. And
40 so it's an option for me as a divorcee, as I said, with two
41 elementary school children, and between ten and two, before they
42 get home, I can utilize that. When my children are with their
43 father, I can utilize that time. When they spend the month of
44 August with him, I can utilize that time to gain the income that my
45 household needs as opposed to turning to a Social Services, a food
46 pantry to do some of the things that need to take care of my
47 household expenses while I'm looking for that big job that goes
48 with my degree.

49
50 So I feel that is an excellent opportunity for Suffolk County. I
51 do understand the many concerns that you have as far as background
52 check. I did receive a background check, I've been driving for
53 over 20 years, I've only had one accident on my record. But I do
54 understand the sex offender possibility and you would want that
55 regulation included in the background check to make sure, because a
56 lot of parents are using Uber to transport their children, so that

1 is a grave concern, of course. No one wants to want put their
2 children in harm's way. I don't want to put my children in harm's
3 way, so that's why I'm sceptical about even child care services and
4 paying full dollar price for child care service, but I can't afford
5 it with the income that I would receive in an entry-level position,
6 but however, it is a concern. We do not want to put our children
7 in harm's way by any way, shape or form, but you do have to realize
8 that this is the season, this is the time when alcohol use is up
9 just about every day. I don't drink myself, but I know that
10 there's a barbecue, there's a party, there's alcohol, there's
11 whatever. And if the owner of the bar, the person hosting the
12 barbecue, the party, whatever, can put someone in a Uber get them
13 home safely is a great tool. You save someone's life. And so
14 that's all we want to do, we want to be able to earn money, we want
15 to be able to keep ourselves safe and we want to make sure that the
16 money is circulated in Suffolk County.

17
18 D. P. O. CALARCO:
19 Thank you, Ms. Carter.

20
21 *Applause*
22

23 Ms. Carter, if you can stay there one more minute, Legislator
24 Krupski had a question for you.

25
26 LEG. KRUPSKI:

27 Thank you. So I've got a question, because I don't understand,
28 I've never taken an Uber, but I know I've heard, you know, good
29 things about them in other states. But what I don't know is like
30 how much is a ride? So I live in Cutchogue and to come to
31 Riverhead, how much would that -- ballpark, what would that cost?
32 Because we have public transportation here and the challenge there,
33 and I think Legislator Fleming spoke to some of it, but the
34 challenge there is getting to a stop and then of course the bus
35 doesn't come when you're ready, you have to wait for the bus to
36 come by. So it's not as convenient as calling someone and saying,
37 *Come to my door, pick me up and take me to the place that I'd like*
38 *to go.* So that's an option for people, the convenience. How much
39 is that, would that ride be, you think?

40
41 MS. CARTER:

42 Well, certainly. I've been on both sides of the aisle with taking
43 public transportation and utilizing Uber as well. Public
44 transportation on Suffolk County -- in Suffolk County, it is no
45 picnic, no matter what you do. We're grateful that the service is
46 on Sunday, but for many years it wasn't. Service is stopped at
47 seven o'clock. So what do you do when your boss says you have to
48 work till nine? Okay, so you call a taxi and 15 minutes,
49 30 minutes, 45 minutes, now you've got four, five people in the car
50 with you just to go home, now it's even later. So there's still
51 some problems for public transportation in Suffolk County.

52
53 The benefit, the beauty of Uber is is that when I pick up my phone,
54 hit the app and I say I'm going from 300 Center Street to -- I'm a
55 resident of Brentwood; it's going to give me an estimate of what
56 that amount is. If I am agreeing to what that estimate amount is,

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1 and it's usually -- in my experience, it's usually -- a few
2 dollars. It doesn't say, *Well, it's going to be 20 to \$50.* If
3 it's \$50, in between it'll say -- it's never usually more than \$5,
4 in my experience, of letting you know what the fare is going to be.
5 So you have that option before you actually say you want that
6 driver to come. It's not a guess. So the experience that you had
7 indicated earlier that a friend said that they had; that's almost
8 not possible, because once you say that you want to go from
9 Riverhead to Brentwood, you know what that amount is going to be.
10:06PM 10 Now if in route -- and I've never had this experience, but it would
11 seem logical that in route you say you're going from Riverhead to
12 Brentwood, but now you say, *Oh, no, I want to go to Amityville,* the
13 amount is going to change.
14

15 LEG. KRUPSKI:

16 That's not what I had indicated, though, and I have no reason to
17 not believe what they told us was true. My question is how much is
18 the ride, like from Cutchogue to Riverhead; how much would that be
19 be in dollars?
20

21 MS. CARTER:

22 From Patchogue to Riverhead, in by best guesstimation, about maybe
23 \$30, \$40. I once was going to take a taxi from Brentwood to
24 Patchogue because I was attending school at Briarcliffe College. I
25 was going to use the Lyft app and it told me it cost \$36 to go from
26 Brentwood to Patchogue. So you have that territorial thing here on
27 Long Island. When I called the taxi to find out, they told me \$50,
28 so the app at the time was telling me that it was less, but I
29 wasn't able to utilize it because there was no drivers available.
10:07PM 30 But I was able to see and determine what the fare would have been
31 for me to travel from Brentwood to Patchogue. So it is very costly
32 on Long Island to have any type of public transportation because of
33 the distance, it's just not New York City. We can't hop on a
34 subway, you can't hop on a bus to get from point A to point B if
35 you do not have a regular mode of transportation.
36

37 LEG. KRUPSKI:

38 Thank you.
39

40 P. O. GREGORY:

41 Okay. All right, thank you Ms. Lois. Mollie Scruggs.
42

43 LEG. FLEMING:

44 She had to leave.
45

46 P. O. GREGORY:

47 She had to leave, Mollie. And then Kenneth Crawford; and then on
48 deck, Tom Weaver.
49

50 MR. CRAWFORD:

51 Hi. How are you? How is everyone doing on this late night? Uber
52 is actually partnered with MADD, Mothers Against Drunk Driving. I
53 was hit by a drunk driver years ago and I'm still suffering from
54 injuries. I dislocated both my shoulders, broke my collarbone, had
55 four lacerations on my head. We were on a residential road, a car
56 came 60 miles per hour and T-boned us; I was a passenger in the

1 car. It shows that Uber decreases the chance of a drunk driving
2 accident happening.

3
4 Also, I wanted to clarify something on the insurance, on some
5 points of the Uber insurance. The State laws are clear on
6 insurance requirements. While an Uber driver is driving an Uber
7 passenger, the vehicle liability insurance required per occurrence
8 is \$1,250,000, that is from the DMV website; *"Uber and other apps*
9 *must provide insurance from the moment the app is turned on and as*
10 *soon as you are on the way to pick someone up and someone is in the*
11 *car"*, that is from the DMV website.

12
13 Between my wife and I, we have four jobs. And to be honest, my
14 American dream is to have a family, have kids and be financially
15 free. Now, I know that financial freedom is a big word, because it
16 hardly ever happens, but Uber is giving me the chance to go beyond
17 that and hopefully make a decent living and have luxuries that I
18 didn't have. People say that we don't pay anything for Uber, but
19 the truth is that we do. Every fare that we do, Uber take out 25%
20 of that, so we basically are paying for the Uber service to be a
21 part of it.

22
23 There's so many things that I can say that I am pro Uber. Taxi
24 companies don't want it because they're in competition with us, but
25 the truth is I don't have a license plate like the cab drivers do,
26 but they do do a background check and if they did ask for drug
27 tests, I would be totally willing to do it, like other jobs do.
28 But that's all I have to say. Thank you for your time.

29
30 P. O. GREGORY:

31 Thank you. Legislator D' Amaro has a question for you.

32
33 LEG. D' AMARO:

34 Hi. Thanks for that clarification on the insurance, because that's
35 something that I am concerned about. I agree with you that that's
36 precisely what the law requires. The problem is that the law can
37 require that, but what's happening is that a driver has insurance
38 and they meet the threshold amounts, the 1.25 number that you threw
39 out?

40
41 MR. CRAWFORD:

42 Yes.

43
44 LEG. D' AMARO:

45 But they're not telling their insurance companies that they're for
46 hire. And what's happening is, my point is that a driver has an
47 obligation to tell their insurance company specifically what
48 they're doing. I mean, anyone can go out and buy an insurance
49 policy, pay a premium and get that coverage level. But if you
50 don't tell the insurance company what you're doing, you're at risk
51 of them disclaiming later on. Now, a lot of policies specifically
52 expressly exclude coverage for commercial purposes. Many of them
53 are also silent, in which case it's easier for the insurance
54 company to disclaim coverage.

55 So my point is that the law can have all the requirements it wants,
56 okay, but if we don't disclose to the insurance companies what

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1 we're doing, we may not have the proper policy even though the
2 dollar amount is the right amount. You understand my point?

3
4 MR. CRAWFORD:
5 Yes.

6
7 LEG. D'AMARO:
8 So do you drive currently for Uber?

9
10:13PM 10 MR. CRAWFORD:
11 I don't, but I have done a lot of research on it before I even
12 applied. It's -- a lot of things that you guys are asking is
13 clarified on the Uber website itself.

14
15 LEG. D'AMARO:
16 Right. Well, also what's clarified is that a lot of -- Uber is not
17 telling you that a lot of insurance companies now are catching up
18 to this new type of business model and they are disclaiming
19 coverage when an accident occurs.

10:13PM 20
21 MR. CRAWFORD:
22 Okay.

23
24 LEG. D'AMARO:
25 All right? So I'm all for Uber and I like the business model and I
26 think we have to move forward with this, but I also don't want the
27 passenger sitting in a vehicle thinking that I'm covered when
28 they're really not.

29
10:13PM 30 MR. CRAWFORD:
31 Yes.

32
33 LEG. D'AMARO:
34 And I think that's something Uber as a company needs to address.

35
36 MR. CRAWFORD:
37 I think they could make it a requirement to let your insurance
38 company know, but I also think that it is a good -- they should let
39 their insurance company know. My insurance company does know and
10:14PM 40 they raised the price a little bit.

41
42 LEG. D'AMARO:
43 Okay.

44
45 MR. CRAWFORD:
46 Not to an exorbitant amount.

47
48 LEG. D'AMARO:
49 That's good.

10:14PM 50
51 MR. CRAWFORD:
52 But it's still affordable and -- I mean, still, I think it would be
53 beneficial for myself to be able to do Uber because my wife and I,
54 we don't get a lot of time. She's a waitress at a diner and she
55 works at night, I work --

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1 LEG. D'AMARO:

2 Well, you see, the fact that your insurance company raised the
3 premium tells me that had you not informed the insurance company,
4 you probably would not have coverage. See, and that's my point.

5
6 MR. CRAWFORD:

7 They didn't raise it to an exorbitant amount, though.

8
9 LEG. D'AMARO:

10:14PM 10 That's great. That's good. I don't want it to be exorbitant.

11
12 MR. CRAWFORD:

13 Yeah.

14
15 LEG. D'AMARO:

16 Nonetheless, you need coverage.

17
18 MR. CRAWFORD:

19 Thank you.

20
21 LEG. D'AMARO:

22 All right, thanks for your help. I appreciate it.

23
24 MR. CRAWFORD:

25 Thank you.

26
27 P. O. GREGORY:

28 Hold on, Legislator Fleming has a question.

29
10:15PM 30 LEG. FLEMING:

31 Just a couple of questions. Hi. Thank you for coming. It's
32 important to hear your opinion.

33
34 MR. CRAWFORD:

35 Thank you.

36
37 LEG. FLEMING:

38 So you've applied to be an Uber driver but you're not?

39
10:15PM 40 MR. CRAWFORD:

41 I did apply and I am approved. I haven't -- it starts in Suffolk
42 County June 29th, and that is when I am able to start.

43
44 LEG. FLEMING:

45 Okay, so that's why you're here. Who asked you to appear today?
46 Who gave you the T shirt?

47
48 MR. CRAWFORD:

10:15PM 49 I mean, Uber did. I -- I have met people who drive Uber in the
50 city. People who are in my situation who are just barely making
51 ends meet, they said that -- they have said that Uber has helped
52 them out so much that they -- Uber has given them things that they
53 would normally not be able to have with other jobs.

54
55 LEG. FLEMING:

56 You mean because of the income they're receiving?

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1
2 MR. CRAWFORD:
3 Yes, yes.

4
5 LEG. FLEMING:
6 Okay. You said that you pay Uber 25%. What do you get back from
7 Uber other than -- what will you get back from Uber other than the
8 technol -- the app itself? Is there any job security? Do you have
9 any workers compensation if you get hurt? Do you do you get any
10 health insurance? Is there any of those things that you get back
11 for that 25%?

10:16PM

12
13 MR. CRAWFORD:
14 They do give you perks. They do offer health insurance for you.
15 I'm not sure about compensation, but there are perks. After you
16 complete a certain amount of trips, you get discounts on car
17 maintenance for your car, you get discounts on gas, I think -- I
18 believe it's 15 cents per gallon at different gas stations. They
19 do give you perks, they do give you bonuses. If you complete this
20 amount of trips by this time, they give you an extra \$500 bonus.
21 They do give you perks. They do offer health insurance depending
22 on how many hours, I believe, you work. They do also --

10:16PM

23
24 LEG. FLEMING:
25 I'm sorry, they offer health insurance in that they -- do you pay
26 for that health insurance?

27
28 MR. CRAWFORD:
29 They give you a health plan. I'm not --

10:17PM

30
31 LEG. FLEMING:
32 But you have to buy it.

33
34 MR. CRAWFORD:
35 I'm not sure about that.

36
37 LEG. FLEMING:
38 I'm pretty sure.

39
40 MR. CRAWFORD:
41 I'm just going to be honest. But you can check on the website
42 because they do offer it.

43
44 LEG. FLEMING:
45 Right.

46
47 MR. CRAWFORD:
48 And they do offer perks like 20% off. I know for a fact they give
49 you 20% off at Firestone if you need an oil change or something or
50 if goes wrong with your car. And also gas, 28 gallons a week
51 you're able to get 15 cents off per gallon.

10:17PM

52
53 LEG. FLEMING:
54 Okay, good to know.

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1 MR. CRAWFORD:
2 I think that's pretty good compared to gas prices when they go up.

3
4 LEG. FLEMING:
5 Sure. And in terms of job security, were you aware -- I just
6 recently heard a report that if you get terminated, it pops up on
7 your app. You don't hear from anybody, you just get a pop up on
8 your cell phone. Did you know that that's how it happens?

9
10:17PM 10 MR. CRAWFORD:
11 I am not sure about that as well. I'm not going to try to --

12
13 LEG. FLEMING:
14 Yeah, and I don't know personally either, I heard the report.
15 But I appreciate your coming. Thank you so much.

16
17 MR. CRAWFORD:
18 Thank you.

19
20 LEG. FLEMING:
21 Thank you, Mr. Presiding Officer.

22
23 P. O. GREGORY:
24 Thank you, Mr. Crawford.

25
26 MR. CRAWFORD:
27 Thank you for your time, guys.

28
29 P. O. GREGORY:
10:18PM 30 Tom Weaver? And then Frank Tooney.

31
32 MR. WEAVER:
33 Good evening, everyone. I just want to start by saying that I am a
34 resident of Isla ndia. Go Al Gorman; Mayor Al Gorman, if nobody
35 remembers. *(Laughter)*. I love that guy.

36
37 I'm going to keep this short. I really -- I guess the thing that I
38 feel might be a sticking point for a lot of you folks is that --
39 with the background check. And I can understand that, I have a
10:18PM 40 16-year old at home and, you know, I would feel a bit hesitant
41 allowing him to, you know, get into a car that, you know, I didn't
42 know the driver. The fact that Uber is doing a background check on
43 their drivers, you know, offers some comfort, you know, to a parent
44 out there. You know, the fact that a license plate and markings on
45 a vehicle, you know, allow somebody to walk up to that vehicle and
46 feel very comfortable about getting in and, you know, knowing that
47 that driver is, you know, vetted, you know, in a certain way.
48 There's a comfort in that as well. However, you know, you've all
49 heard stories about, you know, I buy a medallion and then my cousin
10:19PM 50 is driving for eight hours and his cousin is driving for eight
51 hours. So do you really know that the driver of that vetted car is
52 really the driver who's vetted? You know, that's one of the things
53 that you also have to watch out for, you know, in the real world,
54 so.

55
56 Look, I own my own business for eleven years. You know, things

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1 are, you know, not bad for me, but I find myself a day or two a
2 week having some available time where I could, you know, perhaps
3 earn a few extra dollars to help me put my son through high school,
4 which is ridiculous in and of itself. But be it as it may, you
5 know, we're all looking to scrap and, you know, do the best that we
6 can for our families, and I think that -- I think that Uber is a
7 good thing. I think that -- you know, look, I'm ready to take any
8 vetting, fingerprinting, you know, it doesn't matter. I mean, I
9 know I'm well within, you know, the law and, you know, not to be
10 feared. And I think that most of, you know, the Uber drivers are
11 just regular people looking to make a couple of extra dollars and
12 make a living. So I vote for Uber, if that's what I need to say.
13 *(Laughter)*. If you have any questions, I'd be happy to answer
14 them.

10:21PM

15
16 P. O. GREGORY:
17 Thank you, Mr. Weaver. Okay, Frank Tooney and then --

18
19 MR. TUNNEY:
20 Frank Tunney.

10:21PM

21
22 P. O. GREGORY:
23 I'm sorry?

24
25 MR. TUNNEY:
26 Frank Tunney.

27
28 P. O. GREGORY:
29 Tunney? Oh, I'm sorry.

30
31 MR. TUNNEY:
32 It's okay, no problem. It's late.

33
34 P. O. GREGORY:
35 Then John Siebert.

36
37 MR. TUNNEY:
38 I just wanted to tell you some experiences I've had. Somebody
39 mentioned Lindy's Cab earlier in the evening. I called them six
40 weeks ago and made a reservation to go to the airport, I was going
41 to McArthur for a trip and I asked them to be at the house at six
42 o'clock in the morning --

10:21PM

43
44 *(*Brief distraction in auditorium*)*

45
46 Asked him to be at the house at six in the morning; 6:20 came along
47 and they still weren't there.

48
49 P. O. GREGORY:
50 Just a little excitement to get you going.

51
52 MR. TUNNEY:
53 Yeah.

54
55 P. O. GREGORY:
56 Sorry we interrupted you. Go ahead.

1
2 MR. TUNNEY:

3 That's okay. Six twenty came along and Lindy's Cab still wasn't at
4 my door, so I got on the Uber app. An Uber from Queens came and
5 picked me up in Amityville ten minutes later; so the money is going
6 to Queens from Suffolk County because that's where the driver was
7 from.

8
9 In 2009 I lost my daughter to a drunk driver, she was chased into a
10 tree. And ever since then I would never think about getting behind
11 a car wheel drinking. And I know Uber is all great for my kid, my
12 son who's now 24; he's been using Uber ever since he was 21 and now
13 he lives in Baton Rouge, never goes out driving without Uber if
14 he's drinking. So I think Uber would be a great thing for Suffolk
15 County and I know it would definitely help my income and all the
16 other good drivers around. I've had background checks. I have a
17 TWID card which is a Transit Workers ID card. I do regular drug
18 testing, fingerprinting, all the rest of things that people have
19 been asking and never had an issue. And I did pass the background
20 check with Uber and I plan on starting to drive at the end of the
21 month. Thank you.

22
23 P. O. GREGORY:

24 Thank you, Sir. Okay, John Seibert and then Joanne Hill.

25
26 MR. SEIBERT:

27 Good evening, everybody. I'm here for Vision Long Island. We're
28 very happy that Suffolk County and Nassau County is giving some
29 oversight and some thought to allowing Uber and opting out; it's a
30 very good thing. It's very good that, you know, 1524 and 1542
31 really address severe needs such as Level I sex offenders being
32 able to go in.

33
34 There's obviously some other issues. And it's really good to hear
35 people that are excited about starting with Uber. Just to be
36 clear, we are in favor of ride sharing but not as it is right now,
37 okay. It's good to see that folks would be happy to take drug
38 testing and additional background screenings and fingerprints and
39 things of that sort; unfortunately it's not in the law to do that
40 right now. So as I believe Mr. Russo's name was, it shows in
41 Massachusetts where you had the 8,000 folks that once the State law
42 comes in to make it more restrictive, that they were not allowed to
43 drive. So that's sort of important. Massachusetts also last year,
44 once they started that they had, I believe, 20 cents as a fee that
45 goes towards public transportation; actually, 15 cents of that goes
46 directly to the municipality and not to New York State General
47 Fund. Don't know exactly what is happening with that yet because
48 that just occurred in 2016, but they were the first to do that and
49 Uber was happy to do that. In fact, when we went to Albany with
50 the Long Island Lobby Coalition with about 60 -- I'm sorry, 90
51 members, there was very good feeling that part of that funding
52 would go to the Counties that it originated from. In fact, there's
53 a bill in the State Senate right now from Senator Hannon that
54 appropriates 2% from Nassau to Nassau. Don't know exactly what's
55 going to happen with that. It might not go as quickly as the Level
56 I sex offender one, which should go tomorrow; however, we do need

1 that funding horri bly.

2
3 There's a lot of talk right now about the taxi companies and that
4 they don't want competition. I don't -- I was sitting next to Uber
5 people and taxi people, it was a wonderful conversation between the
6 both of them. And the taxi people are not afraid of competition,
7 they just want it on a fair playing field. And when you have a
8 \$69 billion company that's been around for ten years that don't
9 have -- does not have to pay that percentage of health insurance,
10 social security, medallion rates, things of that sort, you're not
11 on a level playing field when you have scrutini zation from TLC,
12 which is a good thing to make sure people are safe out there.

13
14 *(Timer Sounded)*

15
16 Really hope that County Executive Bellone will reconsider signing
17 this moratorium if it does go through, and I thank you.

18
19 P. O. GREGORY:

20 Thank you, Mr. Seibert. Okay, Joanne Hill; are you still here?
21 Joanne? Okay. And then Robert Cunningham.

22
23 MS. HILL:

24 Hello. Everybody awake?

25
26 LEG. MURATORE:

27 Are you?

28
29 MS. HILL:

30 Way past my bed time. You heard my name. I live in Riverhead in a
31 55 plus community, and I see personally Uber as an opportunity to
32 enhance my income, living on a fixed income of Social Security and
33 a small pension. Nothing gets cheaper in Suffolk County,
34 everything is more expensive all the time. So personally, for me,
35 Uber is a good deal in just getting paid.

36
37 Also, driving with that kind of flexibility and working when I can,
38 which will only be in the daytime hours. My three sons are opposed
39 to my doing this, but I've thought it through and I think driving
40 in the daytime and just being careful about the people who enter
41 the car will be fine. But in preparing for tonight, as a lover of
42 the East End and the North Fork, I was thinking of all the reasons
43 and all the benefits to people with having Uber. So I am
44 personally, and in a public sense, opposed to delaying or opting
45 out for Suffolk County.

46
47 Let me just give you a couple of examples. Working parents can use
48 Uber to shuttle school-age children to and from school activities
49 or summer activities, events and camps. Teenagers without licenses
50 can use Uber to connect with friends, events and places to
51 socialize. Millenials can work full-time, and vets, to support
52 themselves or save money, and college students can work part-time
53 with work hours that fit their college schedules. Everybody I
54 speak to, practically, no matter what age category, says, *Oh, I've*
55 *thought of doing that myself*, you know. And once I start talking
56 to them about the advantages, I'm sure they signed up. Adults can

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1 use Uber when unable to drive or when without their own vehicles
2 with trips for medical care, shopping or visiting friends and
3 relatives. Seniors like myself can work for Uber on a flexible
4 schedule to enhance incomes and to travel locally and across Long
5 Island without dealing with traffic hassles. A lot of my older --

6
7 *(Timer Sounded)*
8

9 -- neighbors don't like to drive anymore because of the traffic,
10 so having Uber around, especially someone in their neighborhood,
11 would --

12
13 P. O. GREGORY:
14 Thank you, Ms. Hill.

15
16 MS. HILL:
17 -- be great.

18
19 P. O. GREGORY:
20 All right. Thank you very much.

21
22 MS. HILL:
23 Questions?

24
25 LEG. MURATORE:
26 Question

27
28 P. O. GREGORY:
29 Legislator Muratore.

30
31 LEG. MURATORE:
32 Yes, Ma'am. I have just two questions for you; well, really one.
33 You said that parents could use Uber to transport their children to
34 and from school?

35
36 MR. HILL:
37 No, I didn't say to school.

38
39 LEG. MURATORE:
40 Well, to events, to transport their children.

41
42 MS. HILL:
43 Well, yeah. And actually, I'm not certain that --

44
45 LEG. MURATORE:
46 Okay, that's fine.

47
48 MS. HILL:
49 -- young children can.

50
51 LEG. MURATORE:
52 The other thing is would you want to put those children with people
53 who haven't been drug tested or fingerprinted; would you trust
54 that?

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1 MS. HILL:
2 Well, my grandchildren ride Uber and they have for a couple of
3 years.

4
5 LEG. MURATORE:
6 So you would; yes or no? Would you trust children with people that
7 haven't been drug tested or fingerprinted?

8
9 MS. HILL:
10 I would have to say yes. I'm not --

11
12 LEG. MURATORE:
13 Okay, that's good. Just trying to get a cross section.

14
15 MS. HILL:
16 -- and I'm safe. I have no accidents, no tickets.

17
18 LEG. MURATORE:
19 Okay, that's fine.

20
21 MS. HILL:
22 No fines and --

23
24 LEG. MURATORE:
25 Fine, great. Thank you.

26
27 MS. HILL:
28 Anything else?

29
30 LEG. FLEMING:
31 I have a question.

32
33 P. O. GREGORY:
34 Legislator Fleming.

35
36 MS. HILL:
37 The other thing is -- can I just PS this?

38
39 LEG. FLEMING:
40 Let me put my question --

41
42 P. O. GREGORY:
43 No, your time's expired. We have a question.

44
45 MS. HILL:
46 Oh, all right.

47
48 LEG. FLEMING:
49 -- and maybe it fits. Can I just ask you why your sons think it's
50 a bad idea for you to drive Uber?

51
52 MS. HILL:
53 Wear and tear on the car and possible safety risks. Remember --

54
55 LEG. FLEMING:
56 Thank you.

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1
2 MS. HILL:

3 Remember, there are harmful people getting in the car as well as
4 drivers.

5
6 *Applause*

7
8 LEG. FLEMING:

9 I appreciate that. Thank you, Mr. Presiding Officer. I appreciate
10 that, Ma'am.

11
12 MS. HILL:

13 Let me --

14
15 P. O. GREGORY:

16 Okay.

17
18 MS. HILL:

19 Final statement.

20
21 P. O. GREGORY:

22 Ma'am, no, your time's expired. It's 10:30, I haven't even touched
23 the agenda yet and I have 30 anxious people waiting to speak from
24 6:30 this afternoon, so we have to cut you off.

25
26 The next speaker is Robert Cunningham. Robert? You're here,
27 Robert? Okay. Laura; where's Laura? Laura Ahearn, are you still
28 here? There you are.

29
10:32PM 30 MS. AHEARN:

31 I'm so happy to hear my name. Good evening. My name is Laura
32 Ahearn, I'm the Executive Director of Parents for Megan's Law and
33 the Crime Victim Center. And we've heard a lot about background
34 checks and I just wanted to clarify that quickly before I give you
35 the status of where we are.

36
37 A background check, just because a company says they're doing a
38 background check doesn't mean they're excluding people if they find
39 results, right? So we have to be really clear about that, because
10:33PM 40 I think what happened in the beginning is there was a lot of media
41 attention surrounding the Uber/Lyft and the TNC legislation and it
42 was media about background checks being done, but that didn't mean
43 they were going to exclude everybody who came up with a background
44 that was unacceptable for policy makers and lawmakers.

45
46 So what we found at first glance was it looked like, in the new TNC
47 legislation it looked like all sex offenders were not going to be
48 able to get a permit to drive, and then we looked a little deeper
49 and we discovered that Level I sex offenders could actually get a
10:33PM 50 permit to drive after seven years. So then the question is, well,
51 Level I sex offenders, shouldn't they be allowed after seven years
52 to drive? Well, the State law is that Level I sex offenders have
53 to register for 20 years. So by virtue of their risk assessment
54 process and a determination made by the court, they have a risk of
55 reoffending, a low-risk of reoffending, but they have a risk of
56 reoffending.

1
2 So at Public Safety very recently, I showed some of our Level 1s
3 right here in Suffolk County. So this is an individual that could
4 be picking up your children or picking up your loved one at a train
5 station in the dark of night. An individual convicted right now is
6 eligible, these are Level 1s that are eligible; Rape 1, Sodomy 1,
7 Rape 1 Forcible against a 31-year old; Rape 1, a sexually violent
8 offender, and I have a pile. Those are offenses against adult
9 females, then we have adult -- Registrants, Level 1 Registrants
10 that are eligible right now to drive for Uber/Lyft, that this guy
11 became eligible on 5/17, he forcibly raped a four-year old. This
12 sodomy, 1st degree against a nine-year old female, then a predicate
13 which means a reoffender, more than one offense, predicate against
14 an 11-year old, and that's a Level 1 offender.

15
16 So clearly there are major issues on a State level with risk
17 assessment, but that's not why we're here. So Legislator Kennedy
18 sponsored legislation to delay the implementation of the TNC, to
19 opt out until the State law is corrected. But we did go to Senator
20 Croci immediately when we found the loophole, he drafted
21 legislation, within days it was out there as a bill; that
22 legislation passed, actually on the Senate floor today, I'm happy
23 to say. And then we waited very patiently to see a same-as bill in
24 the Assembly, and I was notified a little while ago that the
25 Assembly bill now has passed as well, so almost unanimous.

26
27 *(Timer Sounded)*

28
29 LEG. KENNEDY:
30 *(Applause)*.

31
32 MS. AHEARN:
33 So I'm very happy to report we have a Senate and we have an
34 Assembly same-as, and now the urge -- the urgency here is to
35 ensure that the Governor signs it immediately.

36
37 P. O. GREGORY:
38 Thank you. Thank you. All right, anyone have any questions?
39 Legislator Muratore.

40
41 LEG. MURATORE:
42 Over here, Laura. So can you just follow up on those -- the
43 Assembly bill; they're moving along, they've been passed?

44
45 MS. AHEARN:
46 Yes. The Senate bill, sponsored by Senator Croci, and also carried
47 in the Assembly initially by Assemblyman Dean Murray; the Senate
48 bill passed today and then the Assembly bill as well passed today.
49 So they both passed, we have a bill that's exactly the same that
50 will prohibit any registrant. So there's no exclusion for any
51 level offender, no registrants would be able to get a TNC permit.

52
53 LEG. MURATORE:
54 Do you think the Governor is going to sign it?

1 MS. AHEARN:

2 We do feel the Governor is going to sign it and the indication is
3 that the Governor will sign it because there was a request to make
4 a change in terms of the procedure by the Governor's office, but
5 you never really know for sure. So that's why they're going to do
6 lots of advocacy and we're going to do advocacy to encourage the
7 Governor to sign it before June 29th.

8
9 LEG. MURATORE:

10:37PM 10 Great. Now, I know you've been sitting back there a while. Is
11 there anything we might have missed, you know, my colleagues and I
12 as far as questions we should ask these people, the Uber people or
13 the Taxi and Limousine people?

14
15 MS. AHEARN:

16 Well, first there was a criticism against Lindy's Taxi and we've
17 worked very closely with Lindy's Taxi. They are the cab company
18 that works directly with the organization that right in the
19 beginning of time, when there were issues related to sex offenders,
10:37PM 20 put it in positions of trust where they could be transporting
21 minors. Lindy's engaged in a process, a policy they have on their
22 own, to never allow a convicted sex offender to drive any of their
23 vehicles. So that's something that I think had to be clarified on
24 the record.

25
26 There was also -- regarding a percentage back to the County; we
27 feel very strongly that that would benefit crime victims as well,
28 because there are major issues for crime victims with
29 transportation, getting to the agency, getting to medical
10:38PM 30 appointments, getting to certain appointments where they're not
31 reimbursed by the Crime Victims Fund. So any percentage back would
32 be helpful for crime victims for transportation.

33
34 LEG. MURATORE:

35 Thank you.

36
37 P. O. GREGORY:

38 Thank you. All right, Legislator Kennedy.

10:38PM 39
40 LEG. KENNEDY:

41 Thank you, Laura, for everything that you and Parents for Megan's
42 Law do. Thank you for keeping us all attuned to what's happening
43 while we're here and blocked out of what's going on in the real
44 world. And I know that you will keep going and keep pushing that
45 everything goes well.

46
47 I am just quick looking at an article that's up that says that I am
48 an opponent of Uber, and I just want to clarify for everyone,
49 that's not the case. Thanks, Laura.

10:39PM 50
51 MS. AHEARN:

52 That you're an opponent you mean?

53
54 LEG. KENNEDY:

55 That I don't want it, but that's not true.

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1 MS. AHEARN:

2 There was also another point, the County Executive made a
3 commitment to call a Special Meeting of the Legislature --

4
5 LEG. KENNEDY:
6 Correct.

7
8 MS. AHEARN:

9 -- because you did not -- you were not granted a CN, but we were
10 told that the County Executive would call a Special Meeting if the
11 State Law did not pass, and that's something that is reassuring to
12 us. We have you, we have Legislator Fleming, we have all the
13 Legislators here that really care deeply about the issue and the
14 County Executive and the Governor and both Assembly and Senate have
15 taken action. So thank you, all of you.

16
17 P. O. GREGORY:

18 All right. Thank you, Laura. All right Diane Demasco, are you
19 here? Diane, Diane? Okay.

20
21 MS. DEMASCO:

22 Hi. I'm tired. I was really gung-ho before, now I'm reading by my
23 notes. Okay, Uber; Urban Dictionary says the meaning for the word
24 Uber is above or over, and my dictionary on my phone, "*Denoting an*
25 *outstanding or supreme example of a particular kind of person or*
26 *thing.*"

27
28 We're here not because Uber has invaded Long Island like a swarm of
29 bees, we're here because this is what the people want, they want
30 something better. Okay? This Blackberry that I use, they don't
31 sell it anymore because the i-Phone has taken over, because that's
32 the way of the world. Things move forward, we're moving forward.
33 And to make a couple of things clear about the process, I'm not
34 driving because it's not allowed in Suffolk County, but I did apply
35 and I did a background check, proof of insurance, a DMV check, too,
36 they wanted to know how many accidents I've had or speeding
37 tickets. They wanted the VIN number of my car, and the car has to
38 be a certain year or older, I'm not sure what the year is, maybe
39 2008 or older, and even silly things like you have to have all your
40 hubcaps on your car because of the way it has to look. And the
41 remarks people are making about it's double the price of limos and
42 whatnot; people that are calling Uber in the Hamptons, they don't
43 care. They don't care that the taxi is half the price. They're
44 calling because the Blackberry is the i-Phone now, that's why
45 they're calling.

46
47 And then I'll just give you my spiel. So the small fraction of
48 people that are against Uber doesn't compare to the millions of
49 people throughout the U.S. and internationally who want Uber.

50 There's a reason things like Uber, Lyft, Air B&B Home Sharing is
51 growing, it's because people use it. Companies like this blew up
52 to the billion dollars overnight because this is the world moving
53 forward. It's what people want and people are doing it anyway,
54 people are doing it anyway. You can't stop it; you could try, you
55 might be able to today, tonight, tomorrow, next time, but the tide
56 is coming in. They tried to stop Air B&B, people are doing it

1 anyway. The Air B&B, they don't do background checks or anything,
2 people are staying in people's houses or you're having people in
3 your home and there's nothing, there's no background checks on
4 those.

5
6 Uber is international, so how can a little County of Suffolk County
7 even hold a candle to this kind of demand and this kind of
8 evolution? So why can't we just all work together? Working
9 together is what it's about. If the County has to regulate it,
10 take a surcharge, make rules, that's your job, go ahead; do that,
11 that's your job. But I ask you not to opt-out, because I guarantee
12 this issue is going to come up next year and the year after and the
13 year after until they win.

10:43PM

14
15 *(Timer Sounded)*

16
17 P. O. GREGORY:
18 Thank you, Ms. Demasco.

19
20 MS. DEMASCO:
21 Thank you.

22
23 P. O. GREGORY:
24 And put that thing in the museum somewhere, all right? *(Laughter)*.
25 Legislator Cilmi has a question for you.

26
27 LEG. CILMI:
28 Really just -- hi.

29
30 MS. DEMASCO:
31 I'm tired.

32
33 LEG. CILMI:
34 The problem here is that we can't make regulations like that; we're
35 prohibited from doing so.

36
37 MS. DEMASCO:
38 For now.

39
40 LEG. CILMI:
41 Well, for now. We're subservant to really the State's regulation
42 here and regulatory authority. So until the State allows us to
43 have some regulatory authority which is, frankly, unlikely, we
44 don't have those sort of checks and balances in place. I just
45 wanted to make that clear for you.

46
47 MS. DEMASCO:
48 I mean, as far as two things like that, insurance companies, I
49 think eventually everyone is going to have to jump on board, even
50 insurance companies.

10:43PM

10:44PM

51
52 LEG. CILMI:
53 Look, if insurance companies see a market for -- you know, for
54 drivers and they see an opportunity to make some money, naturally
55 insurance companies are going to try and take advantage of that
56 opportunity; that stands to reason. So in the long run, this may

1 all level out. And personally speaking, I have no questions about
2 Uber's business model whatsoever, you know. More power to the
3 business for finding a creative way to do business, I think it's
4 awesome. But as a business person myself, somebody who owned a
5 small business for 15 years, I want to make sure there's regulatory
6 parody because I want to make sure that government is not creating
7 an unfair playing field for one or the other. If we were -- if
8 government was forcing taxi cab drivers to get fingerprinted and
9 charging them a thousand dollars a piece for their ability to drive
10 a taxicab and we said to Uber drivers, *You know what? In addition*
11 *to the fingerprinting, we need you to go through a 15-hour course*
12 *and we're going to charge you \$1500 a piece to do it, you'd say,*
13 *Well, that's not fair? Why do the taxicab drivers pay less and*
14 *have less regulation?* And that's exactly what we see is happening
15 here.

16
17 So I think many of us share the feeling that we think Uber is
18 great. I've used Uber myself, the technology's wonderful, but we
19 cannot hold this set of companies to a set of standards under the
20 guise of it's right for consumer protection, but then not hold this
21 set of companies, you know, to the same standard, and ignore, you
22 know, the consumer protection that we were supposedly getting from
23 this set of companies. You know what I mean?

24
25 MS. DEMASCO:
26 Uh-huh.

27
28 LEG. CILMI:
29 So, thank you for listening.

30
31 MS. DEMASCO:
32 Thank you.

33
34 P. O. GREGORY:
35 Thank you. And Mr. Paul Pressman was here; he had to leave, but
36 there is -- he does have copies of his statement that he would like
37 to release and we'll pass it out to the members.

38
39 So that is all the cards that I have on IR 1524, you're allowed to
40 clap if you want.

41
42 *Applause & Cheers From Audience*

43
44 Is there anyone else that would like to speak that hasn't spoken?
45 I highly doubt it, but you never know. No, you spoke -- if you
46 haven't spoken already. No, you didn't speak. What's your name?

47
48 MR. GANDALFO:
49 Charles Gandalfo.

50
51 P. O. GREGORY:
52 No, you didn't speak. Please state your name for the record.

53
54 MR. GANDALFO:
55 I actually filled a card out for 1542 and also 1524, so you can
56 scratch me for later. I thank the Legislators for the opportunity.

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1 I'm Charlie Gandal fo from Dynasty Limousines, also Director from
2 Nassau-Suffolk Limousine Association. I'm going to cut to the
3 chase, instead of going over and over things we spoke about
4 already. Our biggest thing is we're not against Uber. Uber is a
5 great thing, it's a great technology, no doubt about it, but the
6 insurance is a big problem. I called five insurance companies
7 today, they are not even considering Uber. So whoever is an Uber
8 driver, they've got to call their insurance companies because they
9 will not be covered because they're not commercial insurance.

10:47PM 10

11 All our vehicles, limos, town cars, I guess taxi cabs also, we pay
12 between 4500 and seven, 8,000 per car, per year. Suffolk County,
13 with the Commission, Suffolk County Commission, we pay 300 per car
14 for the first year, 250 every year thereafter. We also have to pay
15 250 a car in Nassau County just to operate. Just for one quick
16 thing, we actually hired a -- we did a test yesterday with Uber
17 which they're operating illegally right now which they have been
18 for two or three years. For a quick ride it was an \$8 ride less
19 than one mile, and here's my point. He went through Uber, paid the
20 driver the \$8, gets out of the car and tells the Uber driver, *Hey,*
21 *wait ten minutes, I need that ride back. I'll give you the money*
22 *instead,* so of course the guy takes it. Here's the problem;
23 there's no insurance on that vehicle on the way back because it did
24 not go through the app. It's very important, they have to have
25 insurance every day, 24-hours a day, not when they just hit the
26 app. There's going to be a lot of people just picking up people,
27 like in the Hamptons they're sitting on the side of the road;
28 they're going to get flagged down. Trust me, that money is going,
29 the cash is going to go in their pocket, they're not going to be
30 going through the app. We're only fooling ourselves if not.

10:48PM 20

10:49PM 30

31
32 These drivers have to be drug tested. I mean, we're in the real
33 world now. We came a long way, we got the Commission in Suffolk
34 County finally, they have it in Nassau. You cannot permit drivers
35 to drive without being drug tested or fingerprinted. It's like
36 we've got new technology on one side and we're going backwards on
37 the other. The 4% tax rate should be the regular eight and three
38 quarters percent that everyone else pays, and then the County can
39 get their portion with no problem.

10:49PM 40

41 We did have one of our limo guys that owns his own car, one-car
42 driver, applies to Uber and they refused him because he's
43 qualified; he has a TLC license, TLC plates, he says no, you have
44 to be a private car.

45
46 *(Timer Sounded)*

47
48 So they have a guy that's perfectly legal to drive and they won't
49 hire him.

10:50PM 50

51 P. O. GREGORY:
52 Okay, Mr. Gandal fo.

53
54 MR. GANDALFO:
55 Thank you. Have a great evening.

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1 P. O. GREGORY:
2 All right, thank you.

3
4 MR. GANDALFO:
5 Any questions?

6
7 LEG. TROTТА:
8 Question.

9
10 P. O. GREGORY:
11 Oh, Legislator Trotta has a question for you.

12
13 LEG. TROTТА:
14 In the city it's different, they have to pay fees, have to pay
15 taxes.

16
17 MR. GANDALFO:
18 Yes, the same way.

19
10:50PM 20 LEG. TROTТА:
21 And that's all you're asking for here.

22
23 MR. GANDALFO:
24 We want a level playing field. But besides that, I think
25 personally, these drivers have to be vetted totally.

26
27 LEG. TROTТА:
28 Which they would be vetted if there was a level playing field.

29
10:50PM 30 MR. GANDALFO:
31 Absolutely.

32
33 LEG. TROTТА:
34 Okay, thank you.

35
36 P. O. GREGORY:
37 Legislator D' Amaro has a question for you as well.

38
10:50PM 39 LEG. D' AMARO:
40 Sir? Yeah, you dropped your paper there. Just to go back to the
41 insurance requirement?

42
43 MR. GANDALFO:
44 Uh-huh.

45
46 LEG. D' AMARO:
47 So it's the Uber is required to maintain that insurance by State
48 law, but what you're saying is that if any passenger is given a
49 ride outside of the app --

50
51 MR. GANDALFO:
52 Correct.

53
54 LEG. D' AMARO:
55 -- there's no coverage from the company itself.

56

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1 MR. GANDALFO:
2 Correct, because Uber's off the hook.

3
4 LEG. D'AMARO:
5 Right.

6
7 MR. GANDALFO:
8 But let's go back to Uber now; Uber does supposedly give you the
9 million or million two insurance.

10:51PM 10
11 LEG. D'AMARO:
12 Right.

13
14 MR. GANDALFO:
15 What happens when it exceeds the limits of liability? You have
16 two, three people, could be a three, \$4 million lawsuit.

17
18 LEG. D'AMARO:
19 Right.

20
21 MR. GANDALFO:
22 The driver is lucky if he has --

23
24 LEG. D'AMARO:
25 Right. Of course, if a pick-up is made outside of the app, then
26 it's really -- it's not through Uber, so to speak.

27
28 MR. GANDALFO:
29 Right, but the driver, the customer --

10:51PM 30
31 LEG. D'AMARO:
32 Right, but I think consumers also need to be educated that --

33
34 MR. GANDALFO:
35 Absolutely.

36
37 LEG. D'AMARO:
38 -- you know, if you take that risk --

39
40 MR. GANDALFO:
41 That's what I think the problem is.

42
43 LEG. D'AMARO:
44 -- you can't fault Uber at that point. If I'm a passenger and --

45
46 MR. GANDALFO:
47 Well, I'm not faulting Uber.

48
49 LEG. D'AMARO:
10:51PM 50 No, I know, I'm just having a discussion. If, you know, I decide,
51 Look, *just wait for me ten minutes and I'll give you the money,*
52 I like you had said with your example.

53
54 MR. GANDALFO:
55 Uh-huh.

56

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1 LEG. D'AMARO:
2 You know, the consumer is taking that risk themselves.

3
4 MR. GANDALFO:
5 Yeah, I think the consumer has to be educated and also Uber
6 drivers. We heard some people testify tonight, they don't really
7 understand what commercial insurance is, and they think they're
8 covered but they're not, so.

9
10:52PM 10 LEG. D'AMARO:
11 Right. So there is a concern there, at least that --

12
13 MR. GANDALFO:
14 There's major concern.

15
16 LEG. D'AMARO:
17 -- as this new technology takes a foothold, people need to
18 understand there's a proper way to use this and an improper way to
19 use this coverage.

10:52PM 20
21 MR. GANDALFO:
22 Absolutely.

23
24 LEG. D'AMARO:
25 Okay. Thanks for clarifying.

26
27 P. O. GREGORY:
28 All right, thank you. Is there anyone else that has not spoken
29 that would like to speak? Okay. All right, so Legislator Fleming?

10:52PM 30
31 LEG. FLEMING:
32 Motion to close.

33
34 P. O. GREGORY:
35 Motion to close IR 1524.

36
37 LEG. BROWNING:
38 Second.

10:52PM 39
40 P. O. GREGORY:
41 Second by Legislator Browning. All in favor? Opposed?
42 Abstentions?

43
44 MR. RICHBERG:
45 Sixteen.

46
47 P. O. GREGORY:
48 Remember, Legislator Lindsay is recused. (*Brief pause*). You got
49 him as recused, Lindsay?

10:52PM 50
51 MR. RICHBERG:
52 Yes.

53
54 P. O. GREGORY:
55 Okay. All right, I would like to make a motion --

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1 MR. RICHBERG:

2 *Fifteen*, sorry, it's fifteen (*Recused: Legislator Lindsay - Not*
3 *Present: D. P. O. Calarco - Absent: Legislator Martinez.*

4
5 P. O. GREGORY:

6 So that's all of our Public Hearings.

7
8 I would like to make a motion setting the date for the following
9 Public Hearings; July 25th, 2017, 2:30 p.m., Rose Caracappa
10 Auditorium, Hauppauge, New York: IR 1529, as well as IR 1542.
11 Do I have a second?

12
13 LEG. CILMI:

14 Second.

15
16 P. O. GREGORY:

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

18
19 MR. RICHBERG:

20 *Fifteen (Not Present: Legislator Stern & D. P. O. Calarco - Absent:*
21 *Legislator Martinez).*

22
23 P. O. GREGORY:

24 Okay, folks. Back to the Public Portion (Cont'd): The people that
25 did not get an opportunity to speak that did fill out cards, if you
26 still are here and would like to speak. We left off with Peter
27 Giaffino?

28
29 MR. GIATTINO:

30 Giattino.

31
32 P. O. GREGORY:

33 Giattino? Okay.

34
35 *Applause*

36
37 MR. GIATTINO:

38 There's a little bit of Irish in there also, just so you guys know.
39 My name's Peter Giattino. Obviously I'm a member of the Suffolk
40 County District Attorney's Office, and I say that with great honor
41 and privilege to work for our County. I'm a resident in Smithtown,
42 I spoke to Ms. Kennedy today. I'm 35 years old and I'm one of four
43 boys; I'm the first person to go to college in my family.

44
45 And I wasn't intending on speaking today, but I felt that I had to
46 so I signed up for a card and I've been waiting, and I realize the
47 tireless work that all of you people do and so I applaud you for
48 that, because I know that you have a very, very tough decision
49 ahead of you. And I'm here to try and pull at your last bit of
50 heart strings because I want to tell you about how it effects me as
51 a person. Okay? So I'm going to ask you listen with your whole
52 heart.

53
54 Now, the reason I'm standing here is because of family. Now, my
55 father died in August of 2016 last year, and before he passed away
56 he fought a three-year battle where his hands were amputated, his

1 feet were amputated, and I asked, *"Why you are still fighting? And*
2 *he told me that, "I made a promise to my boys and my wife that I*
3 *would be there for you and I would back you and be present until I*
4 *was physically taken out of this world."* Now, a week ago, while my
5 mother was fighting her own health situations, I walked her out of
6 hospital, which I didn't know that I was going to be able to do.
7 And on that day I had to talk to her about the situation that I was
8 in finding out that this bill that was passed less than two years
9 ago is being considered to be removed, and the reason it effects
10 her is because when my father passed away, 35 years old and single,
11 I moved home because I made a promise to him that I would be there
12 for my family. So I moved home, I pulled money out of my 401K to
13 bury my father. When the boiler went over the winter and we had no
14 hot water in my house, I pulled money again, an emergency loan out
15 of my 401K, to put a boiler in my home because I'll be there for my
16 family every step of the way.

10:55PM

17
18 What I'm asking you is to consider the impact that this is going to
19 have in this short period of time. A week ago I'm walking my
20 mother out of a hospital telling her that I'll be there, we're
21 going to keep this house over our heads and I'm going to be there
22 for you to do that. Now you're telling me that I'm not going to
23 have the financial ability in the future to possibly bear that
24 burden that I promised.

10:56PM

25
26 Now, when you look at this bill, it's targeted at 300 people.
27 You're asking the minority to carry the majority of Suffolk
28 County's issues on their back. Now, I know it's a tough decision,
29 but this just isn't the right answer. So I'm asking you not to
30 discriminate against these 300 employees of Suffolk County and go
31 back to the citizens of Suffolk County and say to them, *We haven't*
32 *found a solution yet but we will, but we're not going to ask these*
33 *people to do more with less.*

10:56PM

34
35 *(Timer Sounded)*

36
37 Don't ask us to make this sacrifice. But thank you again for your
38 time, and I truly appreciate the work you're doing because it's
39 commendable and we applaud you for it. So thank you.

40
41 P. O. GREGORY:
42 Thank you.

43
44 *Applause & Standing Ovation From DA's in the Audience*

45
46 All right. Okay, Pat Russo; are you still here? Okay.
47 Patricia --

48
49 LEG. FLEMING:
50 He spoke already.

51
52 P. O. GREGORY:
53 Well, this is the Public Portion, so you filled out two cards.
54 Patricia Gatling, she had another card, okay. Blessinger, I don't
55 see you there; Lawrence Blessinger? Michael Savicis; is that
56 right? S-A-V-I-C-I-S?

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1
2 MS. SAVICIS:
3 It's Michele.

4
5 P. O. GREGORY:
6 Michele? Oooh, looks like -- okay. And Stacy Golik, you're on
7 deck.

8
9 MS. SAVICIS:

10:57PM 10 Good evening. I was actually going to say good afternoon, but I've
11 been here a long time. My name is Michele Savicis, I'm here as a
12 resident for Rocky Point. I'm here to talk about how a lot of us
13 residents in Rocky Point were not really properly informed about
14 the Rails-to-Trails. This is a trail that's going to be put
15 basically right in my backyard, and I have a lot of concerns,
16 safety concerns and privacy concerns that I'd like to discuss this
17 evening.

18
19 My husband and I spoke to 50 residents in Rocky Point who live
10:58PM 20 right on the trail line, all of us are against this trail. We feel
21 that we really haven't been properly informed about the meetings
22 that have been held with this meeting -- about the trails, and also
23 a lot of us have a lot of things that we would like to share as far
24 as our concerns. So one of my concerns, other than my privacy that
25 this will be placed in my backyard, is that how is this trail going
26 to meet the actual roads, Hallock Landing Road in Rocky Point being
27 one? There's many accidents that have happened on this road and we
28 want to know basically what's going to be done in order to prevent
29 accidents and people getting hit and killed.

10:59PM 30
31 Also, we have Rocket Ship Park which is right near my house as well
32 which is directly across from this trail. I have taken my son
33 there and have seen paraphernalia, drug paraphernalia. Obviously
34 illegal drug activity has been taking place at the park, which
35 Police have actually been monitoring. I've seen cop cars there.

36
37 MS. SAVICIS: *(Cont'd)*

38 If this trail goes through, what is going to stop these people from
39 going across into the trail which is behind my house and doing
40 illegal activities? I want to know who's going to be monitoring
41 this trail, and there are a lot of other questions that myself and
42 residents of Rocky Point also would like to ask and speak about.

43
44 So today I'm here, and I've been here since four, and I'm asking,
45 Legislator Anker, please give us a chance to speak with you about
46 this situation and these trails. Because I think there's a lot of
47 concerns that people have not been able to share, and I think that
48 it is our right and for our privacy in the community that we should
49 all be able to share our concerns. Some people that I know have
11:00PM 50 been at these meetings and they have gotten cut off with some of
51 their concerns as to what they wanted to say and they were not able
52 to talk. So, you know, I'm here today, you know, for myself,
53 because it is going to be placed in my backyard, and for a lot of
54 other residents in Rocky Point that have concerns that we would
55 like to speak of as well. So we would like to possibly get a
56 meeting where the residents of Rocky Point can actually speak to

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1 you and share our concerns, because there are many that I can't
2 even start to go over this evening before the final phase is
3 actually put into action.

4
5 LEG. ANKER:

6 I just wanted to mention also, I'll take personal privilege, that
7 there have been two public hearings that 550 residents had been
8 mailed to to announce the -- you know, again, I just wanted to give
9 you information as far as the public hearings and also the civic
10 meeting. There will be additional meetings, so there is still time
11 for input, and my office will take your e-mail any time throughout
12 that process. So I thank you for coming here for your input.

13
14 MS. SAVICIS:

15 I do have 50 people who never got any of those letters. And I know
16 my sister did get one and she is a part of one of the associations
17 and I think that's the only reason why she had received it. And I
18 think that all the people that live on the line that are going to
19 be, you know, basically affected by this because it is in our
20 backyard, I think all of us should really have gotten those
21 letters.

22
23 P. O. GREGORY:

24 Thank you. Thank you.

25
26 MS. SAVICIS:

27 Thank you so much for hearing my concerns.

28
29 P. O. GREGORY:

30 All right. Thank you for staying so long. Ms. Golik, and then
31 Bill Pearson; are you here, Bill? Okay, you're next.

32
33 MS. GOLIK:

34 Hi, my name is Stacey Golik and I am also here about the Rails For
35 Trails in Rocky Point. As far as the 550 residents that got
36 notified in Rocky Point, just an FYI; there's over 5,000 residents
37 in Rocky Point. I think that if you were going to inform, you
38 should inform everyone, not just a specific targeted group,
39 especially a group that's not actually on the line of where this
40 trail is going to be.

41
42 My concern is more with Ms. Anker as far as she stated in an
43 article in Newsday on April, 2017, that she looks forward to
44 continuing to work with the residents who have any questions or
45 concerns. I personally feel that this has fallen on deaf ears.
46 Residents have voiced their concerns and asked for there to be a
47 private meeting and received only a form e-mail. Everybody's
48 received the same e-mail stating that it would be discussed when
49 the DOT went to the final phase. Final means final, so as far as
50 I'm concerned, residents should be able to speak prior to a final
51 phase.

52
53 Now, I have a lot of concerns. I'd like know when the critical
54 impact study was done. I'd like to know where the drainage is
55 going to be, where the runoff's going to be, how it's going to
56 affect the fire department, because one of the entrance ways is at

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1 the Fire Department. There's a lot of calls that come in and out
2 of that area. Who's going to stop the people from parking in the
3 Fire Department parking lot? Who's going to police the trails?
4 They say it's going to be volunteers, that's not efficient enough
5 for me. You're going to be in my backyard, literally in my
6 backyard. We are one of the narrowest areas in Rocky Point where
7 there's no financial monies to be used as buffers. This was a
8 Federally funded program which was made for a commuter bypass; so
9 if it's going to be a commuter bypass, that would mean that there's
10 not going to be any recreational, right? No families riding bikes,
11 that kind of thing, no biker groups trotting with 40 of them in a
12 pack? Because a commuter bypass would mean that some blue collar
13 worker's going to throw a backpack on with his tools and ride to
14 Port Jeff Train Station and hop on the train to get to Manhattan;
15 that's what I would get from commuter bypass.

16
17 So now the funding, from what I'm understanding but not being
18 informed, and also living on the trail and not receiving that form
19 letter is very disheartening. The fact that there has been
20 residents that have gone to your office to ask for some insight, a
21 meeting and received the same exact e-mail, which was presented
22 earlier this morning, this afternoon with the other woman who had
23 spoken; both e-mails are in there, they are identical. So I think
24 we deserve a little more personalization. I think we deserve a
25 little bit of concern about our issues.

26
27 P. O. GREGORY:
28 Thank you, Ms. Golik.

29
30 MS. GOLIK:
31 Thank you.

32
33 P. O. GREGORY:
34 Okay, thank you. Mr. Pearson, and then Nana Weber; are you here?
35 Weber, excuse me.

36
37 MR. PEARSON:
38 Good evening. What brought me here tonight was basically what was
39 discussed all night by the attorneys of the County, basically the
40 bond rating. That wasn't mentioned, really. The bond rating
41 dropped which caused most of this problem, and basically the County
42 figured they'd fix the problem or Band Aid the problem by doing
43 what they said they were going to do with the attorneys there.
44 They said that they were going to require 221 appointed aides
45 making more than \$75,000 a year to accept a one-year freeze and the
46 step pay increases based on years of -- on the job. Mr. Gregory
47 said that the challenges and needs, you know, there are some
48 challenges and there should take some needs to take a deep dive in
49 reviewing the expenses. Well, I have been saying it all along, cut
50 the fat. Why are you cutting people's pay, you know? Why ain't
51 you guys taking a hit, right? You guys should cut your cost of
52 living increases, right? Every year you get one regarding up to
53 4%, regarding how much you make, or what the cost of living goes
54 up.

55
56 I believe that is one of the ways to save money. And we basically

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1 spent the whole night discussing that without mentioning anything
2 about the bond rating. Well, I'm mentioning it. That's terrible.
3 That's the start of the fall of the County.

4
5 Now, this here was in Newsday, people leaving Suffolk; that's one
6 of the reasons why, because we're too expensive to live in. Taxes
7 are crazy. We can't cut the fat. We keep adding jobs, Bellone
8 does that, he's added jobs; those people that he added jobs, they
9 give them offices, cars, secretaries, everything else. But again,
10 they decide that they're going to save -- try to save the County by
11 cutting their pay. That's not right. All right? I believe
12 everybody should get paid what they deserve and you guys should
13 turn around and look and see what you guys deserve. You're
14 part-time employees, you are, you can work other jobs, right? I
15 don't think these people are part-time employees, right? No
16 they're -- from what I heard, they're working almost 24-hours a
17 day.

18
19 Well, I guess you guys should turn around and look at your -- look
20 a little deeper into how much you guys aren't doing for the County
21 by cutting the fat and looking at the expenses of the County. You
22 guys just keep looking at ways to fund the people. All right,
23 thank you.

24
25 *(*Applause*)*

26
27 P. O. GREGORY:

28 Thank you, Mr. Pearson. Nana Weiber. Ms. Weiber? Okay, Mr.
29 Gandolfo. Okay, I know you spoke before. Doug Schwartz? Douglas
30 Schwartz? Okay. Chris Cuddihy? Okay.

31
32 MR. CUDDIHY:

33 Good evening. I'm here on behalf of AME and the President Dan
34 Levler to speak on Resolution 1368, establishing a salary savings
35 program for the exempt employees. President Levler realizes that
36 though Unit 21 is an exempt unit and is not part of the AME union
37 family, they are, however, County employees and coworkers. AME
38 fully understands the cost savings that must be found in the coming
39 months, and understands the County's need to show best efforts to
40 realize these cost savings. Pardon me. To that end, AME believes
41 that the efforts must be made to consider those that provide our
42 most essential services to the taxpayer. We know just how hard all
43 our County employees work and that the dedication of our exempt
44 employees, who so often work long hours and sacrifice so much of
45 their personal lives with little recognition of their efforts, and
46 all this with no representation or protection from a union.

47
48 We have to remember that the average income for a Suffolk resident
49 apparently reported is \$56,000. The average income for an AME
50 resident is forty-six eight. We recognize the fact that in order
51 to retain the best and the brightest workforce, we must be prepared
52 to be competitive with our salaries and our compensation or we are
53 doomed to suffer the consequences. AME understands the intent of
54 this bill as it is written and feels that if it is your final
55 assessment and decision to pass the bill, 1368, we respectfully
56 request that the threshold of 75,000 be adhered to, because as

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1 we've been informed by many sources on Long Island, that the
2 minimum wage necessary to live here is \$75,000. Thank you very
3 much.

4
5 P. O. GREGORY:

6 All right, thank you. I don't have any other cards, but I was just
7 informed by Legislator Spencer that it's Nancy Weber, that she was
8 here earlier. She did leave a statement, we're going to circulate
9 it to the Legislators. But I don't have any other cards. Is there
10 anyone else that would like to speak?

11:11PM

11
12 MR. STRAUSS:

13 Yes.

14
15 P. O. GREGORY:

16 All right, Al. You can only speak if you can get up, Al.

17
18 MR. STRAUSS:

19 Yeah, I know.

20
21 P. O. GREGORY:

22 I know you've been sitting there a long time.

23
24 MR. STRAUSS:

25 It's a bitch getting old, I'll tell ya. I don't normally get up
26 just to blow some smoke, but who the heck made this garbage thing
27 to take a salary away that you promised people? How can you do
28 that? I could understand saying let's everybody take a cut in
29 salary. How do you pick one section and tell them, *Oh, you know*
30 *that thing I gave you two years ago, forget it, I was just kidding.*
31 You know, it's just not right. I mean, I could understand, you
32 know, you want to raise taxes, which nobody in this horseshoe would
33 ever raise their hand to do that, and I could understand why
34 because you'd be sitting where I am, and you don't get paid over
35 there, and I understand that. It's hard, it's very hard. You
36 can't cut anything more. People have to realize that eventually
37 somebody's going to have to raise taxes. This is not the way to do
38 it, to cut somebody that you told them you're going to give them
39 this two years ago and now it's, *Ah, I was only kidding. I was*
40 *just -- you know, we've got to pay for the gas station down the*
41 *road here.* It doesn't make any sense. And like I said, I don't
42 want to bore you, it's late at night, but that's my two cents. And
43 really, you've got to think about this. You've got to vote this
44 thing down, and Mr. Bellone will have to go find some other place.
45 Thank you very much and have a good night.

11:12PM

11:13PM

46
47 *(*Applause & Standing Ovation from ADA's in the Audience*)*

48
49 P. O. GREGORY:

50 Thank you, Al. Okay. Anyone else that has not spoken? I make a
51 motion to close the Public Portion.

11:13PM

52
53 LEG. MURATORE:

54 Second.

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1 P. O. GREGORY:
2 Second by Legislator Muratore. All in favor? Opposed?
3 Abstentions?

4
5 MR. RICHBERG:
6 *Seventeen (Absent: Legislator Martinez).*

7
8 P. O. GREGORY:
9 I make a motion to approve the Consent Calendar.

11:14PM 10
11 LEG. FLEMING:
12 Second.

13
14 LEG. BARRAGA:
15 Second.

16
17 P. O. GREGORY:
18 Who was that?

19
11:14PM 20 LEG. MURATORE:
21 *(Raised hand).*

22
23 P. O. GREGORY:
24 Second by Legislator Muratore. All in favor? Opposed?
25 Abstentions?

26
27 MR. RICHBERG:
28 *Seventeen (Absent: Legislator Martinez).*

29
11:14PM 30 P. O. GREGORY:
31 Oh, in the manila folder we're going to do the Community College
32
33 *I. R. 1568-17 - Adopting 2017-2018 Operating Budget total and County*
34 *contribution for Suffolk County Community College (Martinez). I*
35 *make a motion to approve.*

36
37 LEG. HAHN:
38 Second.

39
11:14PM 40 LEG. MURATORE:
41 Second.

42
43 P. O. GREGORY:
44 Second by -- who was that?

45
46 LEG. HAHN:
47 *(Raised hand).*

48
11:14PM 49 P. O. GREGORY:
50 Legislator Hahn. All in favor? Anyone on the motion?

51
52 LEG. D'AMARO:
53 No, just what are the numbers this year?

54
55 P. O. GREGORY:
56 The recommendation, the committee, Legislator Martinez convened a

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1 committee meeting with the Education Committee and they went along
2 with the 1.5% increase, which was the Executive's recommendation.

3
4 LEG. D'AMARO:
5 So can I discuss that briefly with the Budget Review Office?

6
7 P. O. GREGORY:
8 Sure.

9
10 LEG. D'AMARO:
11 Yeah. Rob, do you have the numbers, what the impacts are?

12
13 MR. LIPP:
14 Right, he's correct, the Presiding Officer is correct; it's an
15 increase of 1.5% which amounted to \$626,820.

16
17 LEG. D'AMARO:
18 That's the County increase in dollars?

19
20 MR. LIPP:
21 Yes, correct.

22
23 LEG. D'AMARO:
24 Okay. And how does that skew with the tuition and the State
25 contribution?

26
27 MR. LIPP:
28 It was a \$100 increase in tuition and \$50 in State Aid; per FTE
29 that is, the State Aid.

30
31 LEG. D'AMARO:
32 Right. So what is the -- do you have the overall breakdown, the
33 percentage of what each component is percentage-wise?

34
35 MR. LIPP:
36 Sure; you're talking about the County share, right? I believe --
37 hold on, we're calling up the memo we have. (*Brief pause*). So the
38 County share is -- right, yeah, it is 20%, actually, if I remember,
39 last time that I looked at it. Sorry, I just X'd out of the file.
40 So it's 20% for the County share and --

41
42 LEG. D'AMARO:
43 Well, it's not 40/40, right?

44
45 MR. LIPP:
46 Definitely not.

47
48 LEG. D'AMARO:
49 Yeah. Is there anyone here from the College that maybe has those
50 figures? Ben? Through the Chair, if I may.

51
52 MR. ZWIRN:
53 I'm looking for them in the BRO report as well. They do have them
54 in here. I think it's about 26%.

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1 LEG. BARRAGA:
2 Twenty-six.
3
4 LEG. D'AMARO:
5 Twenty-six for?
6
7 LEG. BARRAGA:
8 State.
9
11:17PM 10 LEG. D'AMARO:
11 State?
12
13 MR. ZWIRN:
14 About 25%.
15
16 MR. LIPP:
17 That would be about fifty --
18
19 MR. ZWIRN:
20 The State is about --
21
22 MR. LIPP:
23 Fifty-four percent.
24
25 MR. ZWIRN:
26 The State is about 26, and then about 49% is the student tuition.
27
28 LEG. D'AMARO:
29 Forty-nine?
11:18PM 30
31 MR. ZWIRN:
32 Yes.
33
34 LEG. D'AMARO:
35 So that only represents a \$100 -- not only, but it's a \$100
36 increase for a full-time student?
37
38 MR. ZWIRN:
39 Yes, \$50 a semester.
11:18PM 40
41 LEG. D'AMARO:
42 Per semester?
43
44 MR. ZWIRN:
45 Yes.
46
47 LEG. D'AMARO:
48 So it's 100 for the year? And has the -- I'm just not familiar
49 with this. The College budget compared to last year; maybe, Gail,
11:18PM 50 if you know. Has the expenditure side stayed constant or have you
51 seen an increase in expenditures in your budget?
52
53 MS. VIZZINI:
54 The expenditure increase was .42 of 1%.
55
56

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1 LEG. D' AMARO:
2 That's pretty good.

3
4 MS. VIZZINI:
5 Before we brought the budget to the Trustees, we made some
6 considerable cost reductions in the salary lines and the
7 corresponding benefit lines by holding vacancies vacant for longer
8 periods of time. We also have incurred considerable savings
9 through our energy conservation program; we've saved over a million
10 dollars over the past two years. And we basically held the line on
11 expenditures as far as practicable --

12
13 LEG. D' AMARO:
14 That's good.

15
16 MS. VIZZINI:
17 All with opening up the Learning Resource Center at the Grant
18 Campus.

19
20 LEG. D' AMARO:
21 And did the College have to rely on reserves at all in this budget?

22
23 MS. VIZZINI:
24 There is a substantial amount of money that will offset the
25 Operating Budget. So as not to put the burden on the students, the
26 authorization right now is 6.3 million from reserves, and we will
27 have the Board adjust and probably take a little bit more to fill
28 in the revenue shortfall, the 418,000.

29
30 LEG. D' AMARO:
31 Dr. Lipp, what's the total -- total dollar amount of the County's
32 contribution; what does that 20% represent, roughly? Or Gail, if
33 you have it?

34
35 MR. LIPP:
36 It's about \$42 million, of which 38 is -- a little over 38 is
37 attributed to the expenditure in the County's General Fund budget
38 and the other 4.4 million is part of the property tax for the
39 college. So the County contribution is split between a small
40 amount that's property tax and the remainder, an expenditure in the
41 County's General Fund budget, for next year.

42
43 LEG. D' AMARO:
44 All right, good. Okay, thanks for answering my questions,
45 appreciate it.

46
47 P. O. GREGORY:
48 Okay. Legislator Trotta.

49
50 LEG. TROTТА:
51 The Governor's new proposal to pay for everyone's college, you
52 know, that has to reduce -- or has to increase the State's
53 contribution to the College. I don't see how it doesn't.

54
55 MR. ZWIRN:
56 It may have an impact, we're not sure what kind of impact.

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1 But right now, with Pell Grants and tuition assistance --

2

3 LEG. TROTТА:

4 Forget about the Pell Grants, I'm not asking you that.

5

6 MR. ZWIRN:

7 But no --

8

9 LEG. TROTТА:

11:21PM 10 I'm asking the questions.

11

12 MR. ZWIRN:

13 I'm just saying, but they cover -- they cover tuition because Pell
14 Grants are about \$6,000 which is in excess of what the tuition is
15 at the college. So if you make under \$80,000 a year currently,
16 you're eligible for Tuition Assistance Program and --

17

18 LEG. TROTТА:

19 That's not what I'm asking. That's not what I'm asking.

20

21 MR. ZWIRN:

22 Okay.

23

24 LEG. TROTТА:

25 I'm asking did you take into consideration the Governor's proposal
26 to pay for these kids in college?

27

28 MR. ZWIRN:

29 Yes.

11:21PM 30

31 LEG. TROTТА:

32 That has to substantially increase the amount of money the State's
33 giving you. No matter what you say --

34

35 MR. ZWIRN:

36 No.

37

38 LEG. TROTТА:

39 It has to.

11:21PM 40

41 MR. ZWIRN:

42 Well, we don't -- we're not -- the analysis that has been done,
43 we're not positive, we're going to have to wait and see, but we
44 don't think it's going --

45

46 LEG. TROTТА:

47 Well, explain to me how it couldn't.

48

49 MR. ZWIRN:

11:22PM 50

51 I tried to explain it to you. Right now students -- the difference
52 with the Excelsior Program is that increases it this year to income
53 of 100,000. If you made 80,000 or less in the past you got Pell
54 Grants or tuition assistance; that would cover or could cover
55 tuition and more than tuition.

55

56

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1 LEG. TROTТА:

2 Yes, but the new one you go for free if you make that less -- the
3 money, the State gives you the money.

4
5 MR. ZWIRN:

6 But you'd go for free anyway. If you qualify for a Pell Grant, the
7 money that you receive from the State would exceed the tuition of
8 the college. So, yes, you would be going for free anyway.

9
10 11:22PM LEG. TROTТА:

11 So the gap between 80 and \$100,000.

12
13 MR. ZWIRN:

14 That's -- we have to see how much of an impact that has. And when
15 we did the analysis, the numbers were not substantial.

16
17 LEG. TROTТА:

18 What were the numbers?

19
20 11:22PM MR. ZWIRN:

21 About 500 students.

22
23 LEG. TROTТА:

24 Okay. And how much is that in dollars?

25
26 MR. ZWIRN:

27 Well, it would be -- say tuition is \$4800 a year, so say 5,000,
28 just multiply it by 500.

29
30 11:23PM LEG. TROTТА:

31 Two hundred and fifty thousand dollars.

32
33 MR. ZWIRN:

34 That's why I said it wouldn't be substantial.

35
36 LEG. TROTТА:

37 Now, so and you -- how many students do you have?

38
39 11:23PM MS. VIZZINI:

40 Twenty-seven thousand.

41
42 MR. ZWIRN:

43 Twenty-seven thousand plus.

44
45 LEG. TROTТА:

46 So you did an analysis that out of 27,000 students, it's only going
47 to affect 250?

48
49 11:23PM MR. ZWIRN:

50 We did it looking at the financial records that we have from
51 families that applied for financial aid in the past and do not,
52 we were able to extrapolate about 500 students.

53
54 LEG. TROTТА:

55 So out of 27,000 people, you're saying 1% will be affected by this?

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1 MR. ZWIRN:

2 Possibly.

3

4 LEG. TROTТА:

5 It's not possible.

6

7 MR. ZWIRN:

8 Well, we're going to find out because the numbers will be -- a year
9 from now we'll be able to tell you exactly.

11:24PM 10

11 LEG. TROTТА:

12 Five -- hold on. To Budget Review, at 500 people, \$4800, that's
13 two and a half million dollars.

14

15 MR. LIPP:

16 Two point four.

17

18 LEG. TROTТА:

19 So we're talking about \$2.4 million that you probably over
20 budgeted.

11:24PM 21

22 MR. ZWIRN:

23 No, it's not necessarily new money coming in.

24

25 LEG. TROTТА:

26 If the State says they're going to do it --

27

28 MR. ZWIRN:

29 You're saying you're getting 500 new students; well, some of those
30 students are already there, they're just going to get the tuition.

11:24PM 31

32 LEG. TROTТА:

33 I'm not saying not 500 new students, I'm saying 500 existing
34 students --

35

36 MR. ZWIRN:

37 That are paying full tuition now but will now get more money from
38 the State.

39 LEG. TROTТА:

40 Yes.

11:24PM 41

42 MR. ZWIRN:

43 So the money that comes in will be the same; the total revenue will
44 be the same.

45

46 LEG. TROTТА:

47 Yes, but it's where it's coming from, which will be less for the
48 County to have to put in.

49

50 MR. ZWIRN:

51 We're talking about tuition, we're not talking about the
52 contribution.

11:24PM 53

54 LEG. TROTТА:

55 Their tuition, but it's their portion which you don't have to pay,
56 or they don't have to pay.

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1
2 MR. ZWIRN:
3 They're paying it now. So if the State picks it up, it's still the
4 same amount of money.
5
6 LEG. TROTТА:
7 So the County's portion would be the same.
8
9 MR. ZWIRN:
10 It's still the same revenue. You're double counting it; that's how
11 Nassau County got into trouble.
12
13 LEG. TROTТА:
14 Probably, yes. Okay.
15
16 P. O. GREGORY:
17 Okay. Anyone else? All right. So, do we have a motion?
18
19 MR. RICHBERG:
20 Yes, we do. We have a motion and a second.
21
22 P. O. GREGORY:
23 Okay. We need a second?
24
25 MR. RICHBERG:
26 No, we have a motion and a second.
27
28 P. O. GREGORY:
29 Okay. All in favor? Opposed? Abstentions?
30
31 MR. RICHBERG:
32 *Sixteen (Not Present: Legislator Anker - Absent: Legislator*
33 *Martinez).*
34
35 P. O. GREGORY:
36 Okay. I hate to do this to you folks, but I'm going to call for a
37 short five-minute recess.
38
39 LEG. KENNEDY:
40 We're going to do 1570?
41
42 P. O. GREGORY:
43 We're going to take a quick recess. Okay? All right, we'll be
44 right back.
45
46 *(*Recess Taken: 11:25 p.m. - 11:44 p.m. *)*
47
48 P. O. GREGORY:
49 Okay, Mr. Clerk, we're back. Can you do a roll call?
50
51 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
52
53 LEG. SPENCER:
54 Here.
55
56

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1 LEG. D' AMARO:
2 Here.
3
4 LEG. STERN:
5 Here.
6
7 LEG. MC CAFFREY:
8 Here.
9
11:45PM 10 LEG. TROTTA:
11 *(Not Present)*.
12
13 LEG. KENNEDY:
14 Here.
15
16 LEG. BARRAGA:
17 Here.
18
19 LEG. CI LMI :
11:45PM 20 Here.
21
22 LEG. MARTINEZ:
23 *(Absent)*.
24
25 LEG. LI NDSAY:
26 Here.
27
28 LEG. ANKER:
29 Here.
11:45PM 30
31 LEG. HAHN:
32 Present.
33
34 LEG. MURATORE:
35 Here.
36
37 LEG. BROWNI NG:
38 Here.
39
11:45PM 40 LEG. FLEMI NG:
41 Here.
42
43 LEG. KRUPSKI :
44 Here.
45
46 D. P. O. CALARCO:
47 Present.
48
49 P. O. GREGORY:
11:45PM 50 Present.
51
52 LEG. TROTTA:
53 Here.
54
55 MR. RI CHBERG:
56 *Seventeen (Absent: Legislator Martinez)*.

General Meeting - June 20, 2017

1
2 P. O. GREGORY:
3 Okay. All right, I'm going to make a motion to take I.R. 1368(-17)
4 out of order, *Establishing a salary savings program for exempt*
5 *employees (Bargaining Unit 21) (County Executive)*. Do I have a
6 second?

7
8 LEG. LINDSAY:
9 Second.

10
11 P. O. GREGORY:
12 Second by Legislator Lindsay. All in favor to take out of order?
13 Opposed? Abstentions?

14
15 MR. RICHBERG:
16 *Seventeen (Absent: Legislator Martinez)*.

17
18 P. O. GREGORY:
19 I'm going to make a motion to table I.R. 1368.

11:45PM

20
21 LEG. CILMI:
22 Second.

23
24 LEG. BARRAGA:
25 Second.

26
27 P. O. GREGORY:
28 Second by -- who was that?

29
30 LEG. BARRAGA:
31 Me.

32
33 P. O. GREGORY:
34 Legislator Barraga. I'm going to make a quick statement. I
35 understand that you came out here today, you're all concerned about
36 your station in life and being targets of the budget, you know,
37 issues that the County has. I assure you that that was not
38 intentional. We have some serious fiscal issues that have to be
39 addressed. Timing was the main factor and decision that this bill
40 would have impacted you. There is a greater plan, if you will.
41 And so, you know, it's -- so it's -- we certainly -- I know some of
42 you made comments about you don't feel like your work is
43 appreciated, etcetera, etcetera. It has nothing to do about the
44 value of the work that you do, the appreciation of the work that
45 you do; you are outstanding employees, we recognize that. But
46 there is an overall plan where I expect everyone or there'll be a
47 lot of people, certainly, that will be impacted. There's bills
48 coming forward to cut Legislators pay --

11:46PM

49
50 D. P. O. CALARCO:
51 Freeze.

52
53 P. O. GREGORY:
54 Freeze, excuse me. There was discussions -- actually, Legislator
55 Krupski is laying a bill on the table that's in our packet to
56 freeze Legislators pay for five years; there were discussions of

11:47PM

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1 doing it for four years; there's discussions about every exempt and
2 elected official paying 15% into their health insurance. Those
3 bills haven't been laid on the table but they -- there was a
4 tentative approval, but as things happen -- so there are a lot of
5 things -- and that's still a small aspect of our 180 million,
6 \$163 million budget deficit. There are serious, serious challenges
7 that we have to face and we're trying to get serious about it.

8
9 You were not the brunt of our budget mitigation efforts, but
11:47PM 10 certainly the effort was to make you a part of it. But we have
11 made the decision that we're going to table I.R. 1368, and so we --
12 I just wanted you to know that. And, you know, but I want you to
13 understand that there are issues that we have to address. We're
14 trying our best to address it, but it wasn't -- the intention was
15 not to target you and certainly to make you feel that your work is
16 not appreciated. Legislator McCaffrey.

17
18 LEG. MC CAFFREY:

11:48PM 19 Thank you, Presiding Officer. And I just want to thank my
20 colleagues for these actions tonight. Once in a while I know we
21 get some impassioned pleas from these people here that work very
22 hard for the County, and I thank you for tabling this motion and
23 not making them feel unappreciated because they do work hard for
24 us. And I do believe, as we've said before, we all acknowledge
25 that we have to come up with a comprehensive plan, and this just
26 wasn't fair to this group of employees out there. So thank you for
27 tabling this, and thank you to our ADAs for all the fine work that
28 you do for us day in and day out. Thank you.

11:49PM 29
30 P. O. GREGORY:

31 All right. So we have a --

32
33 *Applause*

34
35 We have a motion and a second to table. All in favor? Opposed?
36 Abstentions?

37
38 LEG. D' AMARO:

39 Opposed.

11:49PM 40
41 LEG. LINDSAY:

42 Opposed.

43
44 LEG. FLEMING:

45 Opposed.

46
47 MR. RICHBERG:

48 Fifteen (*Amended Vote: Fourteen - Opposed: Legislators Fleming,*
49 *Lindsay & D'Amaro - Absent: Legislator Martinez).*

11:49PM 50
51 P. O. GREGORY:

52 Okay. Thank you all. Go home safely and you certainly deserve it.

53
54 *(*Applause*)*

55
56 Okay. We've got to get on with the -- Oh, I've got to make a --

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11:50PM

11:50PM

11:50PM

11:50PM

LEG. ANKER:
Motion to bring 1568 back, reconsider. Motion to reconsider 1568.

P. O. GREGORY:
Okay, so Legislator Anker made a motion to reconsider the budget, the Suffolk Community College budget. I'll second for --

LEG. HAHN:
Second.

P. O. GREGORY:
Or Legislator Hahn will second that. Okay, all in favor? Opposed to reconsider the 2017-2018 Suffolk Community College budget?

MR. RICHBERG:
Who was the motion and the second?

P. O. GREGORY:
Oh, the motion and the second. Motion by Anker, second by Hahn, right? All in favor? Opposed? Abstentions?

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

P. O. GREGORY:
Okay, the Community College budget is before us.

1568-17 - Adopting 2017-2018 Operating Budget total and County contribution for Suffolk County Community College (Martinez).
Motion to approve.

LEG. BARRAGA:
Second.

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

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

P. O. GREGORY:
Okay. All right, let's go; let's see if we can get going.

LEG. KRUPSKI:
Mr. Presiding Officer?

P. O. GREGORY:
Okay, page --

LEG. KRUPSKI:
Could we take 1519 out? I think there's people here from the Health Department who are -- wouldn't mind if we took it out of order? And 1520.

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1
2 P. O. GREGORY:
3 Okay, 1519 is a CN right now.

4
5 LEG. KRUPSKI:
6 Okay, yes.

7
8 MR. NOLAN:
9 We can take it out of order.

11:51PM 10
11 P. O. GREGORY:
12 Okay, Legislator Krupski makes a motion to take *I. R. 1519(-17)* out
13 of order, *Authorizing execution of an order on consent and*
14 *administrative settlement with the New York State Department of*
15 *Environmental Conservation concerning the Suffolk County Fire*
16 *Academy Site in Yaphank (County Executive).*

17
18 LEG. MURATORE:
19 Second.

11:51PM 20
21 P. O. GREGORY:
22 Second by Legislator Muratore.

23
24 MR. NOLAN:
25 To take it out of order.

26
27 P. O. GREGORY:
28 To take out of order. All in favor? Opposed? Abstentions?

11:51PM 29
30 MR. RICHBERG:
31 *Seventeen (Absent: Legislator Martinez).*

32
33 P. O. GREGORY:
34 I'll make a motion to approve. Anyone want to make a motion to
35 approve?

36
37 LEG. MURATORE:
38 *(Raised hand).*

11:51PM 39
40
41 P. O. GREGORY:
42 By Legislator Muratore. Who else?

43
44 LEG. KENNEDY:
45 *(Raised hand).*

46
47 P. O. GREGORY:
48 Yes, Legislator Kennedy seconds to take the CN I.R. 1519 out of
49 order.

11:51PM 50
51 MR. NOLAN:
52 We already took it out of order.

53
54 P. O. GREGORY:
55 I mean to vote on it, to approve it. Dennis.

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1 MR. BROWN:

2 Good evening. Thank you. The only thing that I wanted to mention
3 with respect to 1519 is that this is to approve the execution of a
4 DEC Consent Order. And the DE -- the way the resolution is
5 written, it says that it's the -- you're approving the Consent
6 Order that is presented before you at this meeting. So this
7 Consent Order is 99.9% final. It was negotiated over an extended
8 period of time for the past five days, almost round the clock
9 between our office and between the DEC attorneys, but the DEC
11:52PM 10 attorney was not able to get approval of the order from the upper
11 echelon of the DEC. And it's important that as you approve it, in
12 order to get the funding established with the Bond Resolution, that
13 it be in final form.

14
15 So for all intents and purposes, for tonight it's in final form and
16 we expect the upper echelon of the DEC to approve it, but tomorrow,
17 if they make a change, we'll have to come back and do this
18 resolution over again. So I just wanted to advise you of that.

19
11:53PM 20 P. O. GREGORY:
21 Legislator Krupski.

22
23 LEG. KRUPSKI:
24 So on this -- on this agreement with the DEC, was there any
25 consideration, since this is a chemical that was widely used, and
26 it's now -- it's now impacted the drinking water and possibly the
27 health of people. Any chance of -- a lot of times when these
28 things happen the manufacturer is liable; and any chance of having
29 the manufacturer pick up the cost of the remediation?

11:53PM 30
31 MR. BROWN:
32 We haven't explored that with respect to Yaphank yet, but I can
33 tell you that the action that was started with respect to the same
34 contaminated -- contaminants that were generated at Gabreski in
35 Westhampton, that the manufacturer is one named in the lawsuit that
36 was brought.

37
38 LEG. KRUPSKI:
39 All right. Because if they weren't -- if they were used properly,
11:53PM 40 according to, you know, specifications and they ended up in the
41 groundwater, you know, there is a problem.

42
43 MR. BROWN:
44 Right.

45
46 LEG. KRUPSKI:
47 That we shouldn't necessarily be liable for.

48
49 MR. BROWN:
11:53PM 50 Right, that's correct.

51
52 LEG. KRUPSKI:
53 Okay.

54
55 MR. BROWN:
56 So, you know, there were changes, they're all subsequent after the

1 use, but they were named in that particular lawsuit.

2
3 LEG. KRUPSKI:

4 And then as far as the other resolution, you know, we're going to
5 spend almost a million-and-a-half dollars hooking people up to
6 public water. How extensive -- I haven't seen the Consent Order of
7 the DEC. How extensive is this clean up process going to be?
8

9 MR. BROWN:

10 This phase of the audit doesn't address the clean-up, it only
11 addressed the delivery of safe drinking water to the residents in
12 the Yaphank area. So it deals with the cost of connections
13 providing safe water, as well as possibly alternative systems as
14 well as the engineering work that needs to be done.
15

16 LEG. KRUPSKI:

17 Thank you.

18
19 LEG. D'AMARO:

20 So you recommend this?
21

22 MR. BROWN:

23 Yes, I do recommend it.
24

25 P. O. GREGORY:

26 Oh, I'm sorry. Anyone else? Okay. So we have a motion and a
27 second on I.R. 1519. All in favor? Opposed? Abstentions?
28

29 MR. RICHBERG:

30 *Seventeen (Absent: Legislator Martinez).*
31

32 P. O. GREGORY:

33 Okay, we might as well do 1520, right?
34

35 *I. R. 1520-17 - Amending the 2017 Operating Budget and appropriating*
36 *funds in connection with bonding for a consent order with the New*
37 *York State Department of Environmental Conservation to partially*
38 *implement a remedial program by providing a safe supply of drinking*
39 *water to residents in the vicinity of the Suffolk County Fire*
40 *Academy in Yaphank, and authorizing Suffolk County to enter into an*
41 *agreement with the Suffolk County Water Authority (SCWA) to provide*
42 *such services (County Executive). I make a motion to take out of*
43 *order.*
44

45 LEG. LINDSAY:

46 Second.
47

48 P. O. GREGORY:

49 Second by Legislator Lindsay. All in favor? Opposed?
50 Abstentions?
51

52 MR. RICHBERG:

53 *Seventeen (Absent: Legislator Martinez).*
54

55 P. O. GREGORY:

56 Same motion, same second on the Bond. Roll call.

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1
2 LEG. CILMI:
3 No, not on the bond.

4
5 P. O. GREGORY:
6 There is a bond, 15 -- oh, I'm sorry.

7
8 MR. RICHBERG:
9 You only took it out of order.

11:55PM 10
11 P. O. GREGORY:
12 Okay, I'm getting ahead of myself. All right, on the motion to
13 approve. Actually, motion to approve. Second by Legislator
14 Lindsay. All in favor? Opposed? Abstentions?

15
16 MR. RICHBERG:
17 *Seventeen (Absent: Legislator Martinez).*

18
19 P. O. GREGORY:
11:56PM 20 Okay. On the *Bond, 1520A (of the County of Suffolk, New York,*
21 *authorizing the issuance of \$1,200,000 in Bonds to finance the cost*
22 *of actions required to be undertaken pursuant to Order on Consent*
23 *and Administrative Settlement of the New York State Department of*
24 *Environmental Conservation and consented to by the County, in the*
25 *matter of Suffolk County Firematics (Index No. CO-1-20170321-84) to*
26 *partially implement a remedial action program to provide a safe*
27 *supply of drinking water to residents in the vicinity of the*
28 *Suffolk County Fire Academy in Yaphank), same motion, same second.*
29 Roll call.

11:56PM 30
31 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

32
33 P. O. GREGORY:
34 Yes.

35
36 LEG. LINDSAY:
37 Yes.

38
39 LEG. SPENCER:
11:56PM 40 Yes.

41
42 LEG. D'AMARO:
43 Yes.

44
45 LEG. STERN:
46 Yes.

47
48 LEG. MC CAFFREY:
49 Yes.

11:56PM 50
51 LEG. TROTTA:
52 Yes.

53
54 LEG. KENNEDY:
55 Yes.

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1 LEG. BARRAGA:
2 Yes.
3
4 LEG. CILMI:
5 Yes.
6
7 LEG. MARTINEZ:
8 *(Absent)*.
9
11:56PM 10 LEG. ANKER:
11 Yes.
12
13 LEG. HAHN:
14 Yes.
15
16 LEG. MURATORE:
17 Yes.
18
19 LEG. BROWNING:
11:56PM 20 Yes.
21
22 LEG. FLEMING:
23 Yes.
24
25 LEG. KRUPSKI:
26 Yes.
27
28 D. P. O. CALARCO:
29 Yes.
11:56PM 30
31 MR. RICHBERG:
32 *Seventeen (Absent: Legislator Martinez)*.
33
34 P. O. GREGORY:
35 Okay. Back to Page seven, *Budget and Finance, I. R. 1454(-17) -*
36 *Requiring Legislative input in Budget Review reports (D'Amaro)*.
37
38 LEG. D'AMARO:
39 Motion.
11:56PM 40
41 LEG. KENNEDY:
42 Second.
43
44 P. O. GREGORY:
45 Motion by Legislator D'Amaro. Second by Legislator Kennedy, with a
46 quick second. Okay.
47
48 LEG. TROTTA:
49 On the motion?
11:57PM 50
51 P. O. GREGORY:
52 On the -- who was that? Oh, Legislator Trotta.
53
54 LEG. TROTTA:
55 Just to Budget Review; can you just explain this to me a little
56 bit?

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11:57PM

11:57PM

11:57PM

11:58PM

11:58PM

MR. LIPP:
Well, it's not our resolution. I'd feel more comfortable if the sponsor explained it.

LEG. TROTТА:
Will the sponsor explain it?

LEG. D'AMARO:
I would be more than happy to. This bill just requires that when the Budget Review Office prepares the review of the County Operating Budget and seeks information, that part of the information that they seek out is from --

LEG. CILMI:
Capital Budget.

LEG. D'AMARO:
Capital; what did I say?

LEG. CILMI:
Operating.

LEG. D'AMARO:
Operating. I'm sorry, Capital Budget. That they also seek out the position or an update from the Legislator in whose district the Capital Project is in. That's it.

LEG. TROTТА:
For -- can you give me an example?

LEG. D'AMARO:
Okay. So if you have a Capital Project in your district that maybe you went to a couple of Public Hearings and you're going through a process and working with your community on it, and you've been speaking with DPW about the timeline and when the money will be needed, when we can put a shovel in the ground, what phase are we in; we're asking the Budget Review Office to get that information from you as well as all the other sources that they go to. That's all, just information gathering. And then they can write their opinion and write their book.

LEG. TROTТА:
But hasn't it already been approved if it's in the Capital Budget, or it's going to be improved?

LEG. D'AMARO:
No, I'm talking about when they do their -- Rob, what's the name of the book that you --

MR. LIPP:
It's the review of the Capital Program.

LEG. D'AMARO:
The review; you know the review book?

1 LEG. TROTТА:
2 That big -- so it's going to be substantially bigger?

3
4 LEG. D' AMARO:
5 Yeah, because what happens is invariably, I know for myself and I
6 think many of us look at that book and rely on that book, and I
7 just think it's important to have as much information in front of
8 you as possible and included in that book. It's not saying that
9 the Budget Review Office can't come to their own conclusion and
11:58PM 10 give their opinion, which they're always going to do and we value
11 that, but at the same time I think it's really important that one
12 of the sources of information that they at least consider is what
13 the Legislator in that district has to say about it.

14
15 LEG. TROTТА:
16 And this is for capital improvements?

17
18 P. O. GREGORY:
19 Excuse me, excuse me, just for a second. I'm sorry for the
11:59PM 20 interruption, I have to make a motion to extend the meeting, it's
21 twelve o'clock.

22
23 LEG. CILMI:
24 Second.

25
26 LEG. KRUPSKI:
27 Second.

28
29 P. O. GREGORY:
11:59PM 30 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

31
32 LEG. HAHN:
33 Opposed.

34
35 *("Opposed" said unison by various Legislators*)*

36
37 P. O. GREGORY:
38 Opposed? We've got 19 opposes, oppositions? Okay.

39
11:59PM 40 *(*Laughter*)*

41
42 MR. RICHBERG:
43 *Sixteen (Opposed: Legislator Hahn - Absent: Legislator Martinez).*

44
45 P. O. GREGORY:
46 Legislator D' Amaro, you had the floor.

47
48 LEG. D' AMARO:
49 Yeah. No, I was just answering Legislator Trotta. I really didn't
11:59PM 50 think that this was really an onerous requirement that --

51
52 LEG. TROTТА:
53 I don't know that it's onerous, I just don't know what it is.
54 I mean, what am I going to give him?

1 LEG. D'AMARO:

2 Well, maybe nothing. You know, if the Budget Review Office -- they
3 already know for every Capital Project that they intend to opine
4 on, they know whose district it's in. So they do an e-mail, *Dear*
5 *Legislator Trotta, the following four projects are located in your*
6 *district. Do you have any information that you want to share with*
7 *us while we prepare our review*, that's it. Either you do or you
8 don't. But I think it's -- I mean, the bill is just trying to make
9 sure that all sources of information are covered before we get an
10 analysis and review and opinion.

12:00AM

11
12 LEG. TROTТА:

13 A question; is this -- I mean, is this an onerous thing or is this
14 -- I don't -- I don't even know what they would -- what you would
15 ask me for.

16
17 MR. LIPP:

18 So it's hard to say how much additional work it would be because we
19 would have to go through the process. It's not an easy tell, how
20 much it would require in terms of extra overtime or new hires in
21 terms of the actual work product; it would probably be some more
22 time.

12:00AM

23
24 There is a concern, and I don't really know if this is an issue
25 that will be created or maybe I'm overstating the case. To me it's
26 -- the problem is having Legislators as part their views, as good
27 as they are, as part of our analysis, it's sort of like is it a
28 departure of the approach that the office has taken in the past in
29 terms of here's our analysis. And at the end of the day there's so
30 many issues out there and so many projects out there that we'll be
31 -- we will disagree with some Legislators on what the outcome is,
32 and the process up-to-date has been always *Here's our independent*
33 *review; whether or not you agree or not is another thing.* We may
34 say something that you disagree with, you know, that's going to be
35 natural, and that the give and take between Budget Review and the
36 Legislators are during the amending process. And at the end of the
37 day, the recommendations that we make are not always taken up and
38 vetted out during the amended process, as opposed to having us do
39 it independently. So I think there's a little bit of a movement
40 towards altering our independence. And it might be overstated or
41 not, I don't know, only time will tell.

12:01AM

42 LEG. TROTТА:

43 I --

44
45 LEG. D'AMARO:

46 I'll respond when I have the floor. I'll wait.

47
48 P. O. GREGORY:

49 You have the floor.

12:02AM

50
51 LEG. D'AMARO:

52 What's that?

53
54 P. O. GREGORY:

55 You have the floor.

1 LEG. D'AMARO:

2 I do, okay. This has nothing to do with the Budget Review Office
3 independence. They're going to write what they want to write,
4 they're going to come to whatever conclusions they want to come to.
5 I am not in any way, shape or form asking them to not be
6 independent. All I'm asking is just like you might go to the
7 Commissioner of DPW or the person within DPW assigned to that
8 project, or you might go to the County Executive's Office, we're
9 out in our districts. We're accountable for those Capital
10 Projects. We're the ones that I know on one specific Capital
11 Project in my district I had three community meetings, and I know I
12 had more conversations with the Commissioner of DPW about that
13 particular project and it was up-to-date than whatever appeared in
14 that review book. It was completely off -- completely stale, so to
15 speak. So, you know, if you're going to make decisions looking at
16 this book and you're looking at that as an independent review,
17 fine, they can have an opinion. Budget Review can certainly -- I
18 want their opinion, but it has to be based on information that's
19 garnered from all potential sources. I mean, it's just trying to
20 be more inclusive as the sources of information before I come to a
21 conclusion and present it as the opinion of the Budget Review
22 Office.

23
24 It has nothing to do with independence. I am not telling them what
25 to write, I am not telling them what side to come down on, I'm not
26 telling them what to say. I'm just asking them -- I mean, how can
27 you argue against going to the responsible Legislator in whose
28 district the project lies and asking them, *Hey, what's your take on*
29 *this project?* I mean, how difficult could that -- I mean, it's
30 almost like arguing that we want to stick our head in the sand and
31 come up with an opinion but we don't want to know what everyone
32 thinks before we come to a conclusion. I just don't think -- I
33 don't think that's good procedure.

34
35 LEG. CILMI:
36 Mr. Chair?

37
38 P. O. GREGORY:
39 I have a long list. Legislator Spencer.

40
41 LEG. SPENCER:
42 I know that there was some concerns that perhaps this would
43 politicize the Budget Review process, and I wanted to hear from the
44 sponsor and I think that I have, and I hope that I have this
45 correctly. So that information is not necessarily mandatory that
46 you submit anything, but if there's information that you have, then
47 that information can be provided. And it does not indicate that
48 the Budget Review has to kind of alter their objective assessment,
49 it just gives them the option of having more information. And they
50 can do with it whatever they choose, but if there is a memo or
51 something that's generated, then at least if you don't sit on that
52 committee, then when you get that review then you kind of get a
53 sense of the Legislator's kind of priorities for that district.

54
55 LEG. D'AMARO:

56 If I may respond. We sat through how many hours of Public Hearings

1 today? We got all sides, we got all opinions, and then we make the
2 decision. It's the same thing with the Capital Budget. Even if --
3 even if a Legislator puts in a statement that says, in that book,
4 you know, *Based on what I've done in the last three months, this is*
5 *the update*, or, *This is, you know, why we think the project should*
6 *move forward at this time*, blah, blah. You're a Legislator who's
7 making a decision; you're going to read that, you're going to read
8 the Budget Review's opinion and you're going to come to a
9 conclusion. This is not politicizing anything. This is about
10 giving information on the merits about projects.

12:05AM

11
12 I mean, again, I don't see the difficulty with that. I would think
13 that Budget Review Office would actually welcome that information.
14 I think, frankly, it should be done whether I put a bill in or not,
15 I really do. You are the one elected and accountable for those
16 Capital Projects in your district, and you certainly -- your point
17 of view or your update should be sought out before that book comes
18 out and it should be considered. And again, I'm not telling the
19 Budget Review Office what to say, what to do or what opinion to
20 come to or what conclusion, and I value those conclusions. But I
21 just don't see how gathering more information rather than less is
22 harmful to the process.

12:06AM

23
24 P. O. GREGORY:
25 Legislator Stern. Oh, I'm sorry. Were you finished, Doc? I
26 thought you were finished. You looked like you were finished.
27 You want to be finished.

28
29 *(*Laughter*)*

12:06AM

30
31 You're not saying anything, so you must be finished.

32
33 LEG. SPENCER:
34 I am.

35
36 P. O. GREGORY:
37 Legislator Stern.

38
39 LEG. STERN:
40 Yeah. When I had first looked at the language of this bill it
41 seemed fairly straightforward. And now that we're hearing from the
42 sponsor and I'm taking another look at it, I'm even more convinced
43 that this is straightforward and just makes for good policy. I
44 don't see in the language here anywhere where it calls on BRO to
45 abandon its independence or nonpartisanship; in fact, I think it's
46 the opposite. There's no requirement that BRO comment on the
47 information that's being provided by the particular Legislator or
48 Legislators at all. Here it calls for -- it calls for BRO to
49 simply include in its report that we receive any memorandum or
50 letter that's submitted by a Legislator in connection with a
51 particular project or even a summary thereof.

12:07AM

52
53 So, you know, Legislator Trotta had suggested that perhaps it makes
54 for a longer report, and that could certainly be true because now
55 this is additional information, but I think it's important
56 information that's added. I have to agree with Legislator D' Amaro;

1 who better is going to know, you know, the relative importance of
2 proposed projects in his or her district that he or she, you know,
3 has the privilege of representing?
4

5 So I don't -- in the language of the bill itself, I just don't see
6 where that additional duty or potential conflict or loss of
7 independence on the part of BRO is called into question here at
8 all; in fact, I think it's the opposite.
9

12:08AM

10 P. O. GREGORY:

11 Okay. Before I call Legislator Fleming, I just want to state what
12 my view is. I understand the sponsor's intentions. I just think
13 and I feel strongly that it goes down a road that we haven't been.
14 Although the intention may not be to jeopardize the independence of
15 BRO, I do, however, think by mandating that the local Legislator
16 and potentially community members inject their opinion into the
17 process will circumvent a nonpartisan, strictly objective or should
18 be objective analysis of the Capital Budget Program. Because what
19 it says is you have to take the opinion of the local Legislator,
20 also any memorandum from -- you know, I assume from people who
21 support it, which their opinions will be just that and they're
22 bias. So it almost --
23

12:09AM

24 LEG. D'AMARO:

25 No, that's just from the Legislator.
26

27 P. O. GREGORY:

28 Is it?
29

30 LEG. D'AMARO:

31 Yeah.
32

33 P. O. GREGORY:

34 Oh, okay. The way I understood it was --
35

36 LEG. FLEMING:

37 A letter, a memo or a summary of comments.
38

39 MR. NOLAN:

12:09AM

40 A letter or a memo submitted by a Legislator in connection with a
41 Capital Project.
42

43 P. O. GREGORY:

44 Okay. But still, it's an opinion, it's not necessarily an
45 analysis. And it's almost like, you know, I analyze it to be
46 almost like, you know, a Supreme Court opinion. You have -- you
47 know, you have the opinion and then you have all the concurring
48 opinion and then the opposite -- you know, it's not -- it's not
49 necessarily -- you know, there's an analysis. I don't think it's
50 an appropriate place to put an opinion. Because there very well
51 could be a statement by the respective Legislator that I totally
52 disagree with BRO, they don't know what hell they're doing, it's
53 wrong, this is endorsed by the community. And although it doesn't,
54 you know, meet all the factors in the rating sheet -- we haven't
55 even spoken about that -- I just think it sets up a natural
56 conflict that the BRO analysis and report is not necessarily meant

12:10AM

1 to have. Although we may disagree with the analysis, I think
2 internalizing that and mandating that to be a part of the process
3 is not -- is not the appropriate way to go.

4
5 LEG. D'AMARO:
6 If I may respond?

7
8 P. O. GREGORY:
9 If I made myself clear. I'm not sure I did.

10
11 *(The following testimony was taken & transcribed by*
12 *Alison Mahoney - Court Stenographer)*

13
14 LEG. D'AMARO:
15 Yeah, no, I appreciate that.

16
17 P. O. GREGORY:
18 Okay.

19
20 LEG. D'AMARO:
21 Can I respond to that?

22
23 P. O. GREGORY:
24 Sure.

25
26 LEG. D'AMARO:
27 Yeah, I appreciate your concern. But remember, when you're sitting
28 as a Legislator and asked by the Budget Review Office to present
29 your statement with respect to a Capital Project, it's before the
12:11AM 30 BRO book is even out. So what's happening is just like the Budget
31 Review Office might call the Commissioner or might call the County
32 Executive's Office or might call the contractor involved, I don't
33 know, whoever they call, all of that is going to be somewhat
34 subjective information, just like the Legislator should be able to
35 chime in there. Then, once that information is all gathered, the
36 Budget Review Office will do their independent analysis and come to
37 their own conclusions and opinion. This is not going to be a give
38 and take. It's not going to be like, *I read your opinion and this*
39 *is my rebuttal.* This is going to be, *What is the status of the*
12:11AM 40 *project from your perspective?* And, you know, frankly, the
41 resolution says they can provide a summary. So to the extent it
42 becomes advocacy, well, I think when they question the County
43 Executive's Office, *I want that project to go this year, it's going*
44 *to be ready this year,* it's always advocacy. It's no more advocacy
45 than you're going to get from any other source.

46
47 So, you know, I appreciate the concern about -- I guess about
48 somehow we've raised arguments of independence, arguments about
49 politicizing; it's nothing of the sort. It's just simply saying to
12:12AM 50 the Legislator who has their ear to the ground in their district,
51 *What's the status of this project? Send me, you know, a paragraph*
52 *and I want to consider that when I'm coming to a conclusion, that's*
53 *all.* I mean, what if the Legislator presents information that
54 says, you know, *This project is moving forward this year based on*
55 *three community meetings that we've already had where the community*
56 *was positive.* You know, this is all information that they need to

1 know, they absolutely have to know and it is part of the analysis.
2 And again, I'm not telling them what to write and I'm not telling
3 them what to conclude, I'm just saying please make sure the elected
4 official responsible and accountable for that project at least is
5 going to have your ear for five minutes before you make a
6 conclusion in writing and put it out there and everyone relies on
7 it.

8
9 P. O. GREGORY:

12:13AM 10 But your bill also, as I understand it, mandates that that
11 information that you're submitting be included in the report.

12
13 LEG. D'AMARO:
14 Okay.

15
16 P. O. GREGORY:

17 So it's not just to provide information while they're doing their
18 analysis, it's actually you're putting the document in the report.

19
12:13AM 20 LEG. D'AMARO:

21 No, it gives the Budget Review Office the option of doing that.

22
23 LEG. CILMI:
24 Can I --

25
26 P. O. GREGORY:

27 No, I think it says it *shall submit it*.

28
29 LEG. D'AMARO:

12:13AM 30 No, no, or a summary it says.

31
32 P. O. GREGORY:
33 Yeah.

34
35 LEG. D'AMARO:
36 Right.

37
38 P. O. GREGORY:
39 Right.

12:13AM 40
41 LEG. D'AMARO:

42 Right, so my point is that I'm trying to give some flexibility
43 there. I frankly think you're -- you know, as the elected official
44 responsible and I'm reading a Budget Review analysis, I kind of
45 want to know what the Legislator has to think. But I put the
46 flexibility in there because recognizing that it's an independent
47 report, I'm just asking them to consider the information. If they
48 want to summarize it, that's fine.

12:14AM 49
50 When they summarize, you know, *we recommend that this project be*
51 *pushed back to subsequent years because this is happening and*
52 *that's happening;* it's the same thing. They're getting that advice
53 and opinion and point of view from other sources. They don't know
54 that sitting in the back rooms of their offices, they have to seek
55 that information out. It's the same thing; they're summarizing all
56 the information that they're getting from all the sources but

1 they're not coming to the responsible Legislator. Why can't they
2 summarize our information?

3
4 P. O. GREGORY:

5 No, I think they should -- I don't disagree with the aspect that
6 they should be reaching out to the local Legislator if they feel
7 that there's, you some, some gaps that need to be filled. But to
8 mandate that be a part of the analysis, the final analysis --

9
10 12:14AM

11 LEG. D'AMARO:

12 It's not mandated that it's part of the final analysis.

13 P. O. GREGORY:

14 It says that it shall, whatever. If it's in summary form or not,
15 it says that it should be put in the report; that's the way I
16 understand it.

17
18 LEG. D'AMARO:

19 12:15AM

20 Well, just like all the other sources are put into the report,
21 they are. They are put into the report. And, you know, again, I
22 think that we are in a very good position as Legislators to know
23 what's going on with a Capital Project in our district.

24 P. O. GREGORY:

25 Okay.

26
27 LEG. D'AMARO:

28 So anyway --

29
30 P. O. GREGORY:

31 All right.

32
33 LEG. D'AMARO:

34 I appreciate your point of view.

35
36 P. O. GREGORY:

37 We have a long list. Legislator Fleming?

38
39 LEG. FLEMING:

40 12:15AM

41 Thank you, Mr. Presiding Officer. I have to say I agree with the
42 Presiding Officer, only because I've -- I find great comfort in
43 being able to rely on the BRO report as an objective document. I
44 think there is a time and a place for political, certainly input
45 from the Legislator who's got the ear to the ground. And, you
46 know, I'm a huge proponent of community input, but I think you need
47 to get in touch with DPW, with the County Executive before the
48 proposed comes out. The report is a report on the proposed, it's
49 not a report on the proposed and Legislative input on the proposed.

50 12:16AM

51 So I think there's a time and a place for political input, it
52 should come before with the department, with the County Exec, but
53 then once we have the proposed, we then have the opportunity to,
54 you know, make our pitches based on what we as individual
55 representatives of our communities feel is important. I find
56 comforting the fact that it is not -- that it doesn't have any
opinions other than the County Executive's proposal based on the

1 departments. I just think it's cleaner and I have to agree with
2 Legislator Gregory.

3
4 P. O. GREGORY:
5 Legislator Krupski.

6
7 LEG. FLEMING:
8 Thank you.

9
10 LEG. KRUPSKI:
11 Oh, I'm sorry. I didn't hear you, I'm sorry. So I was thinking.

12
13 LEG. FLEMING:
14 I heard that.

15
16 LEG. KRUPSKI:
17 *(Laughter)*. So there is a -- you know, I respect that there was a
18 lot of work done at the Capital Budget Working Group this year.
19 And it's open to the public and any Legislators could come and
12:17AM 20 provide input and that seems like an appropriate time to get your
21 thoughts out about what's important in your district, or districts.

22
23 And I agree with the Presiding Officer, that the Budget Review
24 Office should be as independent as possible. But also what I find
25 objectionable about this is that you're giving more work to a
26 County department, and this is a time when we can't be giving more
27 work to County departments. We can't because it's going to take
28 them more time, more staffing was mentioned, possible overtime. We
29 have to be going in the other direction and trying to streamline
12:17AM 30 things, if at all possible. And as Legislators, just be on top of
31 important projects in our district and make sure that everyone
32 knows that they're important and maybe there's a consensus and
33 maybe there's not, you know, that's how the process works. But I
34 don't want to do something that's going to add another layer to the
35 process.

36
37 P. O. GREGORY:
38 Legislator Kennedy.

39
12:18AM 40 LEG. KENNEDY:
41 When I read this bill I was thrilled. Transparency, open, honest,
42 getting it out there, you will maintain your autonomy. And I don't
43 think there's much work in addition to this. If every Legislator
44 did a summary of each project, what would a summary be if I was
45 putting a sewer main down Main Street, Smithtown, it would be many
46 meetings or ten meetings by an individ -- by a community group, met
47 with DPW ten times, spoke with the Supervisor and the Board and
48 that would be it. *It's a priority for me*, that's what I would put
49 in. Does it matter that it's a priority if we have to cut 15
12:18AM 50 projects because we don't have the money to pay for it, or our bond
51 rating has dropped again? It really doesn't matter one way or the
52 other, but we're getting it out in the open and it's an extra piece
53 of paper for anybody that actually reads the budget, which I do.
54 It would help me as a Legislator to see what everybody else's
55 feelings and priorities are; not necessarily that you would have to
56 make a decision from it, but it could help you. You're shaking

1 your head.

2

3 P. O. GREGORY:
4 Legislator Cilmi.

5

6 LEG. CILMI:

7 Thank you. So I'll be supporting this. I don't see any problems
8 whatsoever with it. I don't see where -- I don't see how this
9 infringes on Budget Review's independence at all. I mean, if we're
10 being good Legislators and there are Capital Projects in our
11 districts that we've been working on, we are communicating on a
12 regular basis with Budget Review, with the department that's
13 managing the project on a regular basis anyway. So budgets --
14 Budget Review's opinion, which is articulated in the Capital Budget
15 review document, is informed by all of the opinions that they hear
16 along the line. There's nothing in this resolution that says you
17 must consider what the Legislator writes when forming your opinion
18 and putting it in the review. There's nothing in this bill that
19 says you must place the letter directly with the Capital Project
20 description that's in. For all we know, it could -- all of those
21 letters could be contained in an appendix in the back of the
22 document that's maybe, you know, ordered numerically so that for
23 ease of reference.

12:19AM

12:20AM

24
25 In a perfect world, when we're adopting the Capital Budget, we
26 would be hearing from every member about every project that's in
27 that proposed Capital Budget and where the project stands from that
28 member's point of view. All this is doing is presenting it to us
29 through the vehicle of the Budget Review document in a written
30 form, that's all this is. It's not saying that Budget Review must
31 consider it, it's not saying that we must consider it, it's not
32 saying that we must submit something, some additional paper and
33 some additional printing and copying for sure, and certainly
34 notification of Legislators, but that work is already being done.
35 I really do not see it as an infringement upon any independence
36 whatsoever. I don't see it as much extra work and I do see it as a
37 tool that I would like to use when I'm evaluating individual
38 Capital Projects. I'd like to hear from the Legislator in whose
39 district that project resides to see what that Legislator's opinion
40 is on the project, where it stands from his or her point of view.
41 So I support the resolution, Legislator D'Amato, and I hope it
42 passes.

12:21AM

12:22AM

43
44 P. O. GREGORY:
45 Legislator Calarco.

46

47 D. P. O. CALARCO:

48 Thank you. I guess this is a question for sponsor. And I'll tell
49 you, I agree with what you're trying to accomplish, because I think
50 I've been in your shoes as well and I have felt that the report
51 didn't accurately represent projects that were in my district that
52 were my priorities. And while the department put them in the
53 budget, they weren't, I don't think, the department's priorities.
54 And when the department, which is very stretched, is trying to get
55 projects done, we often intercede to give more importance to ones
56 in our districts than they may necessarily do. So I can appreciate

12:22AM

1 that you want to get our perspective into BRO's --

2

3 LEG. D' AMARO:

4 Well, or at least considered --

5

6 D. P. O. CALARCO:

7 Yeah.

8

9

10 LEG. D' AMARO:

11 -- when they're forming an opinion.

12

13 D. P. O. CALARCO:

14 Exactly, and I think you just hit on where I was going with this,
15 Legislator D' Amaro, which is considered. And I think as the
16 resolution's drafted, there is a requirement that they include the
17 Legislator's perspective in their report, either in the form of the
18 memo or letter or in a brief summary thereof. And of course, I
19 think BRO would be afraid that if they do a brief --

12:23AM

20
21 LEG. D' AMARO:

22 But that's only if the Legislator chooses to submit one.

23

24 D. P. O. CALARCO:

25 Chooses to submit one, and I don't think every Legislator would do
26 that for every single project that happens to go through their
27 district. And of course there are some projects that are road
28 projects that may touch two or three or even four Legislative
29 Districts. So the question is would you be amenable to an

12:24AM

30 amendment that would not make the requirement that there be an
31 inclusion of that Legislator's perspective necessarily, but that
32 BRO has to solicit that input from the Legislators, and we can give
33 them our input and then --

34

35 LEG. D' AMARO:

36 But we already have that in the bill in the sense that they don't
37 have to include a direct statement, they can summarize the
38 statement, just like they're summarizing all the other information.
39 Like, you know, if you read that book, a lot of times it'll tell
40 you *the Department of Public Works take this position*.

12:24AM

41

42 D. P. O. CALARCO:

43 I understand what you're saying, and I think if I were sitting in
44 Dr. Lipp's shoes next year and I had this resolution that says I
45 have to solicit input and provide that input in my report, I would
46 feel compelled to not be accused of misrepresenting the
47 Legislator's perspective to provide their direct words.

48

49 LEG. D' AMARO:

12:25AM

50 That's --

51

52 D. P. O. CALARCO:

53 And I understand that all of what we're doing in this is policy
54 decisions, right, when we decide whether or not to fund a project
55 or what year to fund it. It's a policy decision; ultimately those
56 are decisions that we have to make and BRO is just giving us their

1 recommendations and a professional opinion. And in doing so, I
2 think asking them to give us the opportunity to give our input when
3 they're developing the professional opinion is one thing, asking
4 them to include our input in some fashion directly into the report
5 is another thing.

6
7 I would be comfortable saying to them, *Hey, listen, when the budget*
8 *comes out, you should send out an e-mail to every Legislator's*
9 *office saying "These are the projects we've identified that touch*
10 *your district, please provide us input if you choose by X date"*,
11 and then we'd have the opportunity to do that, and it would compel
12 them to at least contact us. And then when we're debating the
13 budget, every one of us has the opportunity to make, you know, any
14 further pitch that needs to be done.

15
16 LEG. D'AMARO:

17 Right. Well, I find that suggestion disappointing, because I
18 believe that we should be primary source. We shouldn't even have
19 to put this bill in, frankly. This is my district, I was elected
20 in that district and I'm accountable for that project, whether you
21 like it or not. I should be the first call, okay, not like *Please*
22 *consider putting, maybe putting my point of view or my status*
23 *report into your thought process.* That's like -- I want to say ass
24 backwards, but I'm not going to say that. Okay?

25
26 D. P. O. CALARCO:

27 Well, I appreciate that, but --

28
29 LEG. D'AMARO:

30 Listen to me.

31
32 D. P. O. CALARCO:

33 -- I guess --

34
35 LEG. D'AMARO:

36 Listen to me. Again, I appreciate what you're saying, you're
37 concerned about BRO independence, but this has nothing to do with
38 their independence, again.

39
40 D. P. O. CALARCO:

41 No, that's --

42
43 LEG. D'AMARO:

44 I don't think it's -- I think that if the Department of Public
45 Works and all the other departments and all of the other -- and the
46 County Executive's Office are all going to get a summary of their
47 contact in the report, I don't think it's onerous or I don't think
48 it unreasonable to ask that we also be included in that process.
49 The last thing I want to do is water this down to a point where it
50 says *If you want, maybe perhaps you'll consider my point of view or*
51 *my update and maybe you'll write something about it,* no, that does
52 nothing. That does nothing. They have to consider our point of
53 view.

54
55 D. P. O. CALARCO:

56 I guess I appreciate your perspective on this, Legislator D' Amaro.

1 I guess I was trying to find some point of compromise between the
2 two perspectives.

3
4 LEG. D'AMARO:

5 Oh, I appreciate that very much. But I think that I've already
6 compromised in the sense that, you know, if the Budget Review
7 Office is going to do an independent analysis, this will make that
8 independent analysis more reliable, more reliable; not less, more.

9
10 12:27AM

11 P. O. GREGORY:

12 Legislator Barraga.

13 LEG. BARRAGA:

14 Yeah, I would ask -- I would like to ask Mr. Lipp. This bill
15 basically effects your department, so your input to me is quite
16 important in terms of me making a decision as to whether or not I
17 should support it. I think in the beginning of the debate, maybe I
18 stepped outside, you were talking about some questions you had in
19 terms of your independence; I'd like you to cover that. How do you
20 feel this bill would effect the independence of Budget Review.

21
22 12:28AM

23 MR. LIPP:

24 So this would --

25 LEG. BARRAGA:

26 And also, Mr. Krupski brought up the fact additional work, all
27 right? See, I am not -- this is something new and different.
28 I'm not aware of the General Accounting Office reaching out to
29 Congresspersons for input on their projects when they do an
30 analysis. I'm not aware of the Division of Budget in New York
31 State ever reaching out to members in the Assembly and the Senate,
32 so this would be something quite different. But I'm very concerned
33 about the independence associated with this and whether or not it
34 has a positive or negative effect from your perspective. So I'd
35 like you to talk about that and expand upon it a little bit.

36
37 12:28AM

38 MR. LIPP:

39 So the history of the Budget Review Office, this is not about me,
40 it's not about any particular individual Legislator or anything,
41 it's about how to go about the process. And I'm not -- I realize
42 it's a policy issue, so I'm not -- it's difficult for me because
43 I'm not supposed to be telling you how to do your policy, I can
44 only give you the information as I see it, okay.

45
46 12:29AM

47 It's a very difficult process, no doubt. Anything we do, you know,
48 be it a memo on an issue, be it the Capital Program, be it
49 department stuff, that there's always the possibility that we may
50 get something wrong or we don't get all of the information. And
51 obviously, if we're not asking for something from Legislators,
52 we're not going to get any different information that maybe we
53 weren't aware of, but that's part of the process. We are -- it's
54 possible we could be making mistakes, number one. Number two, it's
55 possible that there would be a conflict between what we believe is
56 the proper approach than what the Legislator believes. It's
possible even if we go -- if we agree 100% with a Legislator, other
Legislators disagree with that, okay. So it is a very difficult

57
58 12:29AM

1 thing for us to do, but we've always had the approach and the
2 precedent has always been we do our own independent analysis and if
3 we're including a document page, two pages, whatever, from
4 Legislators -- and it really isn't our book, it's basically a
5 shared book. And we make -- we take the risk of getting it wrong
6 to keep that separation and independence and then when it comes to
7 the vetting process to do the amendments, then that could be
8 brought out if there's a disagreement or not.

12:30AM

9
10 LEG. D'AMARO:
11 (*Laughter*). You've got to be kidding me. I mean, so it's okay
12 that my book is wrong because you're going to point it out later
13 on. Why not get the information up front?

14
15 MR. LIPP:
16 I didn't say that it was wrong.

17
18 LEG. D'AMARO:
19 That is the most ridiculous argument I've ever heard.

20
21 MR. LIPP:
22 I did not say the book was wrong, I said there would be -- it's
23 possible that it could be -- we could be wrong and we would vet it
24 out at that point.

12:31AM

25
26 P. O. GREGORY:
27 So I think -- just I think an unintended consequence could be, as I
28 stated before, you know, there will be Legislators who will not
29 submit on projects that are not of particular interest to them, so
30 when they do submit a statement it even heightens the awareness, I
31 would think, of the analyst to say, *Oh, this is a project that's*
32 *important to a particular Legislator. If I don't get it "right",*
33 *quote/unquote, then, you know, it could influence their analysis*
34 *because -- just simply by them submitting a comment or whatever on*
35 *a project, particularly if they know someone who doesn't chime in*
36 *on every project. And I think that corrupts the process of their*
37 *independence if they -- you know, could potentially corrupt the*
38 *process if they feel that, you know, in that circumstance. But you*
39 *wanted to make a comment.*

12:32AM

40
41 LEG. CILMI:
42 Yeah, I just -- so here's why it doesn't, though. Because
43 presently, under our current laws and procedures, we can e-mail
44 Budget Review when the Capital Budget comes out and offer our
45 opinions on whatever Capital Project happens to be in that book.
46 It's not like Budget Review's going to go, *Ah, I don't want to see*
47 *it because it'll corrupt my independence,* they're going to read it.
48 They're going to read that statement.

12:32AM

49
50 Correct me if I'm wrong, but there's nothing that precludes us from
51 calling Budget Review and offering our opinion on one thing or
52 another, on a Capital -- proposed Capital Budget or a proposed
53 Capital Project. So all this is doing is collecting those -- is
54 requiring that Budget Review collects those, or at least solicits
55 those opinions from Legislators so that Legislators know when
56 something is in the proposed budget that they may not otherwise

1 know and provides that information in a succinct written form. And
2 I would suggest that there be no interpretation. I would suggest
3 that whatever written material is provided to Budget Review by the
4 Legislator, that that is exactly what shows up in the budget on
5 that Legislator's letterhead so that it's clear that it's not
6 Budget Review interpretation or Budget Review analysis, but it's
7 that Legislator's opinion. And in effect, the review that comes
8 out is influenced by politics. Why? Because Budget Review is
9 talking with the Administration, and if we don't think that the
10 Administration is influenced by politics (*laughter*), you know, we
11 better think again. Because you have a County Executive who is, by
12 nature, a political figure; we all like to say that we're not, you
13 know, political, but he's a political figure. He is going to,
14 through his department managers, he is effecting policy with his
15 opinions. So -- and those opinions find their way, one way or the
16 other, into that Budget Review document.

12:34AM

17
18 So I, again, suggest that this is the right thing to do. I don't
19 think it'll be a lot of work. And unless we want to sit here and
20 verbal it and, ad nauseam, discuss each and every Capital Project
21 that's in each one of our districts when that review document comes
22 out, I think this is a much simpler, easier way to do it. That's
23 all I got.

12:34AM

24
25 P. O. GREGORY:

26 And maybe corrupt is too strong of a word, but certainly I think it
27 will have, in my opinion, has a negative impact. I'm not saying
28 that there isn't a situation where input from the respective -- I
29 have a project now, Maxine Postal Park, I had a change in Park
30 Commissioners. I had a meeting, a meeting with some
31 representatives in the community with a former Commissioner, so he
32 was more familiar with it. Now he's gone, there's a new
33 Commissioner, he saw it in the Capital Project, he had no idea what
34 it was and I had to tell him; this was the project, it was, you
35 know, ten years old, it lapsed and we reintroduced it, etcetera,
36 etcetera. So it certainly is an appropriate time and a Legislator
37 would have more information, particularly, than some of the Civil
38 Servants, or the Commissioner in this instance. But I am very
39 apprehensive when it comes to tinkering with any of the
40 responsibilities of the BRO. I've seen what's happened in
41 Washington when you had -- they changed how they score different
42 projects so they can make it look more favorable, and that's more
43 of a technical thing, but still, you're going into a realm that
44 shouldn't be influenced. Some have already said it's influenced by
45 politics, I think this potentially will influence even more, and
46 that's just the way I feel. So Legislator Fleming, you wanted to
47 make a statement.

12:35AM

48
49 LEG. FLEMING:

50 Yes, thank you. I just -- my feeling, the more I hear this debate
51 the more I feel strongly opposed to this, because it's not about
52 politics, it's about the different branches of government and the
53 way our government is set up. I just want to reiterate what
54 Legislator Barraga said, in his wisdom and experience; that this is
55 a model that's followed at the national level, at the State level,
56 at the County level. It's not whether there's politics or not,

12:36AM

12:36AM

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1 this -- we're talking about the Executive's budget. BRO offers its
2 analysis of the Executive's budget and then we as the Legislature
3 hash it out, and it's either before the Executive's budget is
4 presented to us or after it during the debate that it's most
5 appropriate for us to fight for our communities, you know, what our
6 community wants to see in it. I don't think it's a question of
7 politics, it about the process. It's a process that works very
8 well, and I think we as the Legislature need to be able to rely on
9 the objectivity of BRO's analysis of the proposed budget which by
10 law should come from the Executive.

12:37AM

11
12 P. O. GREGORY:
13 Okay. All right, that's everyone.

14
15 LEG. D'AMARO:

16 Just before -- yeah. So, my whole point is that the Budget Review
17 Office can still offer their independent analysis. I think that
18 getting more information rather than less is a good thing. If I
19 was asked to analyze a project and write about it and then give an
20 opinion and a recommendation, I would want as much information from
21 every possible source that I could possibly get, especially knowing
22 that I may only be hearing one side and not the other. Now, I'm
23 still going to be able to come to my own conclusion, I'm still
24 going to be able to do my own analysis, and I can disbelieve or
25 disregard or give more credibility; all of that is independent.
26 But certainly, to vote against this bill and say that we are going
27 to say that the book is more reliable and the write-up is more
28 reliable with less information being considered to me is a
29 disconnect, you know.

12:38AM

30
31 And as far as, you know, the corrupting of the process, first of
32 all, yeah, it's been like -- it's been done this way for many
33 years, there's no question about it. But does that mean we can't
34 improve on the system? I mean, wow. You know? There's a lot of
35 things that have been done here for many years and a lot of things
36 don't get improved. So, you know, I'm just -- I've personally
37 experienced where I've opened that book and I've read an analysis
38 and I said, *But this is not accurate, it's not up-to-date. It's*
39 *stale information, it's just completely wrong.* And had I been
40 consulted, because I'm the one who's taking the lead on the project
41 and dealing with it on almost a daily basis, why wouldn't you want
42 to know what I have to say? Why wouldn't you? You know, we can
43 raise all the specter of, you know, this is not the way we've done
44 things in the past and we don't want to politicize and
45 independence; we've raised every argument here. But I bet every
46 single one of you, when you go to make a decision in your life,
47 before you make that decision you want to consider every side and
48 you want to hear from every side, and that's all this is asking us
49 to do. It's all it's asking our own Budget Review Office to do,
50 and I think it's a no-brainer to pass this bill, frankly. So,
51 thank you for considering.

12:39AM

12:39AM

12:40AM

52
53 P. O. GREGORY:
54 Okay. All right, so we have a motion and a second. Roll call.

55
56 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*

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1
2 LEG. D' AMARO:
3 Yes.
4
5 LEG. KENNEDY:
6 Yes.
7
8 LEG. SPENCER:
9 Yes.
12:40AM 10
11 LEG. STERN:
12 Yes.
13
14 LEG. McCAFFREY:
15 No.
16
17 LEG. TROTTA:
18 No.
19
12:40AM 20 LEG. BARRAGA:
21 No.
22
23 LEG. CI LMI :
24 Yes.
25
26 LEG. MARTINEZ:
27 *(Absent)*.
28
29 LEG. LI NDSAY:
12:41AM 30 Pass.
31
32 LEG. ANKER:
33 *(Not Present)*.
34
35 LEG. HAHN:
36 Yes.
37
38 LEG. MURATORE:
39 Yes.
12:41AM 40
41 LEG. BROWNI NG:
42 Yes.
43
44 LEG. FLEMI NG:
45 No.
46
47 LEG. KRUPSKI :
48 No.
49
12:41AM 50 D. P. O. CALARCO:
51 Yes.
52
53 P. O. GREGORY:
54 No.
55
56

1 LEG. LINDSAY:

2 Yes.

3
4 LEG. ANKER:

5 Yes.

6
7 MR. RICHBERG:

8 *Eleven (Opposed: Legislators McCaffrey, Trotta, Barraga, Fleming,*
9 *Krupski & P. O. Gregory - Absent: Legislator Martinez)*

10
11 LEG. D'AMARO:

12 Thank you.

13
14 P. O. GREGORY:

15 Okay. All right. So, I have a request to take two resolutions out
16 of order.

17
18 *IR 1485-17 - Authorizing appraisal of land under the Suffolk County*
19 *Drinking Water Protection program, as amended by Local Law No.*
20 *24-2007 - East Moriches Nature Preserve additions (SCTM Nos.*
21 *0200-593.00-03.00-007.001, 0200-594.00-02.00-001.001,*
22 *0200-682.00-03.00-005.000, 0200-683.00-01.00-003.000,*
23 *0200-683.00-01.00-008.000 and 0200-683.00-01.00-011.000) -*
24 *Town of Brookhaven (County Executive).*

25
26 LEG. HAHN:

27 Motion.

28
29 P. O. GREGORY:

12:42AM 30 Motion by Legislator Hahn to take out of order.

31
32 LEG. LINDSAY:

33 *(Raised hand).*

34
35 P. O. GREGORY:

36 Second by Legislator Lindsay. All in favor? Opposed?
37 Abstentions?

38
39 MR. RICHBERG:

12:42AM 40 *Seventeen (Absent: Legislator Martinez).*

41
42 P. O. GREGORY:

43 Okay, is somebody going to make a motion to approve? Whose
44 district is this in?

45
46 LEG. FLEMING:

47 *(Raised hand).*

48
49 P. O. GREGORY:

50 Motion by Legislator Fleming to approve IR 1485. I'll second.

51
52 LEG. KRUPSKI:

53 Second.

54
55 P. O. GREGORY:

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

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1 Abstentions?

2

3 MR. RICHBERG:

4 *Seventeen (Absent: Legislator Martinez).*

5

6 P. O. GREGORY:

7 Okay, make a motion to take *IR 1510(-17)*, which is right below it,
8 out of order, *Authorizing the construction of wastewater upgrades*
9 *at the Vanderbilt Museum County Park using the New Enhanced Suffolk*
10 *County Water Quality Protection Program Funds (CP 8733) (County*
11 *Executive).*

12:42AM

12

13 LEG. HAHN:

14 Second.

15

16 P. O. GREGORY:

17 Second by Legislator Hahn. All in favor? Opposed? Abstentions to
18 take out of order?

19

12:42AM

20 MR. RICHBERG:

21 *Seventeen (Absent: Legislator Martinez).*

22

23 P. O. GREGORY:

24 Okay, motion is -- the resolution is before us.

25

26 LEG. SPENCER:

27 Motion.

28

29 P. O. GREGORY:

12:42AM

30 Motion by Legislator Hahn, second by Legislator Spencer to approve.
31 All in favor? Opposed? Abstentions?

32

33 MR. RICHBERG:

34 *Seventeen (Absent: Legislator Martinez).*

35

36 P. O. GREGORY:

37 *IR 1510A, Bond Resolution (of the County of Suffolk, New York,*
38 *authorizing the issuance of \$167,000 Bonds to finance construction*
39 *of wastewater upgrades at Vanderbilt Museum County Park under the*
40 *Enhanced Suffolk County Water Quality Protection Program - 2014*
41 *Referendum - Water Quality Projects (CP 8733.310), same motion,*
42 *same second. Roll call.*

12:42AM

43

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

45

46 LEG. HAHN:

47 Yes.

48

49 LEG. SPENCER:

50 Yes.

12:43AM

51

52 LEG. D'AMARO:

53 Yes.

54

55 LEG. STERN:

56 Yes.

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1
2 LEG. McCAFFREY:
3 Yes.
4
5 LEG. TROTTA:
6 Yes.
7
8 LEG. KENNEDY:
9 Yes.
10
11 LEG. BARRAGA:
12 Yes.
13
14 LEG. CILMI:
15 Yep.
16
17 LEG. MARTINEZ:
18 *(Absent)*.
19
20 LEG. LINDSAY:
21 Yes.
22
23 LEG. ANKER:
24 Yes.
25
26 LEG. MURATORE:
27 No.
28
29 LEG. BROWNING:
30 Yes.
31
32 LEG. FLEMING:
33 Yes.
34
35 LEG. KRUPSKI:
36 Yes.
37
38 D. P. O. CALARCO:
39 Yes.
40
41 P. O. GREGORY:
42 Yes.
43
44 MR. RICHBERG:
45 *Sixteen (Opposed: Legislator Muratore - Absent: Legislator*
46 *Martinez)*.
47
48 P. O. GREGORY:
49 Okay, back to Budget & Finance:
50
51 IR 1482-17 - Amending --
52
53 LEG. SPENCER:
54 Since we did that for Lance, he's been here like all day. Can we
55 get him out of here with just one more and then we'll let him go;
56 1506, whether we can do it or not? Motion to take 1506 out of

1 order.

2

3 LEG. STERN:

4 Second.

5

6 P. O. GREGORY:

7 Where is it?

8

9 LEG. SPENCER:

12:43AM

10 Top of page nine in Parks.

11

12 P. O. GREGORY:

13 No, it isn't. Oh, page nine, okay.

14

15 All right, motion to take *IR 1506-17 - Appropriating funds in*
16 *connection with Safety Improvements at Suffolk County Vanderbilt*
17 *Museum (CP 7454) (County Executive)*. Motion by Legislator Spencer.

18

19 LEG. HAHN:

12:44AM

20 *(Raised hand)*.

21

22 P. O. GREGORY:

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

24

25 LEG. FLEMING:

26 I'm opposed.

27

28 MR. RICHBERG:

29 Sixteen.

12:44AM

30

31 LEG. FLEMING:

32 Motion to take it out of order? Sorry, yes.

33

34 MR. RICHBERG:

35 *Seventeen (Absent: Legislator Martinez)*.

36

37 P. O. GREGORY:

38 Motion to approve by Legislator Spencer, IR 1506. Second by
39 Legislator Hahn. All in favor? Opposed? Abstentions?

40

41 *(*Legislators Krupski & Fleming raised hands in opposition*)*

42

43 MR. RICHBERG:

44 *Fifteen (Opposed: Legislators Krupski & Fleming - Absent:*
45 *Legislator Martinez)*.

46

47 P. O. GREGORY:

48 Okay, *Bond Resolution, 1506A (of the County of Suffolk, New York,*
49 *authorizing the issuance of \$200,000 Bonds to finance the cost of*
50 *safety improvements at Suffolk County Vanderbilt Museum*
51 *(CP 7454.310), same motion, same second. Roll call.*

52

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

54

55 LEG. SPENCER:

56 Yes.

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1
2 LEG. HAHN:
3 Yes.
4
5 LEG. D' AMARO:
6 Yes for the west end.
7
8 LEG. STERN:
9 Yes.
12:44AM 10
11 LEG. McCAFFREY:
12 Yes.
13
14 LEG. FLEMING:
15 Now it's getting personal.
16
17 LEG. TROTTA:
18 Yes.
19
12:44AM 20 LEG. KENNEDY:
21 Yes.
22
23 LEG. BARRAGA:
24 Yes.
25
26 LEG. CILMI :
27 Yes.
28
12:45AM 29 LEG. MARTINEZ:
30 *(Absent)*.
31
32 LEG. LINDSAY:
33 Yes.
34
35 LEG. ANKER:
36 Yes.
37
38 LEG. MURATORE:
39 No.
12:45AM 40
41 LEG. BROWNING:
42 Yes.
43
44 LEG. FLEMING:
45 No.
46
47 LEG. KRUPSKI :
48 No.
49
12:45AM 50 D. P. O. CALARCO:
51 Yes.
52
53 P. O. GREGORY:
54 Yes.
55
56

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1 LEG. SPENCER:
2 Winter is coming.

3
4 MR. RICHBERG:
5 *Fourteen (Opposed: Legislators Krupski, Fleming & Muratore, Absent:*
6 *Legislator Martinez).*

7
8 P. O. GREGORY:
9 Okay, back to page seven (*Budget & Finance - Cont'd*):

12:45AM 10
11 *IR 1482-17 - Amending the 2017 Operating Budget and appropriating*
12 *funds in connection with bonding for a settlement for a liability*
13 *case against the County (County Executive).*

14
15 LEG. D'AMARO:
16 Motion.

17
18 P. O. GREGORY:
19 Motion by Legislator D'Amato. I'll second. All in favor?
12:45AM 20 Opposed? Abstentions?

21
22 MR. RICHBERG:
23 *Seventeen (Absent: Legislator Martinez).*

24
25 P. O. GREGORY:
26 *IR 1482A, Bond Resolution (of the County of Suffolk, New York,*
27 *authorizing the issuance of \$3,000,000 in Bonds to finance the cost*
28 *of A judgement in a general liability case against the County),*
29 same motion, same second. Roll call.

12:45AM 30
31 (**Roll Called by Mr. Richberg - Clerk of the Legislature**)

32
33 LEG. D'AMARO:
34 Yes.

35
36 P. O. GREGORY:
37 Yes.

38
39 LEG. SPENCER:
12:45AM 40 Yes.

41
42 LEG. STERN:
43 Yes.

44
45 LEG. McCAFFREY:
46 Yes.

47
48 LEG. TROTTA:
49 No.

12:45AM 50
51 LEG. KENNEDY:
52 Yes.

53
54 LEG. BARRAGA:
55 Yes.

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1 LEG. CILMI:
2 Yes.
3
4 LEG. MARTINEZ:
5 *(Absent)*.
6
7 LEG. LINDSAY:
8 Yes.
9
12:45AM 10 LEG. ANKER:
11 Yes.
12
13 LEG. HAHN:
14 Yes.
15
16 LEG. MURATORE:
17 Yes.
18
19 LEG. BROWNING:
12:45AM 20 Yes.
21
22 LEG. FLEMING:
23 Yes.
24
25 LEG. KRUPSKI:
26 Yes.
27
28 D. P. O. CALARCO:
29 Yes.
12:46AM 30
31 MR. RICHBERG:
32 *Sixteen (Opposed: Legislator Trotta - Absent: Legislator Martinez)*.
33
34 P. O. GREGORY:
35 *Okay, IR 1518-17 - Amending the 2017 Operating Budget to provide*
36 *funding for the Joseph Toles Foundation, Pronto of Long Island,*
37 *Inc., and the Central Islip Civic Council (Martinez)*.
38
12:46AM 39 LEG. CILMI:
40 Motion.
41
42 P. O. GREGORY:
43 Motion by Legislator Cilmi. I'll second --
44
45 LEG. D'AMARO:
46 Second.
47
48 LEG. SPENCER:
49 I'll second that.
50
51 P. O. GREGORY:
52 I'm sorry, who was that?
53
54 LEG. SPENCER:
55 I think Lou beat me.
56

General Meeting - June 20, 2017

1 P. O. GREGORY:
2 Second by Legislator D' Amaro. All in favor? Opposed?
3 Abstentions?

4
5 MR. RICHBERG:
6 *Seventeen (Absent: Legislator Martinez).*

7
8 *(Economic Development):*
9

12:46AM 10 P. O. GREGORY:
11 *IR 1478-17 - Authorizing 2017 Cultural Tourism funding (County*
12 *Executive).*

13
14 LEG. LINDSAY:
15 *(Raised hand).*

16
17 LEG. FLEMING:
18 Motion.

19
12:46AM 20 P. O. GREGORY:
21 Motion by Legislator Lindsay.

22
23 LEG. SPENCER:
24 Second.

25
26 P. O. GREGORY:
27 Second by Legislator Spencer. All in favor? Opposed?
28 Abstentions?

29
12:46AM 30 MR. RICHBERG:
31 *Seventeen (Absent: Legislator Martinez).*

32
33 P. O. GREGORY:
34 *IR 1479-17 - Authorizing 2017 Emerging Film Festival funding*
35 *(County Executive). Same motion, same second okay? All in favor?*
36 *Opposed? Abstentions?*

37
38 MR. RICHBERG:
39 *Seventeen (Absent: Legislator Martinez).*

12:46AM 40
41 P. O. GREGORY:
42 *IR 1522-17 - Authorizing the sale of tax lien certificates on 1460*
43 *(Aka 1490) Brentwood Rd, Bay Shore (SCTM No.*
44 *0500-268.00-02.00-032.000) to the Suffolk County Landbank*
45 *Corporation (County Executive). I make a motion.*

46
47 LEG. D' AMARO:
48 Second.

49
12:47AM 50 P. O. GREGORY:
51 Second by Legislator D' Amaro. All in favor? Opposed?
52 Abstentions?

53
54 MR. RICHBERG:
55 *Seventeen (Absent: Legislator Martinez).*
56

1 (Education and Human Services):

2
3 P. O. GREGORY:
4 *IR 1513-17 - Approving the reappointment of Rabbi Dr. Steven A.*
5 *Moss, to the Suffolk County Human Rights Commission (County*
6 *Executive).*

7
8 LEG. LINDSAY:
9 Motion.

10
11 P. O. GREGORY:
12 Motion by Legislator Lindsay.

13
14 LEG. MURATORE:
15 *(Raised hand).*

16
17 P. O. GREGORY:
18 Second by Legislator Muratore. All in favor? Opposed?
19 Abstentions?

12:47AM 20
21 MR. RICHBERG:
22 *Seventeen (Absent: Legislator Martinez). Lindsay cosponsor.*

23
24 P. O. GREGORY:
25 *IR 1514-17 - Approving the reappointment of Michele T. Delmonte,*
26 *to the Suffolk County Human Rights Commission (County Executive).*
27 I'll make a motion.

28
29 LEG. CILMI:
12:47AM 30 Second.

31
32 P. O. GREGORY:
33 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

34
35 MR. RICHBERG:
36 *Seventeen (Absent: Legislator Martinez).*

37
38 P. O. GREGORY:
39 *IR 1515-17 - Approving the reappointment of Lynda Perdomo-Ayala to*
12:47AM 40 *the Suffolk County Human Rights Commission (County Executive). Oh*
41 *geez, that was horrible. Ayala. It's late, come on. Same motion,*
42 *same second?*

43
44 LEG. SPENCER:
45 Yeah.

46
47 P. O. GREGORY:
48 All in favor? Opposed? Abstentions?

49
12:47AM 50 MR. RICHBERG:
51 *Seventeen (Absent: Legislator Martinez).*

52
53 P. O. GREGORY:
54 *IR 1516-17 - Approving the reappointment of Carolyn G. Peabody,*
55 *to the Suffolk County Human Rights Commission (County Executive).*

1 LEG. KRUPSKI:
2 Motion.

3
4 LEG. HAHN:
5 *(Raised hand).*

6
7 P. O. GREGORY:
8 Motion by Legislator Hahn. Second by Legislator Krupski. No,
9 motion by Legislator Krupski, second by Legislator Hahn. All in
10 favor? Opposed? Abstentions?

12:48AM

11
12 MR. RICHBERG:
13 *Seventeen (Absent: Legislator Martinez).*

14
15 P. O. GREGORY:
16 All right, page eight, down to Parks & Rec. IR 14 --

17
18 MR. NOLAN:
19 You skipped 1512.

20
21 P. O. GREGORY:
22 Oh, I'm sorry. I skipped 1512, I'm sorry.

23
24 *(Health):*

25
26 *IR 1512-17 - Accepting and appropriating 50% Federal grant funds*
27 *from the United States Environmental Protection Agency in the*
28 *amount of \$263,000 for the Peconic Estuary Program ("PEP")*
29 *administered by the Suffolk County Department of Health Services,*
30 *Division of Environmental Quality and to execute grant related*
31 *agreements (County Executive).*

12:48AM

32
33 LEG. KRUPSKI:
34 Motion.

35
36 LEG. SPENCER:
37 Motion.

38
39 P. O. GREGORY:
40 Motion by Legislator Krupski. Second by Legislator Spencer.
41 All in favor? Opposed? Abstentions?

12:48AM

42
43 MR. RICHBERG:
44 *Seventeen (Absent: Legislator Martinez).*

45
46 *(Parks & Recreation):*

47
48 P. O. GREGORY:
49 Okay, now IR 1457-17 - Appropriating funds in connection with the
50 *Historic Restoration and Preservation Fund (CP 7510) (County*
51 *Executive).* Motion by Legislator Muratore. Second by Legislator
52 Fleming. All in favor? Opposed? Abstentions?

12:48AM

53
54 MR. RICHBERG:
55 *Seventeen (Absent: Legislator Martinez).*

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1 P. O. GREGORY:

2 *IR 1457A, Bond resolution (of the County of Suffolk, New York,*
3 *authorizing the issuance of \$500,000 Bonds to finance the Historic*
4 *Restoration and Preservation Fund, consisting of the stabilization,*
5 *preservation and restoration of historic structures and buildings*
6 *at County Parks Historic Restoration and Preservation Fund*
7 *(CP 7510.130, .346), same motion, same second. Roll call.*

8
9 MR. RICHBERG:

10 Who was the motion and the second?

11
12 P. O. GREGORY:

13 Oh, Muratore and Hahn, I think. No, Fleming, Fleming.

14
15 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*

16
17 LEG. MURATORE:

18 Yes.

19
12:49AM 20 LEG. FLEMING:

21 Yes.

22
23 LEG. SPENCER:

24 Yes.

25
26 LEG. D'AMARO:

27 Yes.

28
29 LEG. STERN:

12:49AM 30 Yes.

31
32 LEG. McCAFFREY:

33 Yes.

34
35 LEG. TROTTA:

36 Yes.

37
38 LEG. KENNEDY:

39 Yes.

12:49AM 40
41 LEG. BARRAGA:

42 Yes.

43
44 LEG. CILMI:

45 Yes.

46
47 LEG. MARTINEZ:

48 *(Absent).*

49
12:49AM 50 LEG. LINDSAY:

51 Yes.

52
53 LEG. ANKER:

54 Yes.

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1 LEG. HAHN:
2 Yes.
3
4 LEG. BROWNING:
5 Yes.
6
7 LEG. KRUPSKI:
8 Yes.
9
10 D. P. O. CALARCO:
11 Yes.
12
13 P. O. GREGORY:
14 Yes.
15
16 MR. RICHBERG:
17 *Seventeen (Absent: Legislator Martinez).*
18
19 P. O. GREGORY:
12:49AM 20 Okay, IR 1462-17 - Authorizing use of the Long Island Maritime
21 Museum by the Rotary Club of Sayville for Annual Beefsteak
22 Fundraiser (County Executive). Motion by Legislator Lindsay.
23 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?
24
25 MR. RICHBERG:
26 *Seventeen (Absent: Legislator Martinez).*
27
28 P. O. GREGORY:
12:50AM 29 IR 1463-17 - Authorizing use of Cedar Beach County Park for Cornell
30 Cooperative Extension Marine Program Taste and Tour Fundraiser
31 (County Executive).
32
33 LEG. LINDSAY:
34 Jason, cosponsor.
35
36 P. O. GREGORY:
37 Motion by Legislator Krupski. I'll second. All in favor?
38 Opposed? Abstentions?
39
12:50AM 40 MR. RICHBERG:
41 *Seventeen (Absent: Legislator Martinez).*
42
43 P. O. GREGORY:
44 IR 1477-17 - Authorizing use of Indian Island County Park in
45 Riverhead by Birthright of Peconic, Inc. For its Walk for Life
46 Fundraiser (County Executive).
47
48 LEG. KRUPSKI:
49 Motion.
12:50AM 50
51 LEG. KENNEDY:
52 Second.
53
54 P. O. GREGORY:
55 Motion by Legislator Krupski.
56

General Meeting - June 20, 2017

1 LEG. KENNEDY:
2 Second.

3
4 P. O. GREGORY:
5 Second by Legislator Kennedy. All in favor? Opposed?
6 Abstentions?

7
8 MR. RICHBERG:
9 *Seventeen (Absent: Legislator Martinez).*

12:50AM 10
11 P. O. GREGORY:
12 *IR 1494-17 - Appropriating funds in connection with Improvements to*
13 *County Marinas (CP 7109) (County Executive). Motion by Legislator*
14 *Krupski. Second by Legislator Muratore. All in favor? Opposed?*
15 *Abstentions?*

16 MR. RICHBERG:
17 *Seventeen (Absent: Legislator Martinez).*

18
19 P. O. GREGORY:
12:50AM 20 *IR 1494A, Bond Resolution (of the County of Suffolk, New York,*
21 *authorizing the issuance of 250,000 in bonds to finance the cost of*
22 *improvements to County Marinas (CP 7109.317), same motion, same*
23 *second. Roll call.*

24
25 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*

26
27 LEG. KRUPSKI:
28 Yes.

29
12:50AM 30 LEG. MURATORE:
31 Yes.

32
33 LEG. SPENCER:
34 Yes.

35
36 LEG. D'AMARO:
37 Yes.

38
12:51AM 39 LEG. STERN:
40 Yes.

41
42 LEG. McCAFFREY:
43 Yes.

44
45 LEG. TROTTA:
46 Yes.

47
48 LEG. KENNEDY:
49 Yes.

12:51AM 50
51 LEG. BARRAGA:
52 Yes.

53
54 LEG. CILMI:
55 Yes.

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1 LEG. MARTINEZ:
2 *(Absent).*
3
4 LEG. LINDSAY:
5 Yes.
6
7 LEG. ANKER:
8 Yes.
9
12:51AM 10 LEG. HAHN:
11 Yes.
12
13 LEG. BROWNING:
14 Yes.
15
16 LEG. FLEMING:
17 Yes.
18
19 D. P. O. CALARCO:
12:51AM 20 Yes.
21
22 P. O. GREGORY:
23 Yes.
24
25 MR. RICHBERG:
26 *Seventeen (Absent: Legislator Martinez).*
27
28 P. O. GREGORY:
29 *IR 1495-17 - Appropriating funds in connection with Improvements to*
12:51AM 30 *Gardiner County Park/Sagtikos Manor (CP 7164) (County Executive).*
31 *Motion by Legislator Barraga; is that your district?*
32
33 LEG. BARRAGA:
34 Yes.
35
36 LEG. CILMI:
37 *I'll second.*
38
39 P. O. GREGORY:
12:51AM 40 *Second by Legislator Cilmi. All in favor? Opposed? Abstentions?*
41
42 MR. RICHBERG:
43 *Seventeen (Absent: Legislator Martinez).*
44
45 P. O. GREGORY:
46 *IR 1495A - Bond Resolution (of the County of Suffolk, New York,*
47 *authorizing the issuance of \$350,000 in bonds to finance the cost*
48 *of improvements to Gardiner County Parks/Sagtikos Manor*
49 *(CP 7164. 111, . 314). Same motion, same second. Roll call.*
12:51AM 50
51 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*
52
53 LEG. BARRAGA:
54 Yes.
55
56

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1 LEG. CILMI :
2 Yes.
3
4 LEG. SPENCER:
5 Yes.
6
7 LEG. D'AMARO:
8 Yes.
9
10 LEG. STERN:
11 Yes.
12
13 LEG. McCAFFREY:
14 Yes.
15
16 LEG. TROTTA:
17 No.
18
19 LEG. KENNEDY:
20 Yes.
21
22 LEG. MARTINEZ:
23 *(Absent)*.
24
25 LEG. LINDSAY:
26 Yes.
27
28 LEG. ANKER:
29 Yes.
30
31 LEG. HAHN:
32 Yes.
33
34 LEG. MURATORE:
35 Yes.
36
37 LEG. BROWNING:
38 Yes.
39
40 LEG. FLEMING:
41 Yes.
42
43 LEG. KRUPSKI :
44 Yes.
45
46 D. P. O. CALARCO:
47 Yes.
48
49 P. O. GREGORY:
50 Yes.
51
52 MR. RICHBERG:
53 *Sixteen (Opposed: Legislator Trotta - Absent: Legislator Martinez)*.
54
55 P. O. GREGORY:
56 *IR 1496-17 - Appropriating funds in connection with the Purchase of*

General Meeting - June 20, 2017

1 *Heavy Duty and Other Equipment for County Parks (CP 7011) (County*
2 *Executive). I'll make a motion.*

3
4 D. P. O. CALARCO:
5 Second.

6
7 P. O. GREGORY:
8 Second by Legislator Calarco. All in favor? Opposed?
9 Abstentions?

12:52AM

10
11 MR. RICHBERG:
12 *Seventeen (Absent: Legislator Martinez).*

13
14 P. O. GREGORY:
15 *IR 1496A Bond Resolution (of the County of Suffolk, New York,*
16 *authorizing the issuance of \$200,000 in bonds to finance the cost*
17 *of acquisition of heavy duty and other equipment for County Parks*
18 *(CP 7011. 532), same motion, same second. Roll call.*

12:52AM

19
20 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*

21
22 P. O. GREGORY:
23 Yes.

24
25 D. P. O. CALARCO:
26 Yes.

27
28 LEG. SPENCER:
29 Yes.

12:52AM

30
31 LEG. D'AMARO:
32 Yes.

33
34 LEG. STERN:
35 Yes.

36
37 LEG. McCAFFREY:
38 Yes.

12:52AM

39
40 LEG. TROTTA:
41 Yes.

42
43 LEG. KENNEDY:
44 Yes.

45
46 LEG. BARRAGA:
47 Yes.

12:52AM

48
49 LEG. CILMI:
50 Yes.

51
52 LEG. MARTINEZ:
53 *(Absent).*

54
55 LEG. LINDSAY:
56 Yes.

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1
2 LEG. ANKER:
3 Yes.
4
5 LEG. HAHN:
6 Yes.
7
8 LEG. MURATORE:
9 No.
10
11 LEG. BROWNING:
12 Yes.
13
14 LEG. FLEMING:
15 Yes.
16
17 LEG. KRUPSKI:
18 Yes.
19
12:52AM 20 MR. RICHBERG:
21 *Sixteen (Opposed: Legislator Muratore - Absent: Legislator*
22 *Martinez).*
23
24 P. O. GREGORY:
25 *LR 1501-17 - Authorizing use of the Long Island Maritime Museum by*
26 *the Cystic Fibrosis Foundation for their Annual "Sayville Run/Walk*
27 *and Barbeque" Fundraiser (County Executive).*
28
29 LEG. LINDSAY:
30 Motion.
31
32 P. O. GREGORY:
33 Motion by Legislator Lindsay.
34
35 LEG. CILMI:
36 Second.
37
38 LEG. KENNEDY:
39 Second.
12:52AM 40
41 P. O. GREGORY:
42 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?
43
44 MR. RICHBERG:
45 *Seventeen (Absent: Legislator Martinez).*
46
47 P. O. GREGORY:
48 *1502-17 - Authorizing use of Cathedral Pines County Park for by*
49 *Long Island ABATE for its Annual Campout Fundraiser (County*
12:53AM 50 *Executive).*
51
52 LEG. MURATORE:
53 Motion.
54
55 P. O. GREGORY:
56 Motion by Legislator Muratore.

1
2 LEG. ANKER:
3 Second.

4
5 P. O. GREGORY:
6 Second by -- who was that, Fleming?

7
8 MR. NOLAN:
9 Anker.

10
11 P. O. GREGORY:
12 Anker; second by Legislator Anker. All in favor? Opposed?
13 Abstentions?

14
15 MR. RICHBERG:
16 *Seventeen (Absent: Legislator Martinez).*
17
18 *(Public Safety):*

12:53AM 19
20 P. O. GREGORY:
21 Okay, 1453-17 - Reappointing Ronald Barz as a member of the Suffolk
22 County Vocational, Education, and Extension Board (Kennedy).
23 Motion by Legislator Kennedy.

24
25 LEG. CILMI:
26 Second.

27
28 P. O. GREGORY:
29 Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

12:53AM 30
31 MR. RICHBERG:
32 *Seventeen (Absent: Legislator Martinez).*

33
34 P. O. GREGORY:
35 *IR 1458-17 - Appropriating funds in connection with the Renovation*
36 *to Marine Bureau Facility (CP 3195) (County Executive).*

37
38 LEG. CILMI:
39 Motion.

12:53AM 40
41 P. O. GREGORY:
42 Motion by Legislator Cilmi. I'll second. You want to say
43 something, Legislator Fleming?

44
45 LEG. FLEMING:
46 No, thank you.

47
48 P. O. GREGORY:
49 Oh, I saw you pull your mic up. All in favor? Opposed?
12:53AM 50 Abstentions?

51
52 MR. RICHBERG:
53 *Seventeen (Absent: Legislator Martinez).*

54
55 P. O. GREGORY:
56 *1458A Bond Resolution (of the County of Suffolk, New York,*

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1 *authorizing the issuance of \$400,000 Bonds to finance the cost of*
2 *renovations to the Marine Bureau Facility (CP 3195.310), same*
3 *motion, same second. Roll call.*

4
5 *(*Roll Called by Mr. Richberg - Clerk of the Legislature*)*

6
7 LEG. CILMI:
8 Yes.

9
10 12:54AM P. O. GREGORY:
11 Yes.

12
13 LEG. SPENCER:
14 Yes.

15 LEG. D'AMARO:
16 Yes.

17
18 LEG. STERN:
19 Yes.

20 12:54AM LEG. McCAFFREY:
21 Yes.

22
23 LEG. TROTTA:
24 Yes.

25
26 LEG. KENNEDY:
27 Yes.

28
29 12:54AM LEG. BARRAGA:
30 Yes.

31
32 LEG. MARTINEZ:
33 *(Absent).*

34
35 LEG. LINDSAY:
36 Yes.

37
38 12:54AM LEG. ANKER:
39 Yes.

40
41 LEG. HAHN:
42 Yes.

43
44 LEG. MURATORE:
45 Yes.

46
47 LEG. BROWNING:
48 Yes.

49
50 12:54AM LEG. FLEMING:
51 Yes.

52
53 LEG. KRUPSKI:
54 Yes.

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1 D. P. O. CALARCO:
2 Yes.

3
4 MR. RICHBERG:
5 *Seventeen (Absent: Legislator Martinez).*

6
7 P. O. GREGORY:
8 Okay, *IR 1459-17 - Appropriating funds in connection with Building*
9 *Extension for Property Bureau (CP 3514) (County Executive).*

12:54AM 10
11 LEG. HAHN:
12 Motion.

13
14 P. O. GREGORY:
15 Motion by Legislator Hahn. I'll second. All in favor? Opposed?
16 Abstentions?

17
18 MR. RICHBERG:
19 *Seventeen (Absent: Legislator Martinez).*

12:54AM 20
21 P. O. GREGORY:
22 *1459A Bond Resolution (of the County of Suffolk, New York*
23 *authorizing the issuance of \$945,000 Bonds to finance the building*
24 *extension for the Property Bureau (CP 3514. 110, . 310, . 511), same*
25 *motion, same second. Roll call.*

26
27 LEG. KRUPSKI:
28 On the motion.

12:54AM 29
30 P. O. GREGORY:
31 On the motion, Legislator Krupski.

32
33 LEG. KRUPSKI:
34 Could we get what is the building for? I want to hear --

35
36 P. O. GREGORY:
37 The Property Bureau; Lieutenant?

12:55AM 38
39 LI EUTENANT HOMAN:
40 Good evening. Lieutenant Homan. Or good morning.

41
42 LEG. FLEMING:
43 See, it was worth staying.

44
45 LI EUTENANT HOMAN:
46 *(Laughter)* Yes, it was. An optimist *(Laughter)*.

47
48 LEG. KRUPSKI:
49 Good morning. What's the building for?

12:55AM 50
51 LI EUTENANT HOMAN:
52 The building extension for the Police Property Section. I took
53 some notes on this. The project funds the building extension for
54 the Police Property Bureau. The Police Property Bureau building
55 provides storage and security for all of the property that comes
56 into the possession of the Police Department other than motor

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1 vehicles. This includes at least one million pieces of evidence,
2 as well as millions of dollars in cash, valuables, narcotics and
3 firearms.

4
5 The Property Bureau building was built approximately 30 years ago
6 and has exceeded its design limitations for current storage. As of
7 now, 500,000 of this 2017 budget, 945,000 for planning the 2019
8 building extension. The remaining 145 is for eight 30-foot poles
9 with 24 LED spotlights affixed at impound, which is part of the
10 Property Section Bureau.

12:56AM

11
12 LEG. KRUPSKI:

13 Why don't we auction the surplus property off? Why are we storing
14 all of this?

15
16 LI EUTENANT HOMAN:

17 We do auction as we can as time goes and we know for certain that
18 we don't need it for evidentiary purposes and other reasons. We do
19 try to auction off as much as we possibly can in a timely --

12:56AM

20
21 LEG. KRUPSKI:

22 I mean, it seems like a big building for -- to store property that
23 we auction off.

24
25 LEG. FLEMING:

26 It's evidence.

27
28 LI EUTENANT HOMAN:

29 It's --

12:56AM

30
31 LEG. KRUPSKI:

32 Well, what happens to -- well, I mean --

33
34 LI EUTENANT HOMAN:

35 Some evidence you have to keep in perpetuity.

36
37 LEG. KRUPSKI:

38 In perpetuity.

12:56AM

39
40 LI EUTENANT HOMAN:

41 Well, homicides.

42
43 LEG. FLEMING:

44 Rape kits.

45
46 LI EUTENANT HOMAN:

47 Rape kits, thank you, firearms. There's no statute of limitations
48 on homicides, so then obviously you would have to keep that for as
49 long as possible.

12:57AM

50
51 LEG. KRUPSKI:

52 Thank you.

53
54 LI EUTENANT HOMAN:

55 Thank you.

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1 D. P. O. CALARCO:
2 Legislator Trotta.

3
4 LEG. TROTТА:
5 Tell me I'm -- is this \$900,000 for planning?

6
7 MS. HORST:
8 It's 500,000 for planning, 427 for construction and 18,000 for
9 equipment.

12:57AM 10
11 LEG. TROTТА:
12 Wait a minute. It costs more to plan for the building than it does
13 to build the building?

14
15 COMMISSIONER ANDERSON:
16 No, it's planning for the building. The building was actually
17 damaged under Sandy and some of the stuff is actually being stored
18 in the trailer. But yes, the fee for -- the estimated fee for the
19 planning is at 500,000 to develop the plans for the building. The
12:57AM 20 remaining money is for actually other things; the lighting around
21 the site, an emergency generator.

22
23 LEG. TROTТА:
24 Wait a minute; \$500,000 to plan for a building.

25
26 COMMISSIONER ANDERSON:
27 That's the estimate right now, yes.

28
29 LEG. MURATORE:
12:58AM 30 Right now.

31
32 LEG. TROTТА:
33 Do you have any idea how ridiculous that is?

34
35 COMMISSIONER ANDERSON:
36 We --

37
38 LEG. TROTТА:
12:58AM 39 What are they going to plan for a brick building? I've been in the
40 building a thousand times, it's a brick, square building with a
41 roof.

42
43 COMMISSIONER ANDERSON:
44 That is the estimate that our staff has come up with for this
45 building.

46
47 LEG. TROTТА:
48 I would get a new staff tomorrow morning. This is absurd; \$500
49 (*sic*) for a planning of a brick -- Lieutenant, is the building a
12:58AM 50 brick building with racks in it like Home Depot? That would be a
51 yes.

52
53 LIUTENANT HOMAN:
54 Climate control as well.

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1 LEG. TROTТА:
2 This is absurd. Climate control; with an air-conditioner. This is
3 -- you know, we just talked about, you know, this is absolutely --
4 how much do you think the building is, \$5 million for a brick
5 building?

6
7 LEG. MURATORE:
8 Three.

9
10 12:58AM COMMISSIONER ANDERSON:
11 I would assume that's what it's based on, yeah.

12
13 LEG. HAHN:
14 DuWayne?

15
16 LEG. TROTТА:
17 How big of a building are you going to build? We have a building
18 there. I mean, it's full, but we purge it every so often.

19
20 12:59AM COMMISSIONER ANDERSON:
21 I believe the building was also damaged during Sandy and that's
22 part of the reason for the need to -- a lot of the stuff is being
23 stored, if I'm not --

24
25 LEG. TROTТА:
26 How was it damaged in Sandy; it got wet?

27
28 COMMISSIONER ANDERSON:
29 No, the roof got ripped off and had to be repaired, and a lot of
30 the windows -- there's a lot of stuff that's --

31
32 LEG. TROTТА:
33 I'm assuming it's repaired by now.

34
35 COMMISSIONER ANDERSON:
36 A lot of the stuff that's in the building is actually being stored
37 in trailers on the side.

38
39 12:59AM LEG. TROTТА:
40 The roof obviously was repaired between Sandy and now.

41
42 COMMISSIONER ANDERSON:
43 I assume it is, but I also was advised that a lot of the material
44 is being stored in trailers, thus the need for a new building.

45
46 LEG. TROTТА:
47 Are they knocking this building down?

48
49 12:59AM COMMISSIONER ANDERSON:
50 At this point the plan hasn't been developed as to how you're going
51 get --

52
53 LEG. TROTТА:
54 This is absurd. I mean, we don't know if we're knocking the
55 building down, we don't know how big a building we're building, we
56 don't know anything but we're going to spend \$500,000 for a plan

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1 for a brick building, for a cement-block building. It's insanity.
2 I mean, we just -- we just were back and forth for hours over
3 saving \$500,000 for, you know, 300 employees. You know, that
4 building has been -- I've been in that building a thousand times.
5 Is it full? Yeah, but they purge it out. You know, when you pull
6 in you can pull trucks in it. I cannot support \$500,000 for a plan
7 that we don't even know if we're taking the old building down, we
8 don't know if we're building a new building, we don't know
9 anything.

01:00AM

10
11 D. P. O. CALARCO:
12 Legislator Hahn?

13
14 LEG. HAHN:

15 So to the point, because we keep hearing the same stuff from
16 Legislator Trotta. Gil -- sorry, it's late. Are there -- are
17 there plans that municipalities can share for like the same
18 building? You're basically building, you know, a big ole
19 rectangle. Like are there -- what do you call it? A template for
20 property storage-type buildings so that we don't have to spend --
21 like is there a way -- you know, is there best practices across the
22 nation so that we don't have to keep spending \$500,000 to plan a
23 building that other people are building; you know?

01:01AM

24
25 COMMISSIONER ANDERSON:

26 Again, if you're asking would we put up a butler building to store
27 all this evidence, no.

28
29 LEG. HAHN:

30 No, no, it's more like --

01:01AM

31
32 COMMISSIONER ANDERSON:

33 No, I understand, you're looking where other communities might have
34 plans that we could use to build the same facility.

35
36 LEG. HAHN:

37 But I would just think that if -- okay, so we've got this great
38 plan. I'm sure John Cayman's home listening to this. You know,
39 we got this great plan from the Governor that we're supposed to be
40 finding ways to share services or whatever the whole thing is,
41 right? And, you know, you would think, I mean, municipalities
42 across the nation are struggling with the same things that we are,
43 that maybe there could be some sort of repository for things that
44 need to be built over and over again.

01:02AM

45
46 LEG. CILMI:

47 Brilliant.

48
49 LEG. HAHN:

50 Am I wrong?

01:02AM

51
52 LEG. CILMI:

53 No, you're right.

54
55 LEG. KRUPSKI:

56 No, keep going.

1
2 LEG. HAHN:
3 Okay.

4
5 *(*Laughter*)*
6

7 Anyways, maybe we could start it. Maybe we could be the first, you
8 know -- well, no, but I'm saying that, you know, we can plan for
9 this.

01:02AM 10
11 LEG. TROTTA:
12 If I may, can I make a motion to table? Because maybe they can
13 come back and it's something they're missing. This isn't anything
14 that we need to do right away. You know, I've been --

15
16 MS. HORST:
17 Whatever this body wishes.

18
19 LEG. TROTTA:
01:03AM 20 I mean, I would motion to table this and come back before --

21
22 D. P. O. CALARCO:
23 Legislator Trotta, I have a list, I have a list. Legislator
24 D'Amaro was first; if you're done, Legislator Hahn.

25
26 LEG. D'AMARO:
27 Kara, are you done?

28
29 LEG. HAHN:
01:03AM 30 What's that; am I done? For now. I'm feeling *(laughter)*. Yeah,
31 it's a Dr. Pepper. I haven't had caffeine in months.

32
33 LEG. CILMI:
34 You'll yield your time.

35
36 LEG. D'AMARO:
37 Well, I did a search on-line.

38
39 *(*Laughter*)*

01:03AM 40
41 LEG. HAHN:
42 Oh, you did.

43
44 LEG. BROWNING:
45 Oh, God.

46
47 LEG. D'AMARO:
48 And I'm looking at the FBI Law Enforcement Bulletin; *"Police*
49 *practice building an effective property room"*. And I'll tell you,
01:03AM 50 there's a lot that goes into this in planning your building,
51 there's a lot of security concerns. It's not just climate control,
52 it's about how to most effectively -- you know, what type of
53 equipment to put in there and there's a lot that goes into it
54 because, after all, you are safeguarding property that by law has
55 to maintain the chain of custody and has to be reliable and not
56 impeachable if it ever should be used in a trial or for any other

1 purpose. So according to the FBI, you know, perhaps planning for a
2 building like this is more than just building a school house.

3
4 LEG. HAHN:

5 But every municipality would have to build the same thing, right?

6
7 LEG. D'AMARO:

8 I thought you were done?

9
10 LEG. HAHN:

11 No, I'm --

12
13 LEG. D'AMARO:

14 I'm just kidding. No, I agree with your -- I'm not --

15
16 LEG. HAHN:

17 Or at least municipalities of similar size.

18
19 LEG. D'AMARO:

20 No, I'm agreeing with you.

21
22 LEG. HAHN:

23 I'm not suggesting we should table this.

24
25 LEG. D'AMARO:

26 No, I think we should go to the FBI --

27
28 LEG. HAHN:

29 Yes, that's my point.

30
31 LEG. D'AMARO:

32 -- and ask them if they have plans.

33
34 LEG. HAHN:

35 Yes.

36
37 LEG. D'AMARO:

38 I'm agreeing with you.

39
40 LEG. HAHN:

41 That was my point.

42
43 LEG. D'AMARO:

44 I'm agreeing with you, I'm agreeing with you. But I'm just -- I'm
45 talking about the cost, the cost of planning a building if you were
46 going to do it not from stock plans or a template. If you were
47 going to do it from scratch, I think it's just a little more
48 extensive than building, you know, a brick and mortar, you know,
49 let's put up a rectangle and, you know, call it a day. It's a
50 little bit more than that.

51
52 And also in my mind, Commissioner, is was this done in-house or did
53 we -- how did we get this estimate? Because it would seem to me
54 that there are probably certain consultants that do this more
55 frequently than others. I mean, this is kind of a speciality
56 building, I would think. So --

01:04AM

01:05AM

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1
2 COMMISSIONER ANDERSON:
3 I would think but, you know, again, based on the estimate, I'm
4 assuming that they took the square -- you know, based on the need
5 of the Police Department, I'm sure they took the square footage of
6 it, multiplied it by --

7
8 LEG. D'AMARO:
9 A cost factor, yeah.

01:05AM 10
11 COMMISSIONER ANDERSON:
12 -- a cost they probably got out of a document such as Means.

13
14 LEG. D'AMARO:
15 How many square feet is the building proposed or the extension;
16 do you know offhand?

17
18 COMMISSIONER ANDERSON:
19 No, I don't.

01:05AM 20
21 LEG. D'AMARO:
22 I'm just wondering if it's the same planning cost per square foot
23 as your average building, you know?

24
25 COMMISSIONER ANDERSON:
26 Again, without -- I'm not really familiar with the project enough
27 to get anything more than --

28
29 LEG. D'AMARO:
01:06AM 30 Okay, that's fine, that's fine. But do you want an opportunity to
31 perhaps revisit that before we vote?

32
33 COMMISSIONER ANDERSON:
34 I would be fine if this was tabled.

35
36 LEG. D'AMARO:
37 Is that okay, just for a cycle?

38
39 COMMISSIONER ANDERSON:
40 Absolutely.

41
42 LEG. D'AMARO:
43 And maybe you can inform us a little more?

44
45 COMMISSIONER ANDERSON:
46 I'll get some information and then come back here.

47
48 LEG. D'AMARO:
49 Yeah, okay. Okay, thank you.

01:06AM 50
51 D. P. O. CALARCO:
52 Okay, Legislator Trotta, it's your turn.

53
54 LEG. TROTТА:
55 Just for the record, I've been in the FBI's about a hundred times
56 and the Suffolk County Police Department is far superior than the

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1 FBI's, far superior; the way they track things, the way they
2 monitor things, they are far superior. And having said that, I
3 remember when that building was new, and I can't believe they're
4 going to be tearing that building down, they're going to be -- the
5 thing's basically a new building.

6
7 LEG. D'AMARO:
8 Yeah, no, I agree with you.

9
01:06AM 10 LEG. TROTТА:
11 So I would make a motion to table until we have more --

12
13 LEG. D'AMARO:
14 Wait, I just don't want to mislead anyone. It's the FBI website
15 but they're talking about the Houston Police Department property
16 room that they built, not the FBI room itself.

17
18 LEG. TROTТА:
19 Well, believe me, the FBI's is hurting compared to Suffolk
01:07AM 20 County's.

21
22 LEG. McCAFFREY:
23 Is that a motion to table?

24
25 LEG. TROTТА:
26 Motion to table.

27
28 D. P. O. CALARCO:
29 Okay. We have a motion to table by Legislator Trotta. Legislator
01:07AM 30 Cilmi, you wanted to --

31
32 LEG. McCAFFREY:
33 Second.

34
35 D. P. O. CALARCO:
36 Second by Legislator McCaffrey.

37
38 LEG. CILMI:
39 Do you think they can do it for 10% less.

01:07AM 40
41 *(*Laughter*)*

42
43 D. P. O. CALARCO:
44 You might even get eleven.

45
46 LEG. HAHN:
47 I'm sorry, 11% percent.

48
49 D. P. O. CALARCO:
01:07AM 50 Okay. Anybody else on the issue? We have a tabling motion and an
51 approval motion; tabling goes first. Roll call.

52
53 *(*Roll Called by Ms. Ellis - Chief Deputy Clerk of the Legislature*)*

54
55 LEG. TROTТА:
56 To table it, yes.

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1
2 LEG. McCAFFREY:
3 Yes.
4
5 D. P. O. CALARCO:
6 Counsel is asking us this is on the bond? No, this is on the
7 original resolution; correct?
8
9 MR. RICHBERG:
01:07AM 10 This is the bond.
11
12
13 D. P. O. CALARCO:
14 This is the bond?
15
16 MR. NOLAN:
17 We approved the appropriating resolution. This is the bond.
18
19 D. P. O. CALARCO:
01:08AM 20 This is the bond, okay.
21
22 LEG. TROTТА:
23 For the property thing? We didn't approve it yet; we didn't vote
24 on it.
25
26 P. O. GREGORY:
27 Yes, we did.
28
29 LEG. TROTТА:
01:08AM 30 No, we didn't.
31
32 MR. RICHBERG:
33 Yes, we did.
34
35 LEG. D'AMARO:
36 You made the motion.
37
38 *(*Laughter*)*
39
40 LEG. TROTТА:
01:08AM 41 Wait a minute. So why would we -- what were we arguing about?
42
43 P. O. GREGORY:
44 The bond.
45
46 MR. NOLAN:
47 The bonds.
48
49 LEG. SPENCER:
01:08AM 50 You're under a lot of stress, it's okay.
51
52 D. P. O. CALARCO:
53 Continue, please, Clerk.
54
55 LEG. CILMI:
56 Rob, I'm with you; I didn't think we voted on it either.

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1
2 LEG. TROTTA:
3 I asked, tell me this isn't about -- can you -- I don't think we
4 voted on this.
5
6 LEG. CILMI:
7 Rob didn't think we did.
8
9 LEG. TROTTA:
01:08AM 10 And Legislator Cilmi didn't think we did.
11
12
13 D. P. O. CALARCO:
14 The Clerk has us having voted on it. What was the vote --
15
16 LEG. TROTTA:
17 Can I make a motion --
18
19 D. P. O. CALARCO:
01:08AM 20 Hold on, Legislator Trotta, let me try to figure this out. What
21 was the vote on that original resolution?
22
23 MS. ELLIS:
24 So we had seventeen.
25
26 D. P. O. CALARCO:
27 You had a 17 vote, okay. Legislator Trotta, did you want to make a
28 motion to reconsider?
29
01:09AM 30 LEG. TROTTA:
31 I'd like to make a motion to reconsider.
32
33 D. P. O. CALARCO:
34 Okay, we have a motion to reconsider by Legislator Trotta.
35
36 LEG. D'AMARO:
37 I'll second.
38
39 D. P. O. CALARCO:
01:09AM 40 Second by Legislator D'Amato.
41
42 LEG. HAHN:
43 Of reconsidering?
44
45 D. P. O. CALARCO:
46 All those in favor? Opposed?
47
48 LEG. MURATORE:
49 No. Roll call.
01:09AM 50
51 D. P. O. CALARCO:
52 Roll call on the reconsider.
53
54 (*Laughter*)
55
56

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1 (**Roll Called by Ms. Ellis-Chief Deputy Clerk of the Legislature**)

2

3 LEG. TROTTA:

4 Motion to table.

5

6

*(*Laughter*)*

7

8 D. P. O. CALARCO:

9 No, no, no, Legislator Trotta. Legislator Trotta, I know it's
01:09AM 10 getting late. We are having -- we have a roll call on the
11 reconsidering motion of yours.

12

13

14 LEG. TROTTA:

15 Yes.

16

17 LEG. D'AMARO:

18 I was going to pass, but yes.

19

01:09AM

20 LEG. SPENCER:

21 No.

22

23 LEG. STERN:

24 Yes.

25

26 LEG. McCAFFREY:

27 Yes to reconsider.

28

29 LEG. KENNEDY:

30 Sure.

01:10AM

31

32 LEG. BARRAGA:

33 Yes.

34

35 LEG. CILMI:

36 Yes.

37

38 LEG. MARTINEZ:

39 *(Absent)*.

01:10AM

40

41 LEG. LINDSAY:

42 No.

43

44 LEG. ANKER:

45 No.

46

47 LEG. HAHN:

48 Yes.

49

01:10AM

50 LEG. MURATORE:

51 Yes.

52

53 LEG. BROWNING:

54 No.

55

56

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1 LEG. FLEMING:

2 Yes.

3

4 LEG. KRUPSKI:

5 Yes.

6

7 D. P. O. CALARCO:

8 No.

9

01:10AM 10 P. O. GREGORY:

11 No.

12

13 MS. ELLIS:

14 *Eleven (Opposed: Legislators Spencer, Lindsay, Anker, Browning,*
15 *Calarco & Gregory - Absent: Legislator Martinez).*

16

17 D. P. O. CALARCO:

18 Okay, the motion is back. We now have *IR 1459* back before us
19 *(Appropriating funds in connection with Building Extension for*
01:10AM 20 *Property Bureau (CP 3514) (County Executive).* Legislator Trotta,
21 do you want to make a motion?

22

23 LEG. TROTТА:

24 Motion to table.

25

26 D. P. O. CALARCO:

27 Motion to table by Legislator Trotta.

28

29 LEG. McCaffrey:

01:10AM 30 Second.

31

32 D. P. O. CALARCO:

33 Second by Legislator McCaffrey.

34

35 LEG. CILMI:

36 On the motion.

37

38 P. O. GREGORY:

39 Motion to approve.

40

41 D. P. O. CALARCO:

42 Motion to approve by the Presiding Officer. Does anybody want to
43 second the motion to approve?

44

45 LEG. FLEMING:

46 Second.

47

48 D. P. O. CALARCO:

01:10AM 49 Seconded by Legislator Fleming. On the motion, Legislator Cilmi.

50

51 LEG. CILMI:

52 I actually have a real question. Through the Chair, to the
53 Commissioner. So, you know, some of us are surprised by the
54 significant cost of the planning for this building. Could you tell
55 us what you would expect to see in the plans; what would we expect
56 to get for a half of million dollars of planning on a building like

1 this?

2

3 LEG. TROTTA:

4 I honestly don't know enough about this project to really explain
5 any more than we would be looking for a full set of construction
6 documents that would allow us to go out to bid for this project and
7 take bids in. You know, it's a building. Again, it's all --

8

9 LEG. CILMI:

01:11AM 10 It does seem like an awful lot of money, honestly. I mean, I'm
11 thinking it in the context of -- I mean, it's a half of million
12 dollars to plan for a building; it seems like a lot of money. Is
13 there any time sensitivity to this?

14

15 COMMISSIONER ANDERSON:

16 Not that I'm aware of.

17

18 LEG. CILMI:

19 Okay. All right, thank you.

01:11AM 20

21 LEG. TROTTA:

22 We asked all those questions.

23

24 D. P. O. CALARCO:

25 Gil, before you go away; what's the estimated cost of construction
26 on this project?

27

28 COMMISSIONER ANDERSON:

29 I don't know, but I would assume it's going to be a \$5 million --

01:12AM 30

31 D. P. O. CALARCO:

32 Was it in the Capital Budget? BRO, do you know if this is in the
33 Capital Budget?

34

35 MR. LIPP:

36 Yes, 5.5 million in 2018.

37

38 MS. GAZES:

39 No, '19.

40

41 MR. LIPP:

42 No, I'm sorry, 2019, right.

43

44 D. P. O. CALARCO:

45 For 2019 you got 5.5 million for construction?

46

47 MR. LIPP:

48 Correct.

49

50 D. P. O. CALARCO:

51 And in your excellent analysis of the Budget Review Report that we
52 just had, what was your independent analysis on this project and
53 what was the thought behind the cost of that 5.5 million in
54 construction?

55

56

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1 MR. LIPP:
2 Right; that's a DPW question.

3
4 D. P. O. CALARCO:
5 DPW obviously doesn't have the answer to that question. Katie, do
6 you have an answer to that question?

7
8 MS. HORST:
9 I'm trying to read the report over Dr. Lipp's shoulder.

01:12AM 10
11 D. P. O. CALARCO:
12 Okay. All right. You know, it's a very late hour. The
13 Commissioner said this is not time sensitive. We have a motion to
14 table and a second and a motion to approve and a second on the
15 motion to approve. Tabling motion goes first. Can we do this by a
16 show of hands? All those in favor of tabling?

17
18 *(*Various Legislators raised their hands in favor of tabling*)*

01:13AM 19
20 Okay, I'll support tabling, too, for this cycle.

21
22 LEG. BROWNING:
23 Yes, I will.

24
25 MS. ELLIS:
26 Thirteen.

27
28 D. P. O. CALARCO:
29 Okay. Opposed?

01:13AM 30
31 *(*Legislators Fleming, Browning, Spencer & P. O. Gregory
32 Raised their hand in opposition to tabling*)*

33
34 Abstentions? Okay, 1459 is tabled. *(VOTE: Thirteen - Opposed:
35 Legislators Fleming, Browning, Spencer & P. O. Gregory - Absent:
36 Legislator Martinez).*

37
38 We'll skip the bond.

01:13AM 39
40 *IR 1460-17 - Appropriating funds in connection with Replacement of
41 Marine Bureau Patrol Boat (CP 3519)(County Executive).*

42
43 LEG. HAHN:
44 Motion by Legislator Hahn. Second by Legislator Browning. Anybody
45 on the motion?

46
47 LEG. KRUPSKI:
48 On the motion.

01:13AM 49
50 D. P. O. CALARCO:
51 Legislator Krupski.

52
53 *(The following was taken by Lucia Braaten - Court Stenographer and
54 transcribed by Kim Castiglione - Legislative Secretary)*

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1 LEG. KRUPSKI:

2 They do.

3

4 MS. HORST:

5 We have more than one boat.

6

7 LEG. KRUPSKI:

8 Do we need more than one boat? Do we need this boat?

9

01:14AM

10 MS. HORST:

11 Yes.

12

13 LEG. KRUPSKI:

14 For \$400,000?

15

16 MS. HORST:

17 Yes.

18

19 COMMISSIONER ANDERSON:

01:14AM

20 Again, this boat, the original boat, the one that we're looking to
21 replace was built in 1982. We're looking to obviously upgrade it.
22 The vessel is a certified ambulance and provides the only means of
23 transporting patients from the barrier island to mainland. If you
24 have more than one -- I don't know if this is there's only one
25 available right now, but I would believe the PD needs multiple
26 vessels in case there are multiple calls at the same time. I'm
27 sure they're not just used at Fire Island.

28

29 LEG. KRUPSKI:

01:15AM

30 This is in the water all the time at the station there?

31

32 COMMISSIONER ANDERSON:

33 Over at Timber Point, yes.

34

35 LEG. KRUPSKI:

36 Thank you.

37

38 COMMISSIONER ANDERSON:

39 You're welcome.

01:15AM

40 D. P. O. CALARCO:

41 Okay. Any other questions? We have a motion and a second. All
42 those in favor? Opposed? Abstentions?

43

44 MR. RICHBERG:

45 *Sixteen (Not Present: Legislators Martinez and Spencer).*

46

47 D. P. O. CALARCO:

01:15AM

48 Okay. *1460A, the corresponding Bond Resolution (of the County of*
49 *Suffolk, New York, authorizing the issuance of \$394,605 Bonds to*
50 *finance the purchase of a replacement Marine Bureau Patrol Boat (CP*
51 *3519.510). Same motion, same second. Roll call.*

52

53 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

54

55

56

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1 LEG. HAHN:
2 Yes.
3
4 LEG. BROWNING:
5 Yes.
6
7 LEG. SPENCER:
8 (Not Present)
9
01:16AM 10 LEG. D'AMARO:
11 Yes.
12
13 LEG. STERN:
14 Yes.
15
16 LEG. MCCAFFREY:
17 Yes.
18
01:16AM 19 LEG. TROTTA:
20 Yes.
21
22 LEG. KENNEDY:
23 Yes.
24
25 LEG. BARRAGA:
26 Yes.
27
28 LEG. CILMI:
29 Yes.
01:16AM 30
31 LEG. MARTINEZ:
32 (Not Present)
33
34 LEG. LINDSAY:
35 Yes.
36
37 LEG. ANKER:
38 Yes.
39
01:16AM 40 LEG. MURATORE:
41 Yes.
42
43 LEG. FLEMING:
44 Yes.
45
46 LEG. KRUPSKI:
47 Yes.
48
01:16AM 49 D. P. O. CALARCO:
50 Yes.
51
52 P. O. GREGORY:
53 Yes.
54
55 MR. RICHBERG:
56 *Sixteen (Not Present: Legislators Martinez and Spencer)*

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1 D. P. O. CALARCO:

2 Okay. *I. R. 1484 - Accepting and appropriating federal funding in*
3 *the amount of \$50,000 from the United States Department of Justice,*
4 *Organized Crime Drug Enforcement Task Forces (OCDETF), for the*
5 *Suffolk County Police Department's participation in OCDETF*
6 *operations and investigations with 79.33% support (Co. Exec.).*

7 I have a motion by Legislator Kennedy.

8
9
01:16AM 10 P. O. GREGORY:

11 Second.

12
13 D. P. O. CALARCO:

14 Second by Presiding Officer Gregory. Anybody on the motion? All
15 those in favor? Opposed? Abstentions?

16
17 MR. RICHBERG:

18 *Seventeen (Not Present: Legislator Martinez).*

19
01:16AM 20 D. P. O. CALARCO:

21 *I. R. 1491 - Appropriating funds in connection with improvements to*
22 *the County Correctional Facility C-141 - Riverhead (CP 3014) (Co.*
23 *Exec.).*

24
25 LEG. BROWNING:

26 Motion.

27
28 D. P. O. CALARCO:

29 Motion by Legislator Browning.

01:17AM 30
31 LEG. MURATORE:

32 (Raised hand).

33
34 D. P. O. CALARCO:

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

37
38 MR. RICHBERG:

39 *Seventeen (Not Present: Legislator Martinez).*

01:17AM 40
41 D. P. O. CALARCO:

42 *1491A, the corresponding Bond Resolution (of the County of Suffolk,*
43 *New York authorizing the issuance of \$1,600,000 Bonds to finance*
44 *the cost of improvements to the County Correctional Facility C-141*
45 *Riverhead (CP 3014. 327, . 521). Same motion, same second. Roll*
46 *call.*

47
48 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

49
50 LEG. BROWNING:

51 Yes.

52
53 LEG. MURATORE:

54 Yes.

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1 LEG. SPENCER:
2 Yes.
3
4 LEG. D' AMARO:
5 Yes.
6
7 LEG. STERN:
8 Yes.
9
01:17AM 10 LEG. MC CAFFREY:
11 Yes.
12
13 LEG. TROTTA:
14 Yes.
15
16 LEG. KENNEDY:
17 Yes.
18
19 LEG. BARRAGA:
01:17AM 20 Yes.
21
22 LEG. CI LMI :
23 Yes.
24
25 LEG. MARTINEZ:
26 (Not Present)
27
28 LEG. LI NDSAY:
29 Yes.
01:17AM 30
31 LEG. ANKER:
32 Yes.
33
34 LEG. HAHN:
35 Yes.
36
37 LEG. FLEMI NG:
38 Yes.
39
01:17AM 40 LEG. KRUPSKI :
41 Yes.
42
43 D. P. O. CALARCO:
44 Yes.
45
46 P. O. GREGORY:
47 Yes.
48
49 MR. RI CHBERG:
01:17AM 50 *Seventeen (Not Present: Legislator Martinez).*
51
52 D. P. O. CALARCO:
53 *I. R. 1492 - Appropriating funds in connection with Renovations to*
54 *the Yaphank Correctional Facility (CP 3009)(Co. Exec.). Motion by*
55 *Legislator Browni ng.*
56

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1 P. O. GREGORY:
2 Second.

3
4 D. P. O. CALARCO:
5 Second by Presiding Officer Gregory. All those in favor? Opposed?
6 Abstentions?

7
8 MR. RICHBERG:
9 *Seventeen (Not Present: Legislator Martinez).*

01:17AM

10
11 D. P. O. CALARCO:
12 *1492A, the corresponding Bond Resolution (of the County of Suffolk,*
13 *New York, authorizing the issuance of \$750,000 Bonds to finance the*
14 *cost of renovations to the Yaphank Correctional Facility (CP*
15 *3009.320). Roll call. Same motion, same second. Roll call.*

16
17 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

01:18AM

18
19 LEG. BROWNING:
20 Yes.

21
22 P. O. GREGORY:
23 Yes.

24
25 LEG. SPENCER:
26 Yes.

27
28 LEG. D'AMARO:
29 Yes.

30
31 LEG. STERN:
32 Yes.

33
34 LEG. MC CAFFREY:
35 Yes.

36
37 LEG. TROTTA:
38 Yes.

01:18AM

39
40 LEG. KENNEDY:
41 Yes.

42
43 LEG. BARRAGA:
44 Yes.

45
46 LEG. CILMI:
47 Yup.

01:18AM

48
49 LEG. MARTINEZ:
50 (Not Present)

51
52 LEG. LINDSAY:
53 Yes.

54
55 LEG. ANKER:
56 Yes.

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1 LEG. HAHN:
2 Yes.
3
4 LEG. MURATORE:
5 Yes.
6
7 LEG. FLEMING:
8 Yes.
9
01:18AM 10 LEG. KRUPSKI :
11 Yes.
12
13 D. P. O. CALARCO:
14 Yes.
15
16 MR. RICHBERG:
17 *Seventeen (Legislator Martinez - Not Present).*
18
01:18AM 19 D. P. O. CALARCO:
20 *I. R. 1493 - Appropriated -- is that correct, appropriated?*
21
22 MR. NOLAN:
23 Yes.
24
25 D. P. O. CALARCO:
26 *Appropriating funds in connection with Improvements to Various*
27 *Sheriff's Office Facilities - (CP 3019) (Co. Exec). Motion by*
28 *Legislator Browning, second by Legislator Kennedy. Anybody on the*
29 *motion? All those in favor? Opposed? Abstentions?*
01:18AM 30
31 MR. RICHBERG:
32 *Seventeen (Not Present: Legislator Martinez).*
33
34 D. P. O. CALARCO:
35 *1493A, corresponding Bond Resolution (of the County Of Suffolk, New*
36 *York, authorizing the issuance of \$250,000 Bonds to finance the*
37 *cost of improvements to various Sheriff's Office facilities (CP*
38 *3019. 312, . 510). Same motion, same second. Roll call.*
39
01:18AM 40 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
41
42 LEG. BROWNING:
43 Yes.
44
45 LEG. KENNEDY:
46 Yes.
47
48 LEG. SPENCER:
49 Yes.
01:18AM 50
51 LEG. D'AMARO:
52 Yes.
53
54 LEG. STERN:
55 Yes.
56

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1 LEG. MC CAFFREY:
2 Yes.
3
4 LEG. TROTTA:
5 Yes.
6
7 LEG. BARRAGA:
8 Yes.
9
01:18AM 10 LEG. CILMI :
11 Yup.
12
13 LEG. MARTINEZ:
14 (Not Present)
15
16 LEG. LINDSAY:
17 Yes.
18
01:19AM 19 LEG. ANKER:
20 Yes.
21
22 LEG. HAHN:
23 Yes.
24
25 LEG. MURATORE:
26 Yes.
27
28 LEG. FLEMING:
29 Yes.
01:19AM 30
31 LEG. KRUPSKI :
32 Yes.
33
34 D. P. O. CALARCO:
35 Yes.
36
37 P. O. GREGORY:
38 Yes.
39
01:19AM 40 MR. RICHBERG:
41 *Seventeen (Not Present: Legislator Martinez).*
42
43 D. P. O. CALARCO:
44 *I. R. 1497 - Appropriating funds in connection with the Purchase of*
45 *Heavy Duty Vehicles for the Police Department (CP 3135) (Co. Exec.).*
46 *Motion by Legislator Browning.*
47
48 P. O. GREGORY:
49 Second.
01:19AM 50
51 D. P. O. CALARCO:
52 *Second by Presiding Officer Gregory. Anybody on the motion? All*
53 *those in favor? Opposed? Abstentions?*
54
55 MR. RICHBERG:
56 *Seventeen (Not Present: Legislator Martinez).*

General Meeting - June 20, 2017

1 D. P. O. CALARCO:

2 It's approved. *I. R. 1497A, corresponding Bonding Resolution (of*
3 *the County Of Suffolk, New York, authorizing the issuance of*
4 *\$200,000 Bonds to finance the acquisition of a heavy duty vehicle*
5 *for the Police Department (CP 3135.530). Same motion, same second.*
6 Roll call.

7
8 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
9

01:19AM 10 LEG. BROWNING:
11 Yes.

12
13 P. O. GREGORY:
14 Yes.

15
16 LEG. SPENCER:
17 Yes.

18
19 LEG. D'AMARO:
01:19AM 20 Yes.

21
22 LEG. STERN:
23 Yes.

24
25 LEG. MC CAFFREY:
26 Yes.

27
28 LEG. TROTTA:
29 Yes.

01:19AM 30
31 LEG. KENNEDY:
32 Yes.

33
34 LEG. BARRAGA:
35 Yes.

36
37 LEG. CIMMI:
38 Yes.

01:19AM 39
40 LEG. MARTINEZ:
41 (Not Present)

42
43 LEG. LINDSAY:
44 Yes.

45
46 LEG. ANKER:
47 Yes.

48
49 LEG. HAHN:
01:19AM 50 Yes.

51
52 LEG. MURATORE:
53 Yes.

54
55 LEG. FLEMING:
56 Yes.

General Meeting - June 20, 2017

1 LEG. KRUPSKI:

2 Yes.

3

4 D. P. O. CALARCO:

5 Yes.

6

7 MR. RICHBERG:

8 *Seventeen (Not Present: Legislator Martinez).*

9

01:19AM 10 D. P. O. CALARCO:

11 Okay. *Public Works. I. R. 1456 - Amending the 2017 Capital Budget*
12 *and Program and appropriating funds in connection with the County*
13 *share for participation in Closed Loop Traffic Signal System*
14 *(Signal Retiming) (CP 3309, Pin 076132)(Co. Exec.). I'll make the*
15 *motion to approve.*

16

17 P. O. GREGORY:

18 Second.

19

01:20AM 20 D. P. O. CALARCO:

21 Second by Presiding Officer Gregory. Anybody on the issue? All
22 those in favor? Opposed? Abstentions?

23

24 MR. RICHBERG:

25 *Seventeen (Not Present: Legislator Martinez).*

26

27 D. P. O. CALARCO:

28 It's approved. *I. R. 1456A, corresponding Bond Resolution (of the*
29 *County of Suffolk, New York, authorizing the issuance of \$3,000,000*
01:20AM 30 *Bonds to finance the planning costs associated with a Closed Loop*
31 *Traffic Signal System (Signal Retiming) (CP 3309.115) PIN 076132.*
32 *Same motion, same second. Roll call.*

33

34 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

35

36 D. P. O. CALARCO:

37 Yes.

38

39 P. O. GREGORY:

40 Yes.

01:20AM

41

42 LEG. SPENCER:

43 Yes.

44

45 LEG. D'AMARO:

46 Yes.

47

48 LEG. STERN:

49 Yes.

01:20AM

50

51 LEG. MC CAFFREY:

52 Yes.

53

54 LEG. TROTTA:

55 Yes.

56

General Meeting - June 20, 2017

1 LEG. KENNEDY:
2 Yes.
3
4 LEG. BARRAGA:
5 Yes.
6
7 LEG. CILMI :
8 Yes.
9
01:20AM 10 LEG. MARTINEZ:
11 (Not Present)
12
13 LEG. LINDSAY:
14 Yes.
15
16 LEG. ANKER:
17 Yes.
18
01:20AM 19 LEG. HAHN:
20 Yes.
21
22 LEG. MURATORE:
23 Yes.
24
25 LEG. BROWNING:
26 Yes.
27
28 LEG. FLEMING:
29 Yes.
01:20AM 30
31 LEG. KRUPSKI :
32 Yes.
33
34 MR. RICHBERG:
35 *Seventeen (Not Present: Legislator Martinez).*
36
37 D. P. O. CALARCO:
38 *I. R. 1461 - Appropriating funds in connection with Reconstruction*
39 *of Culverts (CP 5371) (Co. Exec.).*
01:20AM 40
41 LEG. FLEMING:
42 Motion.
43
44 D. P. O. CALARCO:
45 Motion by Legislator Fleming.
46
47 LEG. KRUPSKI :
48 Second.
49
01:20AM 50 D. P. O. CALARCO:
51 Second by Legislator Krupski. Anybody on the motion?
52
53 LEG. D'AMARO:
54 On the motion.
55
56

General Meeting - June 20, 2017

1 D. P. O. CALARCO:
2 Legislator D' Amaro.

3
4 LEG. D' AMARO:
5 Just I'd like to know the amount and specifically where the work is
6 planned. Thanks, Commissioner.

7
8 COMMISSIONER ANDERSON:
9 You're welcome.

01:21AM 10
11 MR. LIPP:
12 One-hundred thousand planning and 500,000 construction for a total
13 of 600,000.

14
15 LEG. D' AMARO:
16 A hundred planning, 500 construction.

17
18 MR. LIPP:
19 Right.

01:21AM 20
21 LEG. D' AMARO:
22 And are there specific --

23
24 COMMISSIONER ANDERSON:
25 Yes. The prime focus of the funds this year is to repair the
26 culvert that goes under CR 21 at the lower Yaphank Lake. There was
27 a car accident that took out the embankment and some other -- if
28 you drive there you'll see. We've got the jersey barriers across
29 it.

01:21AM 30
31 LEG. D' AMARO:
32 That's the one where we had some liability.

33
34 COMMISSIONER ANDERSON:
35 Yes. Yup, yup. So this is -- this is really looking to stabilize
36 that roadway while we go through the improvements of actually
37 widening the roadway through there. We'll actually -- we'll be
38 building a fish ladder, increasing the culvert towards the west and
39 making the road wider so you have better pedestrian access through
01:22AM 40 there, because if you've ever driven through there you'll see the
41 folks that go out there to go fishing, they're walking right on the
42 edge of the road between the guide rail and actually the traveling
43 cars.

44
45 LEG. D' AMARO:
46 So this is all moving also towards getting rid of that offensive
47 wall --

48
49 COMMISSIONER ANDERSON:
01:22AM 50 Yes.

51
52 LEG. D' AMARO:
53 -- that's up there.

54
55 COMMISSIONER ANDERSON:
56 Yes, and stabilizing that.

General Meeting - June 20, 2017

1 LEG. D' AMARO:
2 Great. All right. Thank you.

3
4 D. P. O. CALARCO:
5 Okay. Thank you. Anybody else? Okay. We have a motion and a
6 second. All those in favor? Opposed? Abstentions?

7
8 MR. RICHBERG:
9 *Seventeen (Amended to 16 - Not Present: Legislators McCaffrey and*
10 *Martinez).*

11
12 D. P. O. CALARCO:
13 Okay. 1456A -- no, excuse me. *1461A*, the corresponding *Bond*
14 *Resolution (of the County of Suffolk, New York, authorizing the*
15 *issuance of \$600,000 Bonds to finance the reconstruction of*
16 *culverts (CP 5371. 116, . 324).* Same motion, same second. Roll call.

17
18 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

19
01:22AM 20 LEG. FLEMING:
21 Yes.

22
23 LEG. KRUPSKI:
24 Yes.

25
26 LEG. SPENCER:
27 Yes.

28
29 LEG. D' AMARO:
01:22AM 30 Yes.

31
32 LEG. STERN:
33 Yes.

34
35 LEG. MC CAFFREY:
36 (Not Present)

37
38 LEG. TROTTA:
39 Yes.

01:22AM 40
41 LEG. KENNEDY:
42 Yes.

43
44 LEG. BARRAGA:
45 Yes.

46
47 LEG. CILMI:
48 Yes.

49
01:23AM 50 LEG. MARTINEZ:
51 (Not Present)

52
53 LEG. LINDSAY:
54 Yes.

55
56

General Meeting - June 20, 2017

1 LEG. ANKER:
2 Yes.
3
4 LEG. HAHN:
5 Yes.
6
7 LEG. MURATORE:
8 Yes.
9
01:23AM 10 LEG. BROWNING:
11 Yes.
12
13 D. P. O. CALARCO:
14 Yes.
15
16 P. O. GREGORY:
17 Yes.
18
01:23AM 19 MR. RICHBERG:
20 *Sixteen.*
21
22 D. P. O. CALARCO:
23 Okay. *I. R. 1490 - Authorizing execution of an agreement by the*
24 *Administrative Head of Suffolk County Sewer District No. 7 Twelve*
25 *Pines and Brookhaven Mini Storage Facility (BR-0799.21)(Co. Exec.).*
26 *I'll make a motion to approve.*
27
28 P. O. GREGORY:
29 Second.
01:23AM 30
31 D. P. O. CALARCO:
32 Second by Presiding Officer Gregory. Anybody on the motion? All
33 those in favor? Opposed? Abstentions?
34
35 MR. RICHBERG:
36 *Sixteen (Not Present: Legislators McCaffrey and Martinez).*
37
38 D. P. O. CALARCO:
39 Okay, it's approved. *I. R. 1498 - Appropriating funds in connection*
01:23AM 40 *with Dredging of County Waters (CP 5200)(Co. Exec).*
41
42 LEG. FLEMING:
43 Motion.
44
45 D. P. O. CALARCO:
46 Motion by Legislator Fleming.
47
48 LEG. ANKER:
49 Second.
01:23AM 50
51 D. P. O. CALARCO:
52 Second by Legislator Anker. I have a question by Legislator
53 Lindsay.
54
55 LEG. D'AMARO:
56 Also on the motion.

General Meeting - June 20, 2017

1 LEG. LINDSAY:
2 Good morning, Gil.

3
4 COMMISSIONER ANDERSON:
5 Good morning.

6
7 LEG. LINDSAY:
8 Just a quick question. If you could just list the locations that
9 this dredging -- and for some reason I don't have it in my packet.

01:24AM 10
11 COMMISSIONER ANDERSON:
12 The four major sites where we're looking to dredge at this point
13 are Stony Brook Harbor, Nissequogue River, Acquabonic Harbor and
14 Long Wharf in Sag Harbor.

15
16 LEG. LINDSAY:
17 Okay. Thank you.

18
19 COMMISSIONER ANDERSON:
01:24AM 20 You're welcome.

21
22 D. P. O. CALARCO:
23 Okay. Legislator D'Amato. Legislator D'Amato, did you have a
24 question?

25
26 LEG. D'AMARO:
27 Asked and answered. Thank you.

28
29 D. P. O. CALARCO:
01:24AM 30 Okay. Legislator Kennedy.

31
32 LEG. KENNEDY:
33 Nissequogue River?

34
35 COMMISSIONER ANDERSON:
36 Yes.

37
38 LEG. KENNEDY:
39 Where?

01:24AM 40
41 COMMISSIONER ANDERSON:
42 Where we've done it in the past up on -- opening to the -- from the
43 mouth of the river out to the channel.

44
45 LEG. KENNEDY:
46 Is this the one that half the Town is saying no to and the rest of
47 the town is saying yes to? That's down farther?

48
49 COMMISSIONER ANDERSON:
01:24AM 50 Maybe, I mean, we've always had positive feedback from the Town on
51 dredging this portion. This is really from where the -- you know,
52 those marinas are right near the Kings Park facility all the way
53 out to the channel. We do it at least a couple of times every ten
54 years.

55
56

General Meeting - June 20, 2017

1 LEG. KENNEDY:
2 So it's been done before?

3
4 COMMISSIONER ANDERSON:
5 Yes.

6
7 LEG. KENNEDY:
8 So then it's not the project I'm thinking of. Okay.

9
01:25AM 10 D. P. O. CALARCO:
11 Okay. Legislator Hahn.

12
13 LEG. HAHN:
14 Stony Brook Harbor.

15
16 COMMISSIONER ANDERSON:
17 Yes.

18
19 LEG. HAHN:
01:25AM 20 Is this -- which portion?

21
22 COMMISSIONER ANDERSON:
23 I'm not sure. I'm sure it's probably back towards the area that
24 goes from the Yacht Club up into the mouth and possibly along the
25 south side of the -- what is that, Long Beach?

26
27 LEG. HAHN:
28 Okay.

29
01:25AM 30 COMMISSIONER ANDERSON:
31 What will happen is we will do surveys of that entire area that
32 we've dredged in the past and if we have to do the entire thing
33 again we will. But most likely it's in the area that would shoal
34 up most quickly, so right now I don't have a specific range of what
35 we're going to do, but we will survey that. We have the permits in
36 place so we can, you know, essentially go out --

37
38 LEG. HAHN:
39 What about the island and the buried boat area?

01:26AM 40
41 COMMISSIONER ANDERSON:
42 That, if it's not within the existing channel, we can't do it
43 without actually going back to DEC and extending or getting a whole
44 new permit altogether. So what we'll do is we'll work within the
45 channel that we have. And, you know, what we've done in the past
46 is we go within that channel as far as we can, we let the materials
47 slough down, and then we come back in and we dredge it a second
48 time.

49
01:26AM 50 LEG. HAHN:
51 Okay. Thank you.

52
53 COMMISSIONER ANDERSON:
54 You're welcome.

General Meeting - June 20, 2017

1 D. P. O. CALARCO:
2 Okay. Anybody else? We have a motion and a second. All those in
3 favor? Opposed? Abstentions?
4

5 MR. RICHBERG:
6 *Seventeen (Not Present: Legislator Martinez).*
7

8 D. P. O. CALARCO:
9 It's approved. I.R. 1498A, the corresponding *Bond Resolution (of*
01:26AM 10 *the County of Suffolk, New York, authorizing the issuance of*
11 *\$3,000,000 Bonds to finance planning, site improvements and*
12 *equipment in connection with the dredging of County Waters (CP*
13 *5200.124, .454 and .516). Same motion, same second. Roll call.*
14

15 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
16

17 LEG. FLEMING:
18 Yes.
19

01:26AM 20 LEG. ANKER:
21 Yes.
22

23 LEG. SPENCER:
24 Yes.
25

26 LEG. D'AMARO:
27 Yes.
28

01:27AM 29 LEG. STERN:
30 Yeah.
31

32 LEG. MC CAFFREY:
33 Yes.
34

35 LEG. TROTTA:
36 Yes.
37

38 LEG. KENNEDY:
39 Yes.
01:27AM 40

41 LEG. BARRAGA:
42 Yes.
43

44 LEG. CILMI:
45 Yes.
46

47 LEG. MARTINEZ:
48 (Not Present)
49

01:27AM 50 LEG. LINDSAY:
51 Yes.
52

53 LEG. HAHN:
54 Yes.
55
56

General Meeting - June 20, 2017

1 LEG. MURATORE:
2 Yes.
3
4 LEG. BROWNING:
5 Yes.
6
7 LEG. KRUPSKI:
8 Yes.
9
01:27AM 10 D. P. O. CALARCO:
11 Yes.
12
13 P. O. GREGORY:
14 Yes.
15
16 MR. RICHBERG:
17 *Seventeen (Not Present: Legislator Martinez).*
18
01:27AM 19 D. P. O. CALARCO:
20 *I. R. 1499 - Appropriating funds in connection with Replacement of*
21 *Dredge Support Equipment (CP 5201) (Co. Exec.).*
22
23 LEG. KRUPSKI:
24 Motion.
25
26 D. P. O. CALARCO:
27 Motion by Legislator Krupski, second by Legislator Fleming.
28 Anybody on the motion? All those in favor? Opposed? Abstentions?
29
01:27AM 30 MR. RICHBERG:
31 *Seventeen (Not Present: Legislator Martinez).*
32
33 D. P. O. CALARCO:
34 *It's approved. I. R. 1499A, the corresponding Bond Resolution (of*
35 *the County of Suffolk, New York, authorizing the issuance of*
36 *\$200,000 Bonds to finance the replacement of dredge support*
37 *equipment (CP 5201. 523). Same motion, same second. Roll call.*
38
39 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
01:27AM 40
41 LEG. KRUPSKI:
42 Yes.
43
44 LEG. FLEMING:
45 Yes.
46
47 LEG. SPENCER:
48 Yes.
49
01:27AM 50 LEG. D'AMARO:
51 Yes.
52
53 LEG. STERN:
54 Yes.
55
56

General Meeting - June 20, 2017

1 LEG. MC CAFFREY:
2 Yes.
3
4 LEG. TROTTA:
5 Yes.
6
7 LEG. KENNEDY:
8 Yes.
9
01:27AM 10 LEG. BARRAGA:
11 Yes.
12
13 LEG. CILMI:
14 Yes.
15
16 LEG. MARTINEZ:
17 (Not Present)
18
01:27AM 19 LEG. LINDSAY:
20 Yes.
21
22 LEG. ANKER:
23 Yes.
24
25 LEG. HAHN:
26 Yes.
27
28 LEG. MURATORE:
29 No.
01:28AM 30
31 LEG. BROWNING:
32 Yes.
33
34 D. P. O. CALARCO:
35 Yes.
36
37 P. O. GREGORY:
38 Yes.
39
01:28AM 40 MR. RICHBERG:
41 *Sixteen.*
42
43 D. P. O. CALARCO:
44 *I. R. 1500 - Appropriating funds in connection with Improvements to*
45 *CR 16, Horseblock Road (CP 5511)(Co Exec.). Motion by Legislator*
46 *Browning. I'll second the motion. Anybody on the motion? All*
47 *those in favor? Opposed? Abstentions?*
48
49 MR. RICHBERG:
01:28AM 50 *Seventeen (Not Present: Legislator Martinez).*
51
52 D. P. O. CALARCO:
53 *It's approved. I. R. 1500A, the corresponding Bond Resolution (of*
54 *the County of Suffolk, New York, authorizing the issuance of*
55 *\$1,500,000 in bonds to finance improvements To CR 16, Horseblock*
56 *Road (CP 5511.313). Same motion, same second. Roll call.*

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

1
2
3 LEG. BROWNING:
4 Yes.
5
6 D. P. O. CALARCO:
7 Yes.
8
9 LEG. SPENCER:
01:28AM 10 Yes.
11
12 LEG. D'AMARO:
13 Yes.
14
15 LEG. STERN:
16 Yes.
17
18 LEG. MC CAFFREY:
19 Yes.
01:28AM 20
21 LEG. TROTTA:
22 Yes.
23
24 LEG. KENNEDY:
25 Yes.
26
27 LEG. BARRAGA:
28 Yes.
29
01:28AM 30 LEG. CILMI :
31 Yup.
32
33 LEG. MARTINEZ:
34 (Not Present)
35
36 LEG. LINDSAY:
37 Yes.
38
39 LEG. ANKER:
01:28AM 40 Yes.
41
42 LEG. HAHN:
43 Yes.
44
45 LEG. MURATORE:
46 Yes.
47
48 LEG. FLEMING:
49 Yes.
01:28AM 50
51 LEG. KRUPSKI :
52 Yes.
53
54 P. O. GREGORY:
55 Oh, yes.
56

1 MR. RICHBERG:
2 *Seventeen (Not Present: Legislator Martinez).*

3
4 D. P. O. CALARCO:
5 *I. R. 1503 - A resolution making certain findings and determinations*
6 *and an order for the modification of the plan of service for*
7 *Suffolk County Sewer District No. 23 Coventry Manor (CP 8149) (Co.*
8 *Exec).*

9
01:29AM 10 LEG. ANKER:
11 Motion.

12
13 D. P. O. CALARCO:
14 Motion by Legislator Anker.

15
16 LEG. HAHN:
17 Second.

18
01:29AM 19 D. P. O. CALARCO:
20 Second by Legislator Hahn. Anybody on the motion? All those in
21 favor? Opposed? Abstentions?

22
23 MR. RICHBERG:
24 *Seventeen (Not Present: Legislator Martinez).*

25
01:29AM 26 D. P. O. CALARCO:
27 It's approved. *I. R. 1504 - A resolution making certain findings*
28 *and determinations and an order for the modification of the plan of*
29 *service for Suffolk County Sewer District No. 18 Hauppauge*
30 *Industrial (CP 8126) (Co. Exec.).*

31
32 LEG. CILMI:
33 Motion.

34
35 D. P. O. CALARCO:
36 Motion by Legislator Cilmi, second by Legislator Kennedy. Anybody
37 on the motion? All those in favor? Opposed? Abstentions?

38
01:29AM 39 MR. RICHBERG:
40 *Seventeen (Not Present: Legislator Martinez).*

41
42 D. P. O. CALARCO:
43 It's approved. *I. R. 1521 - Amending the 2017 Capital Budget and*
44 *Program and appropriating funds in connection with improvements to*
45 *CR 83, North Ocean Avenue - Patchogue-Mt. Sinai, Town of Brookhaven*
46 *(CP 5548) (Muratore).*

47
48 LEG. MURATORE:
49 Motion.

01:29AM 50
51 LEG. ANKER:
52 (Raised hand).

53
54 D. P. O. CALARCO:
55 Motion by Legislator Muratore, second by Legislator Anker. Anybody
56 on the motion? All those in favor? Opposed? Abstentions?

General Meeting - June 20, 2017

1 MR. RICHBERG:
2 *Seventeen (Not Present: Legislator Martinez).*

3
4 D. P. O. CALARCO:
5 It's approved. *I. R. 1521A, corresponding Bond Resolution (of the*
6 *County of Suffolk, New York, authorizing the issuance of \$50,000*
7 *Bonds to finance improvements to CR 83, North Ocean Avenue -*
8 *Patchogue-Mt Sinai Road, Town of Brookhaven (CP 5548.311). Same*
9 *motion, same second. Roll call.*

01:30AM 10
11 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

12
13 LEG. MURATORE:
14 Yes.

15
16 LEG. ANKER:
17 Yes.

18
19 LEG. SPENCER:
20 Yes.

01:30AM 21
22 LEG. D'AMARO:
23 Yes.

24
25 LEG. STERN:
26 Yes.

27
28 LEG. MC CAFFREY:
29 Yes.

01:30AM 30
31 LEG. TROTTA:
32 No.

33
34 LEG. KENNEDY:
35 Yes.

36
37 LEG. BARRAGA:
38 Yes.

01:30AM 39
40 LEG. CILMI:
41 Yes.

42
43 LEG. MARTINEZ:
44 (Not Present)

45
46 LEG. LINDSAY:
47 Yes.

01:30AM 48
49 LEG. HAHN:
50 Yes.

51
52 LEG. BROWNING:
53 Yes.

54
55 LEG. FLEMING:
56 Yes.

General Meeting - June 20, 2017

1 LEG. KRUPSKI:

2 Yes.

3

4 D. P. O. CALARCO:

5 Yes.

6

7 P. O. GREGORY:

8 Yes.

9

01:30AM 10 MR. RICHBERG:

11 *Sixteen.*

12

13 D. P. O. CALARCO:

14 *I. R. 1525 - Amending the 2017 Capital Budget and Program and*
15 *appropriating funds in connection with Traffic Safety Improvements*
16 *for CR 9, Greenlawn Road (CP 3316) (Spencer).*

17

18 LEG. SPENCER:

19 Motion.

01:30AM

20 D. P. O. CALARCO:

21 Motion by Legislator Spencer.

22

23 LEG. STERN:

24 Second.

25

26 D. P. O. CALARCO:

27 Second by Legislator Stern. Anybody on the motion? All those in
28 favor? Opposed? Abstentions?

29

01:30AM

30 MR. RICHBERG:

31 *Sixteen.*

32

33 D. P. O. CALARCO:

34 It's approved. *I. R. 1525A, the corresponding Bond Resolution (of*
35 *the County of Suffolk, New York, authorizing the issuance of*
36 *\$100,000 Bonds to finance planning costs associated with traffic*
37 *safety improvements for CR 9, Greenlawn Road (CP 3316.110). Same*
38 *motion, same second. Roll call.*

39

01:31AM

40 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*

41

42 LEG. SPENCER:

43 Yes.

44

45 LEG. STERN:

46 Yes.

47

48 LEG. D'AMARO:

49 Yes.

01:31AM

50

51 LEG. MC CAFFREY:

52 Yes.

53

54 LEG. TROTТА:

55 No.

56

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1 LEG. KENNEDY:
2 Yes.
3
4 LEG. BARRAGA:
5 Yes.
6
7 LEG. CILMI :
8 Yes.
9
01:31AM 10 LEG. MARTINEZ:
11 (Not Present)
12
13 LEG. LINDSAY:
14 Yes.
15
16 LEG. ANKER:
17 Yes.
18
19 LEG. HAHN:
01:31AM 20 Yes.
21
22 LEG. MURATORE:
23 Yes.
24
25 LEG. BROWNING:
26 Yes.
27
28 LEG. FLEMING:
29 Yes.
01:31AM 30
31 LEG. KRUPSKI :
32 Yes.
33
34 D. P. O. CALARCO:
35 Yes.
36
37 P. O. GREGORY:
38 Yes.
39
01:31AM 40 MR. RICHBERG:
41 *Sixteen.*
42
43 D. P. O. CALARCO:
44 *Seniors and Consumers. I. R. 1505 - Appropriating funds in*
45 *connection with the Purchase and Replacement of Nutrition Vehicles*
46 *for the Office for the Aging (CP 1749)(Co. Exec.).*
47
48 LEG. ANKER:
49 Motion.
01:31AM 50
51 D. P. O. CALARCO:
52 Motion by Legislator Anker.
53
54 LEG. KENNEDY:
55 Second.
56

General Meeting - June 20, 2017

1 D. P. O. CALARCO:
2 Second by Legislator Kennedy. Anybody on the motion? All those in
3 favor? Opposed? Abstentions?
4

5 MR. RICHBERG:
6 *Seventeen (Not Present: Legislator Martinez).*
7

8 D. P. O. CALARCO:
9 It is approved. *I. R. 1505A, corresponding Bond Resolution (of the*
01:31AM 10 *County of Suffolk, New York, authorizing the issuance of \$109,000*
11 *Bonds to finance the purchase and replacement of nutrition vehicles*
12 *for the Office for the Aging (CP 1749.527). Same motion, same*
13 *second. Roll call.*
14

15 *(Roll Call by Mr. Richberg, Clerk of the Legislature)*
16

17 LEG. ANKER:
18 Yes.
19

01:31AM 20 LEG. KENNEDY:
21 Yes.
22

23 LEG. SPENCER:
24 Yes.
25

26 LEG. D'AMARO:
27 Yes.
28

01:32AM 29 LEG. STERN:
30 Yes.
31

32 LEG. MC CAFFREY:
33 Yes.
34

35 LEG. TROTTA:
36 No.
37

38 LEG. BARRAGA:
39 Yes.
01:32AM 40

41 LEG. CILMI:
42 Yes.
43

44 LEG. MARTINEZ:
45 (Not Present)
46

47 LEG. LINDSAY:
48 Yes.
49

01:32AM 50 LEG. HAHN:
51 Yes.
52

53 LEG. MURATORE:
54 No.
55
56

General Meeting - June 20, 2017

1 LEG. BROWNING:

2 Yes.

3

4 LEG. FLEMING:

5 Yes.

6

7 LEG. KRUPSKI:

8 Yup.

9

01:32AM 10 D. P. O. CALARCO:

11 Yes.

12

13 P. O. GREGORY:

14 Yes.

15

16 MR. RICHBERG:

17 *Fifteen.*

18

19 D. P. O. CALARCO:

01:32AM 20 *I. R. 1480 in Ways and Means - Sale of County-owned real estate*
21 *pursuant to Local Law No. 13-1976 Story Book Homes, Inc. (SCTM No.*
22 *0800-164. 00-02. 00-046. 007 F/K/A 0800-164. 00-02. 00-046. 000) (Co.*
23 *Exec.).*

24

25 LEG. KENNEDY:

26 Motion.

27

28 D. P. O. CALARCO:

01:32AM 29 Motion by Legislator Kennedy. I'll second it. Anybody on the
30 motion? All those in favor? Opposed? Abstentions?

31

32 MR. RICHBERG:

33 *Seventeen (Not Present: Legislator Martinez).*

34

35 D. P. O. CALARCO:

36 *It is approved. I. R. 1481 - Sale of County-owned real estate*
37 *pursuant to Local Law No. 13-1976 Debbie Lewis (SCTM No.*
38 *0100-014. 00-06. 00-026. 000) (Co. Exec.).*

39

01:33AM 40 LEG. D'AMARO:

41 Motion.

42

43 D. P. O. CALARCO:

44 Motion by Legislator D'Amaro. I'll second the motion. Anybody on
45 the issue? All those in favor? Opposed? Abstentions?

46

47 MR. RICHBERG:

48 *Seventeen (Not Present: Legislator Martinez).*

49

01:33AM 50 D. P. O. CALARCO:

51 *It is approved. I. R. 1507 - Declaring a superior governmental*
52 *interest to retain a parcel (SCTM No. 0209-030. 00-03. 00-010. 000) in*
53 *County ownership for open space program (Browning). Motion by*
54 *Legislator Browning.*

55

56

General Meeting - June 20, 2017

1 LEG. FLEMING:

2 Second.

3

4 D. P. O. CALARCO:

5 Second by Legislator Fleming.

6

7 LEG. D'AMARO:

8 On the motion.

9

01:33AM 10 D. P. O. CALARCO:

11 On the motion, Legislator D'Amaro.

12

13 LEG. D'AMARO:

14 Can anyone explain -- this is -- what a superior governmental
15 interest and why we have to do this? Through the Chair, Kate, do
16 you know?

17

18 LEG. BROWNING:

19 Yeah.

01:33AM 20

21 LEG. CILMI:

22 It's really a superior public interest. We were going to change
23 that.

24

25 LEG. BROWNING:

26 I just sent you an e-mail so you can look at the pictures of what
27 we're doing.

28

29 D. P. O. CALARCO:

01:33AM 30 Maybe Counsel will want to give an explanation.

31

32 MR. NOLAN:

33 Yeah. This is a parcel the County has already taken a tax deed to
34 but all the redemption periods haven't run yet. Under the Suffolk
35 County Administrative Code we -- the Legislature can declare that
36 the County has a superior interest in retaining the property in
37 public ownership, and by passing resolution basically cut-off
38 redemption rights for the prior owner.

39

01:34AM 40

LEG. D'AMARO:

41 So defeat the redemption rights before they expire.

42

43 MR. NOLAN:

44 Correct.

45

46 LEG. D'AMARO:

47 Okay. Thank you.

48

49 LEG. LINDSAY:

01:34AM 50

Lou.

51

52 LEG. D'AMARO:

53 Yeah, I just saw those. Thank you.

54

55 D. P. O. CALARCO:

56 Okay. Anybody else? Okay. We have a motion and a second. All

1 those in favor? Opposed? Abstentions?

2
3 MR. RICHBERG:
4 *Seventeen (Not Present: Legislator Martinez).*

5
6 D. P. O. CALARCO:
7 It's approved. *I. R. 1508 - Authorizing the reconveyance of*
8 *County-owned real estate pursuant to Section 215, New York State*
9 *County Law to Virginia M. Wood (SCTM No. 0600-025.00-03.00-*
01:34AM 10 *003.001) (Krupski).* Motion by Legislator Krupski. I'll second that
11 motion. Anybody on the issue? All those in favor? Opposed?
12 Abstentions?

13
14 MR. RICHBERG:
15 *Seventeen (Not Present: Legislator Martinez).*

16
17 D. P. O. CALARCO:
18 It is approved.

19
01:35AM 20 P. O. GREGORY:
21 Okay, the manila folder. *I. R. 1570 - Accepting and appropriating a*
22 *Counsel at First Appearance grant in the amount of \$747,000 from*
23 *the New York State Office of Indigent Legal Services, to improve*
24 *the quality of services provided under Article 18-B of the County*
25 *Law by the Legal Aid Society of Suffolk County and the Suffolk*
26 *County Assigned Counsel Defender Plan with 100% support (Co.*
27 *Exec.).* I'll make a motion.

28
29 D. P. O. CALARCO:
30 Second.

31
32 P. O. GREGORY:
33 Second by Legislator Calarco. On the motion, Legislator Lindsay.

34
35 LEG. LINDSAY:
36 Just really briefly on this, was this already budgeted for, Dr.
37 Lipp, or is this new money, old money?

38
01:35AM 39 P. O. GREGORY:
40 It's a grant.

41
42 LEG. LINDSAY:
43 I understand, but it's offsetting expenses that we already incur or
44 these are going to be additional expenses that we're going to
45 incur?

46
47 MS. HORST:
48 I don't believe the funds were included in the 2017 Operating
49 Budget.

01:36AM 50
51 MR. LIPP:
52 It's new Fund 3, the Grant Management Fund, so it wasn't included.

53
54 LEG. LINDSAY:
55 So then does it offset an expense that we already had budgeted?

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1 MR. LIPP:

2 So it was not in the adopted budget. It's an offsetting expense
3 that is added to the budget now with the revenue, so it's neutral.
4 It's a neutral transaction.

5
6 MR. BRAUN:

7 This is -- if I may. This is State money, grant money, to the
8 Legal Aid Society and to the Assigned Counsel Defendant Plan for
9 counsel at arraignments. We got a similar grant last year. That
01:36AM 10 grant is almost out of money. This is to continue that same
11 program, to provide either Legal Aid Society Counsel or 18b counsel
12 at arraignment.

13
14 LEG. LINDSAY:

15 Right, I understand what the funding is going towards and where
16 it's coming from, but if we didn't budget for it, did we budget for
17 the expense not expecting to receive this funding?

18
19 MR. LIPP:

01:37AM 20 No. No. It's a new expense. It's in the new Grant Management
21 Fund.

22
23 LEG. LINDSAY:

24 So if we didn't get this funding we would have had a \$747,000
25 shortfall?

26
27 MR. LIPP:

28 No, no. What happened here is it's new money but it's being spent
29 at the same time, so it's neutral. It wasn't in the budget and now
01:37AM 30 it's being put in the budget. That happens often, for instance,
31 with grants in the Police District. You'll see the adopted budget
32 being little to nothing in terms of expenditures and grant dollars
33 and during the year they adopt the resolution that includes these
34 grants. So you're allowed to add to the budget with grant money is
35 the point here.

36
37 LEG. LINDSAY:

38 I understand it's new money but --

39
01:38AM 40 D. P. O. CALARCO:

41 Because if this money wasn't there then we wouldn't provide as much
42 service.

43
44 MS. HORST:

45 Correct.

46
47 D. P. O. CALARCO:

48 So this was actually -- I was going to have a follow-up question to
49 it, which I think is to that point.

01:38AM 50
51 LEG. LINDSAY:

52 I thought we were mandated to provide these services.

53
54 MR. BRAUN:

55 This is essentially to reduce or to make the caseload of the
56 lawyers in arraignments manageable so that one lawyer isn't

1 handling everybody in arraignments all by himself or herself. We
2 have the obligation to see to it that people have assigned counsel
3 at arraignments, but this provides the funds to pay those lawyers
4 who will be doing that.

5
6 LEG. LINDSAY:

7 I understand that piece. I'm sorry, I'm not trying to belabor the
8 point. It just doesn't make sense to me that if we didn't get --
9 if we didn't have this money planned for in the budget we would
01:39AM 10 still have to provide these services and how would we have paid for
11 them?

12
13 MR. BRAUN:

14 The services would have been provided by other lawyers already
15 scheduled to receive payment, but they would have a much higher
16 volume of clients to --

17
18 LEG. LINDSAY:

19 So they would just have more cases -- a higher caseload. This is
01:39AM 20 just enabling them to have less of a caseload, more attorneys
21 handling the work.

22
23 MR. BRAUN:

24 And to do a more competent job as a result.

25
26 LEG. LINDSAY:

27 Okay. That makes sense to me. I think that was all I needed in
28 terms of the explanation. Thank you.

29
01:39AM 30 MR. BRAUN:

31 You're welcome.

32
33 P. O. GREGORY:

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

36
37 MR. RICHBERG:

38 *Seventeen (Not Present: Legislator Martinez).*

39
01:39AM 40 P. O. GREGORY:

41 Okay. I'd like to waive the rules and lay the following
42 late-starters on the table. I.R. 1566 to Education and Human
43 Services; I.R. 1567 to Parks; I.R. 1569 to Parks; I.R. 1571 to
44 Parks; I.R. 1572 to Health; I.R. 1573 to Government Ops; I.R. 1574
45 to Ways and Means; I.R. 1575 to Ways and Means; I.R. 1576 to
46 Government Ops and set the public hearing for July 25th 2:30 P.M.
47 in Hauppauge. I.R. 1577, Education and Human Services; I.R. 1578
48 to EPA; I.R. 1579 to Ways and Means and set public hearing for July
49 25th 2:30 P.M. in Hauppauge. Second by Legislator Calarco. All in
01:40AM 50 favor? Opposed? Abstentions? That's our agenda.

51
52 MR. RICHBERG:

53 *Seventeen (Not Present: Legislator Martinez).*

54
55 P. O. GREGORY:

56 That's our agenda. We stand adjourned. Thank you.

General Meeting - June 20, 2017

1 Get home safely.

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*(*The meeting was adjourned at 1:40 a.m. *)*

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