

**GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
COMMITTEE**

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Government Operations, Personnel, Housing & Consumer Protection Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on May 6, 2015.

MEMBERS PRESENT:

Leg. Robert Calarco, Chairperson
Leg. William J. Lindsay, III, Vice Chair
Leg. Jay Schneiderman, Deputy Presiding Officer
Leg. Thomas Cilmi
Leg. Kevin J. McCaffrey
Presiding Officer DuWayne Gregory (not included in votes)

ALSO IN ATTENDANCE:

Leg. Kate M. Browning, 3rd Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel/Legislature
Jason Richberg, Chief Deputy Clerk/Legislature
Benny Pernice, Budget Review Office
Barbara Stoothoff, Director/Consumer Affairs
Katie Horst, County Executive's Office
Jill Rosen-Nikoloff, Director/Affordable Housing
Charles Gardner, Chair/Government Relations Committee/Kings Park Chamber of Commerce
William Shilling, Aide to Leg. Calarco
Jason Hann, Aide to Leg. Schneiderman
Michael Pitcher, Aide to PO Gregory
Chris DeLuca, Aide to Leg. Cilmi
Brian Sapp, Aide to Leg. Calarco
Leg. Bynoe, Executive Director/Town of Huntington Housing Authority
Rick Brand, Newsday
Michael S. Cox
Edward Springer
Maryann Johnston
Annette P. Kattau
Paul Levitt
Raul Negron
Tom Bissell
Russ Calimo
Robert M. Marks, appointee/SC Electrical Licensing Board
Thomas H. Palk, appointee/SC Electrical Licensing Board
John Morrell, appointee/SC Electrical Licensing Board

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 10:09 AM

CHAIRPERSON CALARCO:

Good morning and welcome to the Government Operations, Personnel, Housing and Consumer Protection Committee. We're going to get started. If we all could please rise for the Pledge of Allegiance led by Legislator Schneiderman.

SALUTATION

PUBLIC PORTION

Okay. Welcome everyone to Committee this morning. I apologize for the slightly late start. We're going to move right into -- I have no correspondence so we're going to go right into our Public Portion. I do have some cards this morning. Our first speaker is Michael Cox.

MR. COX:

Good morning, members of the Committee. My name is Michael Cox. I'm an attorney in Lindenhurst. I'm here representing US Emergency Board Up and I'm here to speak in opposition to Resolution 1260, which on its face is stated to -- is the -- is to promote -- is to regulate the board up industry. And as I discussed at the General Legislative meeting last week, there are approximately four to six -- four to six board up companies in Suffolk and Nassau County operating. The rest would be considered home improvement companies.

My client, USA Emergency Board Up, their president is Anthony Negrone, also spoke last week. He indicated and I provided a letter to the Legislature that in 2010 he attempted to get a home improvement license. Since his business is limited to the board up industry, the Consumer Affairs had determined that he did not require a license.

And as in our discussion, we indicated we have no objection to the licensing portion of the bill. However, there are other parts of the bill that we have objection to. There was -- initially there was a list that was -- indicated the bill would keep a list of board up companies that somebody from FRES would hand to a homeowner. And looking at the bill, we're looking to see what the compelling state interest is and how the bill would be narrowly tailored to promote that interest.

This bill seems to indicate that the purpose is to protect consumers; however, the speakers who spoke on behalf of the bill from FRES and from the volunteer fire department talked about scene management. So the bill may or may not be looking to do what the actual purpose is. The purpose, from what I gather, is that there have been complaints at the scene that potentially board up companies or home improvement companies who arrive at the scene are -- the allegations were that they were trampling over evidence and that they were -- there was a -- a fist fight amongst the proposed board up guys; although my client will come up speaking -- speak later that he's been doing this for 15 years and he's never seen a fight on a lawn.

I was taken a little bit aback by the fact that we now have a proposal to regulate board up companies at the scene when we have fire personnel, we have fire marshals, we have police at these scenes. And we already have laws against obstructing government administration.

If a -- the statement that these board up companies may trample on evidence, I've been at these scenes also. There's tape set up or there's a barrier set up where the homeowner is also behind the barrier. The homeowner's not in the fire scene. So if any client was looking to speak to the homeowner to talk about the insurance carrier and their insurance benefits and what needs to be done, I don't see how this bill stops that. I think this bill, we discussed, stops competition and tries to limit my client's competitive advantage. My client, who indicated he was 52-years-old and he gets up one o'clock in the morning, he goes to these scenes. He is out trying to do his business.

And the other issue I have with the -- very briefly, if I may, was the unfunded mandate part of this,

that the Consumer Affairs indicated they don't have the resources at this point to enforce this law. And I'd ask the board to -- the Committee to table or reject this law until such time as we can work out the details. Thank you.

CHAIRPERSON CALARCO:

Good. Thank you. Does anybody have any questions for Mr. Cox?

LEG. CILMI:

I do.

CHAIRPERSON CALARCO:

Okay, Legislator Cilmi.

MR. COX:

Questions?

LEG. CILMI:

Good morning. How are you today?

MR. COX:

I'm well.

LEG. CILMI:

Good. So just to reiterate again, the -- while you're not particularly thrilled with the -- all of the different parts of this bill, the one real sticking point is the list; is that correct?

MR. COX:

That is the biggest sticking point because it promotes steering and it promotes --

LEG. CILMI:

Yeah, I agree with you completely.

MR. COX:

Okay.

LEG. CILMI:

I mean, who's going to be first on the list, you know --

MR. COX:

Right.

LEG. CILMI:

-- it's just natural for a -- for somebody particularly in, you know, in the position where their home has just caught on fire.

MR. COX:

Right.

LEG. CILMI:

To just go to the first name on the list and -- so is it going to be alphabetized, is it going to be random. To me it just doesn't make -- to me it's problematic to have a list. So -- but other than that, I mean, the intent of the bill you support, the licensing, you said, you don't have a problem with. So if we just eliminated that part of the bill, you'd be okay?

MR. COX:

I'm okay with -- yes, that a great first step. There's some minor tweaking that I would like after that. I mean I'm looking at --

LEG. CILMI:

Well, you could -- you could speak with the sponsor about the minor -- the minor tweaks. Now, you're here, you represent the one business person that came to our General Meeting this week; correct?

MR. COX:

Correct.

LEG. CILMI:

And you said there were four or five, six of these companies that are out and about?

MR. COX:

He indicates that there are four major companies in Suffolk County and six in total in Nassau and Suffolk. And that goes to the, you know, the funding part of it also. When I read the financial impact statement, that if we're looking at registration fees of \$200 every two years, we're looking at \$1200 in additional fees where the Consumer Affairs indicated to monitor and enforce this law, over the next four or five years, we're talking \$290,000 in additional compensation for added personnel to monitor this.

So there's the unfunded mandate part of that. If my client -- we just want to make -- it we want to classify board up companies as home improvement companies, there's not a problem. We can just go down and my client will get his license like he tried to do in 2010. But we're telling Consumer Affairs that this is new category of home improvement contracts.

LEG. CILMI:

Okay, so we'll address -- I would imagine there are folks here from the County Executive's office and maybe even from Consumer Affairs that we can have a conversation about whether or not -- or why we can't just regulate those companies in that manner.

MR. COX:

Right.

LEG. CILMI:

But thank you for your answers.

MR. COX:

Legislator, thank you. Any other questions?

CHAIRPERSON CALARCO:

Yeah, please stick around. Legislator McCaffrey.

LEG. McCAFFREY:

Hi, Mr. Cox, how are you?

MR. COX:

How are you?

LEG. McCAFFREY:

I just want to follow-up on the issue with the list. You know, we spoke -- or you spoke and your client spoke at the last meeting concerning his passion and his dedication to being out there in the middle of the night at one, two o'clock in the morning, cold, rainy, windy. He's out there. Could one

of the problems with the list be that we could have somebody on the list who may want not to come out at one o'clock in the morning that day. Then we have to go down the list until we find a willing participant or someone who could actually come and do it.

MR. COX:

Well, I think that's one of the problems. We're taking away competitive advantage. We're regulating his opportunities. We're also, the -- you know, there are, again, who's going to monitor, who's on the list. Every home improvement contractor is going to be on the list, which would include painters, which would include landscapers, which would include chimney guys, you know. There's -- you know, how is this list going to be organized to promote the best result for the consumer? You know, the list that's maintained is the list that's maintained by the insurance companies. They know which companies do this work. And when a homeowner calls their insurance carrier, they will deal with -- they will be directed to somebody who's on those lists. The list that the insurance carrier knows is a quality provider.

LEG. McCAFFREY:

Right. And just to confirm, you're not opposed to the licensing?

MR. COX:

Not opposed to the licensing.

LEG. McCAFFREY:

Okay, great. Thank you.

MR. COX:

Thank you.

CHAIRPERSON CALARCO:

Okay. Legislator Browning.

LEG. BROWNING:

I'm sure you know I'm the sponsor of the bill.

MR. COX:

Yes.

LEG. BROWNING:

Thank you. I don't belong to this Committee, but, you know, I want to correct -- I keep hearing the word licensing. It's a registration, not a license. And as you said, there's only about a half dozen of you. So the list that's going to be created from the get go is going to be six companies. So I just want to make sure you're aware of -- I think there's a lot of misinformation that you have about the bill and what it is. And I think that -- I'm just curious why would you not support the bill because one of the reasons that the bill was written was because of -- causing problems at the fire situations. And if you're client is compliant all the time -- and the reason for the registration is to basically have some kind of weight to -- you know, the board up companies that are showing up at the fires and creating problems and interfering with government operations. So if your client is in compliance all the time, it's going to weed out the bad guys, which is now going to reduce the number of people. So why would you not support that?

MR. COX:

First of all, maybe I misinterpreted, maybe I didn't. I see that home improvement companies are exempt. And any home improvement company that asks can be on the list. So they're not showing up at the scene. They're just -- and secondly, there are already laws in place for that. Mr. {Cincotta} who appeared before the General Meeting indicated he's been having this trouble since 1982, when he's been dealing with this since 1982. Where are the citations for obstructing

government administration for my client or for any of the other board up companies?

There are -- there are, you know, rules of how people need to act in any public setting. And in this case where we have people at a public scene, where we have fire marshals who run the scene, where we have police who are running the scene, where we have fire chiefs who run the scene, there are plenty of opportunity if someone gets out of line to address that -- those individuals directly. But it doesn't appear that since, you know -- since 1982, the year that firefighter {Cincotta} indicated that there has been those issues.

So I don't know if it's a pretext. I don't know if it's something that really doesn't need to be addressed at this point. And if it's going to limit the four to six people and it's going to set up a separate class of individuals who are subject to these rules where the home improvement contractor who's just on a list, is going to get -- you know, I think one of the issues was that some of the board up companies or somebody appearing at scene, not my client, wearing indicia of emergency service personnel.

Well, again, that list handed to a homeowner with the name of a contractor who doesn't show up at the scene but is handed to the homeowner from a FRES representative has the inferna of government authority, government approval, it's -- you're passing -- you're passing it on. If the problem is somebody shows up with red cross symbol on their -- on their -- let the person at the scene take care of them and that could be an OGA.

LEG. BROWNING:

Okay, let me ask you, though, because if your client was to show up and interfere with the fire department, police department, cross over the line, yeah, he can be cited. And he could do it again and again and again. And what recourse does anyone have to stop him from continuing to do that? He can say, well, it's just a -- it's just a --

MR. COX:

He can get arrested and go to jail.

LEG. BROWNING:

Yeah, and he might just get a fine.

MR. COX:

Right.

LEG. BROWNING:

And he'll pay his fine and he'll say it's the cost of doing business so --

MR. COX:

But --

LEG. BROWNING:

What we're trying to do is we register you.

MR. COX:

Right.

LEG. BROWNING:

And if you cannot comply, you're going to lose your registration. It gives it a bit more teeth.

MR. COX:

Well, he could ignore the registration requirements. We have people driving without driver's licenses all the time. And he could ignore the registration requirements and he could say this is the cost of

doing business, I'm going to get a \$5,000 fine or be subject to a year in jail, which this bill creates a new misdemeanor -- class of misdemeanor. I think we need to be careful because we're limiting it to these four to six groups. And every other home improvement contractor is out there that can just simply get randomly picked on a list.

LEG. BROWNING:

And the home improvement contractor, and I guess I can explain it later, is they can opt into it if they choose.

MR. COX:

Right.

LEG. BROWNING:

I don't know that there'll be too many home improvement companies who are going to opt into it. And the only time that they're going to be notified of it is when they re-register, when they're re-upping their license. So it's not like we're going to be sending out notices to all these home improvement contractors right off the bat and saying *here you go, here's another option*.

MR. COX:

I know people who are just looking to be a list and get business thrown at them. You know, that's not the way our country's supposed to work not.

LEG. BROWNING:

Well --

MR. COX:

What are we promoting then?

LEG. BROWNING:

I think if I live in Montauk, I'm not going to call somebody from the West End so it gives --

MR. COX:

Or a name on a list from the Bronx.

LEG. BROWNING:

It's providing a list of --

MR. COX:

Right.

LEG. BROWNING:

-- registered companies. And you do not even have to use that list.

MR. COX:

I understand that. But, again, like we indicated, it's an emergency basis. People are going to look at the list and do the top three names on the list. And how are we going to organize that list? How are we -- are we just going just -- A,B,C? My client's company starts with a U. He's the number one company in Suffolk County.

LEG. BROWNING:

Well, me ask you one more question. I'm not going to hold it up two more hours, if you want to use a home improvement contractor to do some work in your home, do you just call anybody or do you call Consumer Affairs, do you check to make sure they're licensed? So wouldn't -- aren't you kind of going through a list?

MR. COX:

Personally I have the background in home improvement so I know people and I have friends who do that. And in Suffolk County I think everyone knows somebody who does home improvement contracting. But this is a specialized area. And this is why -- when it was broached with Consumer Affairs in 2010, Consumer Affairs said *no, you just do this, you don't need to be licensed. We don't license this.* So we're -- and the licensing, I don't think, addresses the -- you know, there are two central tenets of this bill: The first tenet is Consumer Protection. Well, remember, firefighter {Cincotta} indicated that he was in a house and he received a phone call from one of the -- from some phony -- somebody pretending to be from the fire marshal's. That is not addressed by this bill. That consumer protection doesn't.

What protects the consumer is somebody on the scene where the fire marshals are there and saying, *look, these guys on the scene, he's acting appropriately, he's not, you know, high pressure, he's not making any false representations;* where you have an anonymous person on the phone in the middle of a fire. This is what we addressed a little bit at the General Meeting.

So the Consumer Protection area of this bill -- this bill does not promote that intent. Now, if the intent is to control the fire scene, we already -- like I -- I don't want to keep being redundant, but those -- the personnel who are going to enforce that at the scene are already there and already empowered to do what they need to do to enforce the scene. So this bill, again, is redundant and doesn't promote and is not narrowly tailored enough to pass constitutional muster to promote the compelling State interest that it needs to promote; that it's intended to promote.

And then finally, again, Consumer Affairs says they can't afford this, they don't have anybody to enforce it. And they -- they don't -- they need additional personnel. And we don't have -- it's unfunded mandate. And I looked and I saw that Mr. Bellone vetoed one bill this year. And what he vetoed was because it was an unfunded mandate.

LEG. BROWNING:

That would be up to consumers and to register four or half dozen companies, I don't think it's going to require a major increase in staff for that number of companies.

MR. COX:

Do we not accept their financial impact statement that they have produced for us? I mean, I know what we want. I know we want to protect the fire scene. And I know we want -- you know, but this bill doesn't do this with all due respect.

LEG. BROWNING:

There's not that many companies, like I said. There's only about a half dozen companies. And I'm sure Consumer Affairs can handle that half dozen. And it's not going to cost them -- well, I can talk to our Budget Office about that financial impact statement.

MR. COX:

Fair enough.

LEG. BROWNING:

But, anyway, again, understand this is -- this was a request by our fire departments, our fire marshals and also the arson squad and the police department. There was a request by them.

MR. COX:

Again, I would only ask let's meet with these four or six companies and figure out how to address the issue that's really at hand by the fire marshals. Nobody's spoken to them. Nobody's asked, *how do we address this?* Thank you.

CHAIRPERSON CALARCO:

Okay. Any other questions for Mr. Cox? Seeing none, great, thank you very much for coming.

MR. COX:

Thank you.

CHAIRPERSON CALARCO:

My next speaker is Ed Springer, our Fire Marshal. Come on up, Mr. Springer.

MR. SPRINGER:

Good morning. I'm here to speak on the board up bill, 1260. This was brought to our attention by the fire service, not our office. The fire service consists of the fire districts, fire chiefs councils throughout the County. And it is a continuous problem on the scene. I, myself, in my office we regulate the fire extinguisher fixed systems for the County. And we had problems with those individuals in those businesses. We've started licensing them probably for about 12 years now. And the complaints have went down drastically, very few from six a month to maybe one every six months.

And, again, to license or register someone that's doing business on the fire scene, I don't see that there would be any problem with that personally. It's not a large amount of money we're requesting. And, again, it's not coming from my office. It is coming from the fire service, the volunteer fire service.

I myself both paid and volunteer fire department for 43 years. I know what it's about. I've seen it on the scene. There's a continuous problem with them showing up, one or two companies at a time. And they may not come right to the scene. They may be around the corner, but they're waiting to hit it just like a hawk is hitting to something. It's just the way it is.

And, again, to regulate a company, I'm not saying we -- we could talk about a list. And I'm not looking to put anybody out of business. However, I think it's about time that these individuals have some type of -- being overseen by some type of agency. This way the fire departments could file a complaint with Consumer Affairs and it will follow through, as we do right now with other businesses.

Why they were allowed to continue without a license or a registration, I really don't know, because it's not a large request or a large amount of money they're looking for. And, again, if there's somebody to oversee them, it makes it a lot easy on the fire service. Yes, we can get them for obstructing the governmental operations with no problem at all, but we have other things to deal with at a fire scene. And we do talk to the homeowner with regards to it. And I don't think anybody in their right mind would recommend a single company, you know, if you were -- work for the government, you know. I wouldn't. And, again, if you had a list, would it make a difference? It may make a difference. But, again, this was not brought on by my office. It was brought on by the fire service and they have a concern with the way they operate. And alls they're requesting is a minimal thing to have them registered so they can file a complaint with Consumer Affairs.

CHAIRPERSON CALARCO:

Great. Thank you, Mr. Springer. Does anybody have any questions for our Fire Marshal? Seeing none, thank you very much for coming and giving that information.

Our next speaker is Maryann Johnston. Maryann? This is the Public Portion. You can come up and speak now, yep.

MS. JOHNSTON:

Good morning. I don't usually do mornings so it's nice to see you all. I'm here to speak on resolution 1124. When this was put before the public on a referendum, it was to save money. That is its primary function. That is what we should be doing.

I was here last month, I believe, and I spoke against the appointment of a temporary treasurer. I think we need to move forward with the will of the people. Consolidate this as quickly as possible; save as much money as we possibly can. I was not in favor of the consolidation. I like the oversight. But the people have spoken. And it is time for this board to implement the will of the people. And I expect that you will do so. Thank you.

CHAIRPERSON CALARCO:

Thank you. Any questions for Miss Johnston? Okay, next speaker is Annette Kattau.

MS. KATTAU:

Good morning. I'm here to just say the same thing Maryann just did. We need to -- we need to consolidate. We need to save money. And this is the way it should be done. Thank you.

CHAIRPERSON CALARCO:

Okay, thank you very much. All right. Our next speaker is Paul Levitt. Paul Levitt?

MR. LEVITT:

Good morning. I am legal counsel to the Town of Huntington Housing Authority. Oh, green button. Oh, it was on. There we go.

Good morning, my name is Paul Levitt. I am legal counsel to the Town of Huntington Housing Authority and the Millennium Hills Housing Development Fund Corporation.

I'm speaking in support of Resolution 1378. We seek this resolution because this resolution will forgive a loan of \$714,000 that was made to the Millennium Hills Housing Development Fund Corporation. And by forgiving this, it will provide financial stability -- continued financial stability to the HDFC in a successful mixed-use development; one, if not the first mixed-use development, in Suffolk County.

This development is unique in that it was built as townhouses consisting of 44 homes purchased by families in this community who would not otherwise have been able to purchase homes in Suffolk County. Another 40 homes are rented to low-income families, who if this development had not been built, could have been rendered homeless. With the assistance of private and public financing, this mixed finance development of 84 affordable house was built on schedule and on budget in 2004. Without the financial assistance of Suffolk County, this development could not have been built.

What we are seeking is the continued financial assistance from Suffolk County in the form of a forgiveness of the loan. This development can then look forward to continued financial stability.

We respectfully request our development be treated the same as other developments that followed in our foot steps. We were the leader. Those other developments receive financial assistance from Suffolk County in the form of grants. Grants, not loans. We seek to be treated the same. There will be certain adverse consequences to the development if the loan is required to be paid in 2017. We are facing the near-future expenditures of considerable monies to make necessary repairs and maintenance of a housing that is now over ten years old. For example, roofs have to be repairs, driveways, HVAC systems, flooring. The development is more than, as I said, ten years old and will require this work in order to continue to meet the housing standards that HUD and we have set.

In addition, there will be upcoming financial contributions that Millennium Hills will need to make to the Homeowners Association for roadwork and repairs in the common areas. There's nine acres of common areas in this development. And there's a community building. I would note that 10% of the original 44 homeowners have sold their homes during the 11 years they have lived there. Only 10%. And I believe that this is proof that this development is a success where homeowners live neck to neck -- side by side with renters. HUD has recognized the Housing Authority's successful management of the rental units. If I could have another minute or so to complete this? May I?

CHAIRPERSON CALARCO:

Sure. Legislator Lindsay has a question for you. And perhaps we can get to completing it through that question.

LEG. LINDSAY:

Good morning. Thank you for coming in, Mr. Levitt. Would you be willing to submit the financials for the HOA and for Millennium Hills for our review?

MR. LEVITT:

Yes, we would, of course.

LEG. LINDSAY:

That's my only question.

MR. LEVITT:

Thank you. HUD has recognized the housing authority which is the management agent of Millennium Hills as being such a high performer that it recently gave a 98 score, a 98% score, an A-plus in our management of this development. I would ask that this provision, this resolution, which speaks to article 36-2 F2 be voted on -- come out of committee and voted on by the Legislature because 36-2 F2 states that under certain circumstances repayment of affordable housing loans may be forgiven.

In light of the limited resources available to Millennium Hills, to raise funds to repay the loan, we have a restricted ability to raise rents. We are restricted in terms of the amount of rent that we can charge and the recent financial crises's that resulted in HUD funding to be reduced under sequestration, we believe that such circumstances exist. We look forward to continued success in providing affordable housing to families living and working in Suffolk County.

Thank you for your time.

CHAIRPERSON CALARCO:

Thank you. Does anyone have any questions? Okay. Seeing none, thank you, Mr. Levitt. I was just notified that we are actually being joined by our colleague to the west, Nassau County Legislator Bynoe. Legislator, would you like to come up? We usually give deference to our fellow elected officials. We know that we all have time constraints.

MS. BYNOE:

Hi, good afternoon. Or good morning, rather. I'd like to bring greetings from the Town of Huntington Housing Authority. I'm here today as the Executive Director. Greetings to the members of the Committee and to the other Legislators joining the Committee today. If you have any questions for me.

CHAIRPERSON CALARCO:

I guess there's just a question regarding the Millennium Hills project?

MS. BYNOE:

Yes.

CHAIRPERSON CALARCO:

So I guess I'll ask you -- the question of you, I was going to ask it of Jill but I think you could probably answer it, too. So what we're dealing with in this particular situation is a number of the properties that for whatever reason the County put them into a 15-year loan repayment program for a portion of the project, right, the rental portion?

MS. BYNOE:

That's correct.

CHAIRPERSON CALARCO:

And what we're seeking to do here is to extend that to another 15 years, which will bring it to the typical county 30-year expiration of our covenants in which time our grant program would usually be forgiven.

MS. BYNOE:

That's correct.

CHAIRPERSON CALARCO:

Okay.

MS. BYNOE:

The understanding -- I wasn't there at the time when this development was underway, but at the time I think this was one of the newer projects. And the Legislature nor the Executive had any kind of experience to how to put this together. So we were put into a repayment. And it's our understanding that others are experiencing the repayment -- I'm sorry -- the forgiveness of the repayment if we maintain the affordability. And to this point all of the units, as Paul has mentioned, in terms of the homeownership have maintained the affordability, even in resales. And in addition to that all of our units -- the 40 units of public housing are required to be affordable as prescribed by HUD. And we are required to report on those annually to confirm eligibility.

CHAIRPERSON CALARCO:

Okay.

MS. BYNOE:

Thank you.

CHAIRPERSON CALARCO:

Sounds good. Does anybody have questions? Thank you, Legislator.

MS. BYNOE:

Thank you.

CHAIRPERSON CALARCO:

Okay, I have one last card Raul Negrón.

MR. NEGRÓN:

Good morning, gentlemen. I have something to pass out.

CHAIRPERSON CALARCO:

Hand him the bill there and he'll pass them around.

MR. NEGRÓN:

Let Miss Browning have one, too, please. If you look on the back of that brochure on the card, Miss Browning, Mr. Gregory, all Legislators, on the back of that card -- I have no issues with being registered, conforming to whatever. Obviously you guys already met me, heard me. I am passionate. I'm beyond energetic. My heart is in always the right place. I'm a do-right thing. I love to do, be involved. I love to be a part of the solution in anything in life and not the problem. I came from both sides of the fence. Okay. And I understand some of the issues that they're talking about. And I want to be part of the solution.

But if you look on the back of my brochure, there's already a list. If any parties involving the

County, the State or individuals or legislation were to try to even create any kind of list, it would become problematic beyond comprehension. And I'll tell you why.

Mr. Gregory, you stated your mother had a fire. I'm sorry and I hope she was okay and everything ended up being fine. But what happens is the minute, whether there's four board up companies or 24 board up companies, the board up companies that are involved are in business are already on the list. And the playing field is the way it is because the companies that aren't getting the work or don't get the work are because they're not on the list of the insurance company restoration companies. They haven't earned it through the restoration companies, whether because they know know that they're seedy, because they might steal the construction, they might steal the mitigation. So by you guys or somebody wanting to create a list here, it would open the door for those guys that the insurance company don't want to use.

When Mr. Gregory's family unfortunately had a fire, they called the insurance company. They put in a claim. The claim was put in and everything according to order, unless you hired a public adjuster, went as the insurance company said, right? They brought in Servepro; they brought in a restoration company; they did the cleaning. The insurance company then offered your family if you wanted them to use their contractors so on, so forth. Where would that leave the public if just anybody from the County got involved and just said, *okay, we're going to send home -- Bill's Home Improvement to board up your house?* Now Bill's Home Improvement goes up there to board up your house and he's not even authorized by the insurance company on their list. And now he's aiming at the construction. He's aiming at the mitigation in the middle of the night. It's gonna get -- it'll get crazy.

Now, Bill the home improvement guy goes in there and he's on this list and he recommends a restoration company, *oh, I can do the restoration for you myself.* And he starts mitigating, pulling out wet carpet and wet stuff and putting in blowers and dehumidifiers in that house. And he puts forward -- submits a \$42,000 with State Farm, and State Farm looks at it and breaks down the bill and says, *well, we're only 22,000 on this.* And the homeowners left with this \$42,000 bill from this contractor, whoever she signed with because she thought she could trust them, when State Farm is only going to pay 22, he's going to go after that homeowner for that difference. And he's going to put a property lien on that property. That homeowner's really going to be left in danger and in problems. Where if it's through the insurance company, they have to accept what the insurance company pays.

When I forward a bill, I can bring in bills, invoices left and right. No matter what my actual bill is, when the adjuster cuts it, if he cuts, he cuts it. *Hey, Anthony, you're \$3200 bill is going to be 25 with explanation.* It's understood.

And with that said, if anybody has any questions.

CHAIRPERSON CALARCO:

Does anyone have any questions? Mr. Presiding Officer.

P.O. GREGORY:

So, Mr. Negron, so as I understand it, you're saying that, you know, the insurance company's really going to determine at the end of the day.

MR. NEGRON:

They always do, yeah.

P.O. GREGORY:

If not -- if they're not on the approved list and someone does work, it's going to fall in the hands of the -- the responsibility of the homeowner.

MR. NEGRON:

Okay. And I've seen it turn out very ugly for homeowners.

P.O. GREGORY:

So you're saying -- so if we -- if FRES creates a list and the homeowner says, *okay, General Star Management Company is not approved by your insurance company* and they do the work, then it's really of no use or purpose.

MR. NEGRON:

Well, not that it's not of no purpose.

P.O. GREGORY:

Or could cause more --

MR. NEGRON:

It's going to bring in -- it's going to open up not a can of worms; it's going to open up a can of snakes. Because the insurance company, if you -- if anyone's ever had a claim -- when you call State Farm, you call them at two in the morning, you're not dealing with a State Farm agent in Long Island or State farm in Long Island. You're dealing -- when that emergency call -- it's usually either in Florida or Pennsylvania. It's not even anyone local. Those two, you know, states that are picking up and responding on the emergency call are then going to take that information from the insured the night of the fire, and they're going to turn around and they're going to say, *okay, you live in Huntington, 32 whatever street in Huntington, okay, Ma'am, your name is Mrs. Williams, okay, Miss Williams, not a problem.*

How many broken windows are there?

Oh, there's like ten broken windows and two doors.

Don't worry, Miss Williams. We're going to call you back in 25 minutes.

They call her back when they get a number. And they're going to have -- *okay, we have somebody who's going to board up the house.* It's going to be Servepro. It's going to be one of those guys on that list that I took in years to earn their respect and their trust that are then going to subcontract me the work. And they're going to say, *okay, hey, Tony, it's so and so.*

Last week while here at the meeting at 3 o'clock in the afternoon, we had a fire in Coram. It went off on my phone. I got the text. Obviously I couldn't go to the fire. I was here. The fire was in Coram. For anyone who doesn't know, the husband or the ex-husband ended up shooting himself, killing himself at the scene while we were taking place in our meeting last week. That fire took place at three o'clock. I left here. I think we finished up about four-ish. I was on my way home, and business and competitive spirit and to work and earn a living, I was going to go to the fire, but I said, *you know what? I'm already an hour-and-a-half late. I'm not going -- I'm not going to go on my way to go to that fire. I'm going home.*

So I went home. I knew I was tired. Five o'clock came. I picked up my son. He's a big time wrestler with Mr. Cox' kids, that's our sport. So I take my son and his boys to a special wrestling club all the way out in Manorville. And on the way back, now it's almost nine o'clock and it's ironic that it's Mr. Cox, his son, Tommy, who's a little more energetic than me, Tommy starts talking about business and stuff in the car and my phone rings. And it's like nine o'clock now, six hours after the fire. And I go *Anthony Negron, USA Emergency Board Up.*

Tony? I hear Tony, it's Denise from Purifiers who's on my list. I said, hi, Denise, how can I help you? I know it's going to be business. She goes Tony, I have a board up for you. I said where, Denise. She said in Coram. I looked on the phone, I said wow that fire is six hours old. She said

yes, her name is so and so, here's her number.

So I'm on my way to the fire. I call her obviously. She's got a password, right. Because I tell Purifer to avoid her getting scammed, I said, *Denise, call the lady back, Mrs. So and so, tell her the password is "wrestling."* She goes *okay*. So now when I call the insured because I had her number, she goes *what's the password?* I said *it's wrestling*. She goes *okay, you're the guy*. I said *I'm on my way to your house*.

I get on my way to her house. One of the scam artists, because everybody knows each other, figured out -- he had already -- he had already intercepted the information by calling in through a neighbor, right? And getting her cell phone number. Now, he got the insured's cell phone number, she spit every bit of her information to this guy. How did I know? Because when I was on there, he knows that I get a lot work in Suffolk. And he sends me a text that says Purifers, knowing that I get work from Purifers. I didn't respond to him. And I went to the fire.

And I said *Miss so and so, I said did you receive a call from somebody saying they were from Fire Rescue Emergency Service or from the Marshal's Office?* She said, *yeah, Tony, I did*. And I said *what did the guy ask you, who's your insurance?* She goes *yes*. I said *you were scammed*. She goes *what are you talking about?* I said, *yeah, you were scammed*. I said, *look, the guy text me, I said this is his name, this is what he does. Please, whatever you do, do not speak to this gentleman no more on the phone, don't give no information*. He was already trying to recommend a board up company to her.

P.O. GREGORY:

Okay. All right. So but from your prior testimony you said there are six -- four to six companies --

MR. NEGRON:

Yeah, there's four -- there's four in Suffolk County. Out of the four in Suffolk County only two of us are recognized by insurance restoration companies for the most part. Two of them -- one of them who worked for me was an ex-employee, I'm not going to say what town he's from, I think it can be conflicting -- a conflict of interest -- used to work for me, he's no longer with me, he's not on no one's list. And there's another company, which is Gaffney Masonry, which they're a multi-million dollar masonry company are in this just for the reconstruction. They're in here for the building. They're in here for the big numbers stuff. They're not here to board up houses. They're using the board up to get their foot in the door to try to get reconstruction.

P.O. GREGORY:

Okay.

MR. NEGRON:

So they're not on the list of these insurance companies. So if you call, they're not going to call Gaffney, they're not going to call the guy who worked for me. I get all my work, and I have such a large list, because people know, Tony's not going to hurt us. Tony's not going to go in there pushing construction. Tony's not even going there pushing mitigation. And that everything stays confined to the insurance policy where the homeowner doesn't get hurt. I board up, I educate them --

P.O. GREGORY:

Okay. All right, all right (laughter).

MR. NEGRON:

Well, I gotta --

P.O. GREGORY:

I know, I know. I think you're in the wrong business. You should be an attorney, you get paid by the hour. No offense.

MR. NEGRON:

Oh, no.

P.O. GREGORY:

No offense. No offense to -- I'm only kidding.

MR. NEGRON:

No, no, none taken, none taken.

P.O. GREGORY:

No, no. I mean obviously you're passionate, you're knowledgeable.

MR. NEGRON:

Very.

P.O. GREGORY:

You know, Legislator Browning is just trying to figure this out.

MR. NEGRON:

I want to work with her. I would love to team with her and sit with her in her office anywhere and step by step, even with my attorney, whatever it is and a group of whoever and absolutely, like I said, let's be part of the solution.

P.O. GREGORY:

Okay.

MR. NEGRON:

I'm fine.

P.O. GREGORY:

Thank you.

MR. NEGRON:

I'm more than happy to -- I don't want to stand here and reject --

P.O. GREGORY:

Gotcha.

MR. NEGRON:

-- or reject her opinion of her bill.

P.O. GREGORY:

All right. Thank you. Thank you, Mr. Chair.

MR. NEGRON:

Miss Browning, again, if you want to call me --

CHAIRPERSON CALARCO:

Hold on, we got more questions. Legislator McCaffrey.

LEG. McCAFFREY:

Yes, Mr. Negron, going back to that list, what I'm hearing your concern is that we could give what almost appears to be an official list from Suffolk County that we're endorsing from Consumer Affairs, from whoever creates that list; and on that list could be people that the insurance companies don't recognize. And it could up at the end of the day costing the homeowners more money because the

insurance company will not give the proper reimbursement that is -- that you contract with them for; is that the biggest concern? We could end up hurting the homeowners at the end of the day?

MR. NEGRON:

In the biggest way, in the biggest way, in the biggest way. And even guys that aren't on the list -- and I'm not here -- I'm not sainthood. I'm not here to paint myself as sainthood. Don't misinterpret my passion either. But you know one thing about me, why I got all those restoration companies? I have more restoration companies than anybody in the State except for maybe Zipgo. And you know how I accumulated them? A lot of them guys weren't in favor of me in the beginning of the business.

LEG. McCAFFREY:

But just to -- just to clarify here, so it's not, you know, about your reputation, you're better, you board them up any better than --

MR. NEGRON:

It's not about being better.

LEG. McCAFFREY:

What I'm most concerned about is that you could have somebody go in there off our list, end up charging more money than the insurance company's going to reimburse for.

MR. NEGRON:

Yep.

LEG. McCAFFREY:

But if you -- they contract with someone who is under contract with those particular insurance companies and you're -- the insurance company refers the homeowner to you, the cost is going to be more in line with what the insurance company's going to reimburse and would be less out-of-pocket than it would be to the homeowner otherwise; is that fair?

MR. NEGRON:

Yes, Kevin.

LEG. McCAFFREY:

Okay.

MR. NEGRON:

Absolutely.

LEG. McCAFFREY:

Thank you.

MR. NEGRON:

Not only that, throughout the whole process, the insured, homeowner's protected.

LEG. McCAFFREY:

Okay.

MR. NEGRON:

Any other questions.

CHAIRPERSON CALARCO:

Okay, I have a question for you.

MR. NEGRON:

Sure.

CHAIRPERSON CALARCO:

Because I've been trying to follow all this and I'm trying to get it straight in my mind what we're talking about. So what Legislator Browning is looking to do is create a list of registered, board up companies that don't meet quite the same standards that our home repair companies have to meet in terms of being licensed. Because there's a whole higher standard that they must meet that's not included in the law that's being written here. And that list would presumably be the four or five companies out there that do board ups; right?

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

Okay. Now when you get a -- when you go -- the way you get your work, because you hustle --

MR. NEGRON:

Hustler.

CHAIRPERSON CALARCO:

Is that -- you know, when you hear that fire, you get to the scene and you let the homeowner know and you give them this card, you say, *hey, listen, you know, this is the service I provide, these are all the insurance companies I have affiliations with that, you know, that I have worked with, I take their payment, whatever their payment is so it's not going to cost you anything out-of-pocket, I'll leave this with you and I'm going to wait in my truck and you'll let me know when you need something, right?*

MR. NEGRON:

Exactly.

CHAIRPERSON CALARCO:

So your competitors kind of do the same stuff, right, they --

MR. NEGRON:

Exactly.

CHAIRPERSON CALARCO:

They try to do the same.

MR. NEGRON:

Exactly.

CHAIRPERSON CALARCO:

And there are people out there who are a little bit unsavory who are not really doing this the right way or they're trying to make allusions that maybe they are being sent there by the Fire Marshal or the fire department or whatever the case may be.

MR. NEGRON:

Yes, sir. And again --

CHAIRPERSON CALARCO:

So, what Legislator Browning's trying to attempt to correct, if I'm not mistaken, is a that -- a very specific issue that people are trying to represent to homeowners something that they aren't. Right, that they're being sent by the Fire Marshal or they're being sent by the town. And that's how -- or

they're being sent by their insurance company, and they're really not, right? Like that's what she's trying to prevent.

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

But when you show up at the scene and you present this card to people, the people who you present this to don't know that you're truthful on this card.

MR. NEGRON:

Sure. When they call the insurance company, the insurance company --

CHAIRPERSON CALARCO:

Sure, when they call their insurance company.

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

So what you were saying before about the point with the home improvement contractors and the restoration folks that, you know, what you're afraid of happening is that the home improvement people are going to move in on your business. But right now they can move in on your business because there's nothing that's saying that they can't do board ups right now.

MR. NEGRON:

No. But at the same time when they get to a fire, if they came to a fire, I would say, *ma'am* -- and they're not sure -- *call your insurance carrier*.

CHAIRPERSON CALARCO:

Sure, sure, you can say that. But the reality is that home improvement licensed people right now can do the same exact thing that you're doing. In fact, I can start up tomorrow and throw some plywood in the back of my truck and go do what you're doing.

MR. NEGRON:

You wouldn't be too successful.

CHAIRPERSON CALARCO:

I may not be, but I have -- I have the ability to do that right now.

MR. NEGRON:

I know you do.

CHAIRPERSON CALARCO:

Okay. So what I'm getting at here is that you're saying that the homeowner might be hurt because those home improvement companies are going to really be aiming at getting the work in terms of the reconstruction of those houses after. They really don't care about the board up work, because it's not the most lucrative part of the business, right?

MR. NEGRON:

Exactly.

CHAIRPERSON CALARCO:

And if those companies aren't going to be affiliated with insurance companies per say, and so they may not accept what the insurance companies are offering.

MR. NEGRON:

That's a large part of it, Rob, yeah.

CHAIRPERSON CALARCO:

Okay. But right now there's no assurance to any homeowner that when a board up person shows up, like if I was to start doing this tomorrow, that I'm actually going to be paid by the insurance company.

MR. NEGRON:

What do you mean by that "paid by the insurance company"?

CHAIRPERSON CALARCO:

Well, because it's the same thing, right?

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

So if I decide I want to start doing this business tomorrow and I throw some plywood in the back of my truck and I get a police scanner, I go to the first fire that happens around the corner, and I show up to the homeowner and say *I can board your house up for you.*

MR. NEGRON:

Okay.

CHAIRPERSON CALARCO:

Don't worry, I'll take care of it for you. And I board up that house for that person and I charge them, I bill them. And they say *well, I'm going to go through my insurance company.* I said *well, you already hired me.* Right, it's the same thing.

MR. NEGRON:

No. If they tell me *I'm going through my insurance company,* I back off. If they tell me *I'm going through my insurance company,* I say okay --

CHAIRPERSON CALARCO:

No, I understand that. But it's -- there's no -- nothing right now that says to the homeowner, this is a registered board up company, or this is a company that has affiliations with your insurance company. There's nothing right now that says that you need to call the insurance company. In fact, you get your business by not having them call through the insurance company because that last call you got, now you get some of it, right, because that last call in Coram, 9 hours later you showed up because the insurance company went through the process because that's what the homeowner did.

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

But had you showed up first thing after that fire, you weren't getting called there by your insurance company that you have an affiliation with; you were going there because you were hustling to try to get the job --

MR. NEGRON:

Sure.

CHAIRPERSON CALARCO:

-- before the next board up company who may also be affiliated with that insurance company.

MR. NEGRON:

Absolutely.

CHAIRPERSON CALARCO:

Okay.

MR. NEGRON:

I'm not here to deny what you're saying. And there were --

CHAIRPERSON CALARCO:

So all Legislator Browning's trying to say is we want to have a registered list of board up companies.

MR. NEGRON:

I'm in agreement with it.

CHAIRPERSON CALARCO:

Okay, well, that's great. Then I guess we're all in agreement.

MR. NEGRON:

The only thing that I oppose is that bringing in four or five board up companies, because there's only four or five, like she says --

CHAIRPERSON CALARCO:

No, she's going to have a list of all the registered board up companies.

MR. NEGRON:

Right. But just because there's a list of the registered board up companies -- I opposed that those -- those people because they're on the list or register are being brought into the equation of getting the work when they're not recognized by the insurance company.

CHAIRPERSON CALARCO:

So should we -- should we add into this law that in doing the list of registered board up companies -- now they're not licensed companies because we have a lot further restrictions on licensed home contractors. They have to have their own insurance. They have all sorts of requirements that I don't think are included in this.

MR. NEGRON:

I have insurance. I pay --

CHAIRPERSON CALARCO:

I'm not saying you don't. I'm just saying that that's a requirement we have on home improvement license people that we don't have even in this law for board up companies. Don't they have insurance -- they have to be insured?

MR. NEGRON:

Yeah, I got comp and liability. I pay 7,000 a year.

CHAIRPERSON CALARCO:

Okay. So what I'm -- should we be adding into this that when we create this list of registered board up companies that we should make the board up companies tell us who -- what insurance carriers they cooperate with so that the homeowner can look at that and affirmatively say, *okay, I got USA Emergency Board Up and they take Farmers. And this other board up company here, you know the 1-800 flyer doesn't take Farmers. I have Farmers so I'm going to use USA Board Up.* Should we do it in that fashion instead?

MR. NEGRON:

No, because --

CHAIRPERSON CALARCO:

Because then it will actually let the homeowner really know who their insurance company is dealing with and isn't dealing with.

MR. NEGRON:

Real quick, Rob. On that note, what happens is there's no such thing as board up companies on an insurance company list. Everybody's subcontracted. If I call State Farm --

CHAIRPERSON CALARCO:

So then you don't actually have any affiliation with any insurance companies.

MR. NEGRON:

I have an affiliation with all the vendors that have direct ties with the insurance company.

CHAIRPERSON CALARCO:

Yeah, you subcontract to them.

MR. NEGRON:

They all subcontract to me for that reason. And the reason that I have so many vendors is because they know I'm not a conflict of interest when it comes to them losing the construction. Servepro sends me out at two, three in the morning. They want to make sure they're going somebody out there that's not going to --

CHAIRPERSON CALARCO:

So you don't have affiliations with any insurance company, then?

MR. NEGRON:

With some, yeah --

CHAIRPERSON CALARCO:

Even though you represent on your card --

MR. NEGRON:

For the most part, no. Insurance companies don't --

CHAIRPERSON CALARCO:

But you represent it on your card.

MR. NEGRON:

No, they're not representing on the card. It doesn't say. We just say give it -- give it to the insurance company. Call your insurance company, let 'em know we're here. Sometimes an insurance company, when you call in the middle of the night, we'll tell the homeowner even if it's State Farm, Pure --

CHAIRPERSON CALARCO:

But you show up at a scene, you'll tell the homeowner *I'll board you up, don't worry about it. And your insurance company I'll bill them directly. You're not going to get anything.* But you don't actually have any affiliations with any insurance companies.

MR. NEGRON:

Well, what'll happen is when they call the insurance company, real quick, Robert, when they call the insurance company, the insurance company will tell them, *look, if you want to hire them to board up*

house, it's okay. It's okay. You know, it's up to you. It's all right.

CHAIRPERSON CALARCO:

Sure.

MR. NEGRON:

If you want to, it's fine.

CHAIRPERSON CALARCO:

Sure. The homeowner can hire anybody they want.

MR. NEGRON:

Yeah, absolutely.

CHAIRPERSON CALARCO:

Just like they can hire anybody they want to do the restoration and --

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

And the insurance company's only going to pay what the insurance company's gonna pay.

MR. NEGRON:

Exactly.

CHAIRPERSON CALARCO:

And then if you decided that you were going to charge more than the insurance company and the homeowner hired you, then it's going to be the homeowner on the hook. You just happen to run your business in a pretty good manner and that you accept whatever payment the insurance companies provide.

MR. NEGRON:

Yes.

CHAIRPERSON CALARCO:

Okay. I think I have all my answers. Thank you very much.

MR. NEGRON:

Thank you.

CHAIRPERSON CALARCO:

Does anyone else have any questions for Mr. Negron? Thank you very much. We appreciate your time.

MR. NEGRON:

Thank you.

CHAIRPERSON CALARCO:

Okay, I have no other cards this morning. Is there any other speakers? Any other speakers? Oh, sir, come on up and just please give your name for the record and then the Clerk will have you fill out a card after.

MR. BISSELL:

Good morning. I begin by apologizing for not pre-registering but I'm not real -- naiveté, I guess,

not really familiar with the process.

My name is Tom Bissell. I have been a resident of Suffolk County since moving here in 1986. I'd like to also point out the fact I'm a veteran of the United States Air Force with combined active duty and active reserve service over 28 years.

I bring that up for only one reason. With the time in the service I've had, a mindset is developed where once a decision is made, an order is given. The time for further discussion, dialogue, debate whatever is over. We have a similar situation here. It's been mentioned earlier by two of your speakers, that is the question of the consolidation of the County offices. I believe it's resolution 1124? I suspect you see where I'm coming from. A decision was made by the voters last fall. So I strongly urge this Legislative body to take the action necessary to implement that resolution as soon as practical. I thank you very much.

CHAIRPERSON CALARCO:

Okay, thank you very much. Legislator Lindsay has a quick question for you.

LEG. LINDSAY:

Over here, sir.

MR. BISSELL:

Oh, yes, sir.

LEG. LINDSAY:

Good morning. Thank you for your service. I appreciate you coming in and speaking about this. I won't speak for my other colleagues, but I believe this will eventually get passed and put through. It will go to another referendum so the voters will have to decide again because the original referendum stated that the office would be eliminated upon the completion of the current Treasurer's term. So they've already spoken so now we're asking them to actually speak again by doing this referendum.

I don't think there's any -- I don't think there's much opposition to this. All that we're asking is for a formulated plan to see what it would look like from the parties that are interested. Because I -- the bait here is that to just hand over one department to another tomorrow without a set plan or objective in place, it would make it a little bit more haphazard than it should be. It should be developed, it should be planned out. And that's -- I think that's the only portion of the debate that we have right now.

So at this -- at this time we're just waiting for the Comptroller to come back and tell us once he were to assume the Treasurer's department, what the structure would look like, how things would be moved around, where personnel would be located and what functions each -- each department would be doing. So I just wanted to clarify that and for the ladies who came in here as well. I don't think there's much opposition to this. It's just a matter of seeing it, how it's going to be formulated and what it would actually look like once it's completed.

MR. BISSELL:

I understand that. All I can add is what I read in the papers. My understanding is the County Comptroller will have a practical plan available by the beginning of the upcoming year.

LEG. LINDSAY:

Well, we're actually asking to see that plan sooner, you know, before we actually vote on this -- this proposition for the referendum. And speaking with him, he's putting that together now. So we've -- we've asked him to come back to us with more information. He was at our last meeting and we had an open dialogue back and forth. And the plan is that he will come back with that -- with what those -- what that structure is going to look like. And from there we would end up voting on this particular

bill and another accompanying bill that we're going to talk about later today, so.

MR. BISSELL:

Fine. Thank you again.

LEG. LINDSAY:

Thank you.

CHAIRPERSON CALARCO:

Okay, thank you very much. Again, I have no other cards. Is there anybody else? Anybody else? Sir, come on up, yep. Just give your name for the record and then the Clerk will give you a card to fill out after.

MR. CALIMO:

Thank you and good morning. My name is Russ Calimo and I'm Chairman of the Suffolk County Electrical Contractors Association. And also I'm responsible for an electrical company that I own and also I'm an electrical contractor.

I just want to make mention that the Suffolk County Electrical Licensing Board, which I'm Chairman of, as I said, is that many years ago we had a member on our board. And this member certainly had super integrity. He had a philosophy, I believe, that we still follow today line by line. And that is that the Suffolk County Licensing Board was designed to protect the consumer. It was designed to qualify licensed electricians in the highest regard for the business that they do. But most of all, it's important that this licensing board that makes decisions for the welfare of the electrical contractor and the consumer be in the highest regard whether it be laws, policy or otherwise.

He said that you can't have one or two persons doing things for the County on the level that would involve all these peoples' lives. You have to have a team. You have to have people with individual information or professions relevant to the electrical industry that could be input to assist the things that we do in the licensing board.

One of the things he also said that -- without that team, you just have nothing. You're a stamp. We at the licensing board review every application completely, bottom to top. We investigate each one of those applicants far beyond what is really required in some regards. However, it's important, again, that we give the consumer the best there is.

The person I'm talking about was on our board for many years. He was an electrician, a good all around guy. And he's in this room in spirit right now. He's right up there, Bill Lindsay. He was a great man. We had a lot of fun with him but he's very smart. But I'm here today in support of three nominees that are hopefully to be appointed to our board. Our board has been vacant for three positions for some years now and we need these people. These nominees are electrical contractors, very professional and they deal with the public. Our board is comprised of very unique members. Each member has a thing about them that they're very good at, whether it be code, whether it be law, whether be just public relations, anything. We have a philosophy that it is -- that we're not going to say we're going to get back to you. We try to find the answers right away, right at that time.

And I believe these gentlemen will be an extreme asset to our board and we certainly need more people to fill those slots. We've contacted the industry. And the industry agrees with our board that these fine nominees should be considered. And we would hope that you just basically -- well, we just hope that you let these guys be part of our board. We hope that you consider them strongly. Thank you very much.

CHAIRPERSON CALARCO:

Thank you very much. Does anybody have any questions? Okay, great. I have -- once again I'll

make the request is there any other speakers; anybody else like to address us today?

INTRODUCTORY RESOLUTIONS

Seeing none, okay, I'm going to do a little jumping around the agenda here because there's some that'll take longer than others. We do have those three appointees that the gentleman just referred to that I'd like to take out of order.

So at the start I'd like to take -- make a motion to **IR 1352, Approving the appointment of Robert M. Marks as a member of the Suffolk County Electrical Licensing Board (Co. Exec.)** out of order; second by Legislator Lindsay. All those in favor? Opposed? Abstentions? IR 1352 is before us. Mr. Marks, if you'd like to come up.

Good morning. How are you today?

MR. MARKS:

Good morning. How are you?

CHAIRPERSON CALARCO:

Good. All right. If you could just maybe take a moment and tell us a little bit about yourself, your background, your experience and why you're willing to serve on this board.

MR. MARKS:

I've been an electrician -- I've been licensed by Suffolk County since 1977. I've been in the business since that time as a mechanic, as a journeyman. I'm involved with NECA, Long Island NECA and also a member of Local 25. I've been an electrician for 38 years. So I hold just about every license in Long Island, Long Beach and New York City. And the only one I don't have is Valley Stream. So I'll, you know, do whatever I can to help.

CHAIRPERSON CALARCO:

Good. All right. Thank you. Does anybody have any questions for Mr. Marks? Seeing none, okay, I'll make a motion to approve.

LEG. McCAFFREY:

Second.

CHAIRPERSON CALARCO:

Second by Legislator McCaffrey. All those in favor? Opposed? Abstentions? **IR 1352 is approved. (VOTE: 5-0-0-0)** Congratulations, Sir.

MR. MARKS:

Thank you very much.

CHAIRPERSON CALARCO:

You do not need to come back on Tuesday. Thank you very much.

Okay, moving on, I'm going to make a motion to take **IR 1353, Approving the appointment of Thomas H. Palk as a member of the Suffolk County Electrical Licensing Board (Co. Exec)** out of order; second by Legislator Lindsay. All those in favor? Opposed? Abstentions? IR 1353 is before us. Mr. Palk, if you'd like to come forward, please.

MR. PALK:

Good morning.

CHAIRPERSON CALARCO:

Good morning. How are you, sir?

MR. PALK:

Good.

CHAIRPERSON CALARCO:

Good. Same questions.

MR. PALK:

Okay, I'm a licensed electrical contractor in Suffolk County since 1982. I am past President of the Suffolk County Electrical Contractor Association in '99, 2000. I've been on their board as secretary since then to present. I'm on the Board of -- for the International Association of Electrical Inspectors for the Long Island Division. And I belong to the NEL, NYSEA, do electrical work. And solar is, you know, we do a lot of wiring of solar. And I also do -- run all the education for Suffolk County Electrical Contractors since -- I think it was '97, so.

CHAIRPERSON CALARCO:

Okay, very good. Sounds like you know your trade pretty well.

MR. PALK:

I'm still learning.

CHAIRPERSON CALARCO:

That's good to hear. Everybody should always be still learning. All right, does anybody have any questions for Mr. Palk? Seeing none, do we have a motion?

LEG. CILMI:

Motion.

CHAIRPERSON CALARCO:

Motion by Legislator Cilmi. I'll second. All those in favor? Opposed? Abstentions? **IR 1353 is approved. (VOTE: 5-0-0)** Congratulations, Mr. Palk. You also do not need to come back on Tuesday.

MR. PALK:

Thank you.

CHAIRPERSON CALARCO:

Thank you. All right. I have -- I'm going to make a motion to take **IR 1354, Approving the appointment of John Morrell as a member of the Suffolk County Electrical Licensing Board (Co. Exec)** out of order; second by Legislator Cilmi. All those in favor? Opposed? Abstentions? IR 1354 is before us. Mr. Morrell, if you'd like to please come forward.

MR. MORRELL:

Good morning.

CHAIRPERSON CALARCO:

Good morning. How are you today?

MR. MORRELL:

Good. Yourself?

CHAIRPERSON CALARCO:

Good. All right. Same questions, could you tell us a little bit about yourself.

MR. MORRELL:

I'm a resident of Suffolk County my entire life. I started in the electrical trade in '79. I went to BOCES two years. I've been in the trade since '79. Same as Tom, I'm the past President of Suffolk County Electrical Contractors Association. I sat on the board for the last ten years or so. Work commercial contractors; work pretty much Suffolk, Nassau, the five boroughs. My expertise is pretty much education and safety. And I've been in the trade for approximately 35 years.

CHAIRPERSON CALARCO:

Okay, very good. Does anybody have any questions for Mr. Morrell? Seeing none.

LEG. CILMI:

Motion.

CHAIRPERSON CALARCO:

Motion by Legislator Cilmi. I'll second the motion. All those in favor? Opposed? Abstentions? **IR 1354 is approved. (VOTE: 5-0-0-0)** Congratulations.

MR. MORRELL:

Thank you.

CHAIRPERSON CALARCO:

And you also do not need to come back on Tuesday.

MR. MORRELL:

Thank you.

CHAIRPERSON CALARCO:

Thank you. Thank you, gentlemen, for your willingness to serve on this board.

TABLED RESOLUTIONS

Okay, we're going to go back to the beginning of the agenda, **IR 1118, Adopting Local Law No. -2015, A Local Law amending Chapter 563 of the Suffolk County Code to modify the laws relating to home furnishings and dealers in secondhand articles. (Co. Exec.)** Public hearing is open still so I have a motion by Legislator Lindsay to table. I'll second. All those in favor? Opposed? Abstentions? **IR 1118 is tabled. (VOTE: 5-0-0-0)**

IR 1124, Adopting Local Law No. -2015, A Charter Law to expedite the consolidation of financial management functions in the County Department of Audit and Control. (McCaffrey) I had made a request to our Comptroller and Treasurer to come before us to kind of give us their plan. I heard from both of them recently and they were in agreement to ask that we hold off for one more cycle so that they can have a comprehensive plan they'd forward with. So they both plan on coming to our next Committee cycle on May 27th. So under that circumstance, I am going to make a motion to table.

D.P.O. SCHNEIDERMAN:

Second.

CHAIRPERSON CALARCO:

Second by Legislator Schneiderman. Any debate on the issue? Seeing none, okay, all those in favor? Opposed? Abstentions?

LEG. CILMI:

Opposed.

LEG. McCAFFREY:

Opposed.

CHAIRPERSON CALARCO:

IR 1124 is tabled. (VOTE: 3-2-0-0)

IR 1260, Adopting Local Law No. -2014, A Local Law to regulate "board up" businesses in Suffolk County. (Browning) I will make a motion to approve; second by Legislator Lindsay. Any questions on the motion? Legislator Cilmi.

LEG. CILMI:

I'd like to make a motion to table. I think -- well, I guess you'll see if there's a second first.

LEG. McCAFFREY:

Second.

CHAIRPERSON CALARCO:

Motion by Legislator Cilmi and a second by Legislator McCaffrey to table.

LEG. CILMI:

You know, I totally agree with the intent of the bill. I think it's just that one issue that needs to be dealt with somehow. I'm not sure how, but obviously there's a willingness on the part of at least one member of the industry to participate in a dialogue with the sponsor to try and, you know, make this better. So I would hope that we would afford him that opportunity and, you know, ultimately let's get to a bill that we all can support.

CHAIRPERSON CALARCO:

Okay. Legislator McCaffrey.

LEG. McCAFFREY:

Yeah, and I just want to add that I agree with the intent of this bill. I think it's a great idea. There are just some issues that have been raised. And one of them is a financial impact, I mean, that came up and -- about this. I'd really like to have that clarified. I would like to see the issue with the list, I mean -- and, Mr. Chairman, you brought up some good issues about who was on the list and if they were qualified by the insurance company, just a lot of things out there, how is the list developed, who stays at the list, does it rotate, where do you go? I just think there's some unanswered questions I'd really like to see flushed out. I support our fire services. I know they were the ones that brought this forward as a concern. And I always like to support the sponsor of this bill, but this time I really just wish we can at least a cycle, take a look at some of these issues and then move forward with it.

CHAIRPERSON CALARCO:

Okay. But we do have a representative here from Labor, Licensing and Consumer Affairs. Maybe she can come forward and tell us -- there's a fiscal impact that states that there may be the need to hire an employee. It sounds like we're creating a list of possibly five, six companies. Do you -- does the department feel like you would need extra personnel in order to carry out this function?

MS. STOOTHOFF:

Good morning. No. My name is Barbara Stoothoff. I'm the Director of Consumer Affairs.

At this point the financial impact was based on an additional staff member. And at this point in time it's very clear we do not need an additional staff member. We license and register over 17,000 different individuals and businesses. This impact is minimal at best.

As far as pursuing violations, we set up the bill in cooperation with Legislator Browning to make it

similar to the precious metals violations that we receive where we receive reports from the Police Department and we issue our violations based on the reports that we receive. A similar practice would be in place for this bill, where we would base our violations, if there are any, on reports received from the fire marshals and FRES. So, again, the impact would be minimal. We would not need the staff member for this bill.

CHAIRPERSON CALARCO:

Okay, appreciate that, Barbara.

Legislator McCaffrey, did you have any other follow-up questions? I see you had the floor.

LEG. McCAFFREY:

Yes, thank you. It's concerning the list. How would you -- how would you develop the list and the concerns about who would be at the top of the list and how that would rotate.

MS. STOOTHOFF:

The list will be developed by FRES. We had concerns about a list initially and maintaining it. So, again, after few meetings, what we did is -- and I believe it's in the bill, we are -- we would inform the board up companies that they had to go out and contact FRES. And FRES is the group that would maintain the list. So we would just inform the board up companies when they registered with us of the list and the referral to FRES, that they must go contact FRES to be put on the list.

LEG. McCAFFREY:

Would that be unusual for FRES to develop a list that's really kind of being overseen by Consumer Affairs?

MS. STOOTHOFF:

We don't have anything like that in place at the present time, but it's a unique situation.

LEG. McCAFFREY:

Yeah, but how does that address the concerns we had? So it would -- we're just going to go to FRES and say whoever you want to put on the list in any -- they have complete discretion as to who gets to the top of the list and rotation of the list, bottom of the list or --

MS. STOOTHOFF:

That's a question for FRES. They would be the people who maintain the list and control the list. We would just be doing the registration end of it.

LEG. McCAFFREY:

Okay. And anybody right now that Consumer Affairs regulates or licenses, do you give that -- the authority or discretion to any list or any -- any way someone comes up to anyone other than this particular situation?

MS. STOOTHOFF:

No. And as a matter of fact, we don't give out any list of any -- any of our our licensees.

LEG. McCAFFREY:

So this would be the first time that we would be giving out a list of licensees.

MS. STOOTHOFF:

Yes.

LEG. McCAFFREY:

And it will be the first time that the Consumer Affairs, who's ultimately responsible for this, would be given the discretion to another department.

MS. STOOTHOFF:

Again, it is just to inform the companies that they must contact FRES to go on the list. That would be --

LEG. McCAFFREY:

Okay.

MS. STOOTHOFF:

-- our responsibility.

LEG. McCAFFREY:

Okay, thanks.

CHAIRPERSON CALARCO:

Okay, Legislator Lindsay.

LEG. LINDSAY:

Good morning, Barbara.

MS. STOOTHOFF:

Good morning.

LEG. LINDSAY:

As part of the registering requirements, do they have to maintain liability insurance?

MS. STOOTHOFF:

Yes.

LEG. LINDSAY:

Disability, Workers' Comp?

MS. STOOTHOFF:

And a surety bond.

LEG. LINDSAY:

Okay. It's -- I mean, it's giving the consumers an additional protection in those regards. What most people don't realize if someone's on your property working and they get injured, that the homeowner could be responsible for their -- you know, for their injury and paying for their medical coverage if there's no insurance that's in place.

MS. STOOTHOFF:

Right. It would legitimize the board up companies and make sure that they meet the certain requirements, again, to protect the consumer in case there is any type of event that you just mentioned.

LEG. LINDSAY:

By having this registration, would it create a sense of accountability where if we had someone who was, you know, using bad business practices and, you know, being unscrupulous in their business, what's the recourse to the consumer?

MS. STOOTHOFF:

Are you talking about someone who isn't registered with us?

LEG. LINDSAY:

No, someone who is registered, but they are overcharging, not doing -- you know, doing shoddy

work, any number of different scenarios.

MS. STOOHOFF:

We would be able to issue violations. We do have people who have expertise in carpentry, home improvement, things like that. We could check the quality of the work performed. We have -- we would have the ability to issue violations, hold a hearing and either sustain a violation or eventually revoke their -- excuse, certificate.

LEG. LINDSAY:

Okay.

MS. STOOHOFF:

Or registration.

LEG. LINDSAY:

Okay, so there's recourse there. In the most egregious case, would you be able to withdraw their registration?

MS. STOOHOFF:

Yes.

LEG. LINDSAY:

Thank you.

MS. STOOHOFF:

One other thing. We're also identifying the salesmen who work for these individual companies so they would all have ID cards when they do approach the homeowner; another safety measure, so to speak.

CHAIRPERSON CALARCO:

Okay. Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

I guess my first question is the fees and whatever applications that they'd be filling out, these board up companies, it's relatively identical to what a carpenter would have to --

MS. STOOHOFF:

No.

D.P.O. SCHNEIDERMAN:

No, it's different? Tell me how it's different.

MS. STOOHOFF:

For a home improvement company, we ask for a \$200 application fee that's followed by \$400 upon completion and granting of the license.

D.P.O. SCHNEIDERMAN:

So a carpenter would actually pay a higher fee?

MS. STOOHOFF:

Yes, absolutely.

D.P.O. SCHNEIDERMAN:

So explain this to me, because I don't -- I was surprised to find that these companies weren't already licensed. To me it's essentially carpentry services. They're going up with ladders; they're

putting boards up on homes; they're nailing or screwing these boards over the windows. You gotta make sure they're using the right fasteners. You know, there are -- they're supposedly securing the home so it has to be done right. You don't want these boards falling off on anyone or allowing access to these properties. You know, I would think if there was a fire at home the first thing someone would do is call a licensed carpenter to go and board -- it's like putting up sheathing on a house. To me I don't really see the distinction between these companies -- to me they're carpenters. They're -- wouldn't a carpenter be able to do the same thing?

MS. STOOHOFF:

A carpenter having a home improvement license can do the same thing.

D.P.O. SCHNEIDERMAN:

Okay. So these basically, these companies, are doing carpentry without being licensed as carpenters. I mean, maybe it's a slight difference because they're not framing homes, things like that.

MS. STOOHOFF:

There's certainly more expertise when you're a carpenter in all different facets of construction, not just board up.

D.P.O. SCHNEIDERMAN:

Right. But you could potentially be doing damage to the structure of the house if you don't know what you're doing.

MS. STOOHOFF:

And they do, yes.

D.P.O. SCHNEIDERMAN:

Yeah. Okay. So -- but actually they'll be paying a lesser fee than a carpenter would.

MS. STOOHOFF:

Yes, it's registration. It would be a hundred dollar application fee and \$200 --

D.P.O. SCHNEIDERMAN:

And would we license them or are they just simply telling us who they are or they're going to have to submit their qualifications?

MS. STOOHOFF:

They will submit an application with qualifications and with proof of insurance Workers Comp. I believe a surety bond.

D.P.O. SCHNEIDERMAN:

But there's no test that they'll have to take.

MS. STOOHOFF:

No.

D.P.O. SCHNEIDERMAN:

Or anything like that?

MS. STOOHOFF:

No.

D.P.O. SCHNEIDERMAN:

All right, just really to show that they have the proper insurance in place.

MS. STOOTHOFF:

They would -- they would have to provide proof of that to us before we would grant the registration.

D.P.O. SCHNEIDERMAN:

I mean, that to me seems reasonable. I mean, you know, I tend -- since we have quick cycles here to think that -- because one of those companies spoke who seems to be reputable wanting a little more time but I can't get myself to come to a point where they shouldn't be licensed like all the other 17,000 contractors or so that you mentioned. Is that the number you said?

MS. STOOTHOFF:

We have 17 various licenses and registrations.

D.P.O. SCHNEIDERMAN:

How many did you say people are licensed or companies?

MS. STOOTHOFF:

Seventeen thousand.

D.P.O. SCHNEIDERMAN:

Seventeen thousand.

MS. STOOTHOFF:

Yeah.

D.P.O. SCHNEIDERMAN:

Okay. Thank you.

CHAIRPERSON CALARCO:

Okay. Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. Hi.

MS. STOOTHOFF:

Hi.

LEG. CILMI:

Two questions. So if -- if I was doing some work on my home that the person working would have to -- is a regulated business, and I wanted to call Consumer Affairs to find out whether or not the contractor was licensed or registered or whatever, you would provide that information over the phone to me.

MS. STOOTHOFF:

Yes.

LEG. CILMI:

And if I said to you, well, do you have a list of other registered -- can you provide me with a list other registered or licensed contractors in this field, would you be able to provide that me as well?

MS. STOOTHOFF:

We don't do that as a matter of policy.

LEG. CILMI:

Okay. You talked about issuing ID cards to these board up contractors and their employees, which I think is certainly a good way of identifying or indicating to the property owner that they are, in fact,

registered. Do you also give them a number, like a registration number or something like that?

MS. STOOTHOFF:

There will be, yes.

LEG. CILMI:

There will be a registration number.

MS. STOOTHOFF:

Yes.

LEG. CILMI:

So, as far as I can tell the purpose of the list is really to indicate to the homeowner, if you will, that, you know, certain companies are registered with Suffolk County. But the fact that you're issuing ID cards and the fact that they'll be issued certificates and a registration number would also sort of serve that same purpose. So, if I was responding to a fire, and as long as there was some public information, you know, out there that consumers would, you know, know that these folks have to be registered, I would know, you know, having -- or the consumer would know having been approached that that person is actually registered by the fact that they have to show their ID card or registration number.

MS. STOOTHOFF:

That's correct.

LEG. CILMI:

Right. So do you see any benefit to the list at all in that case?

MS. STOOTHOFF:

You know --

LEG. CILMI:

You can't say?

MS. STOOTHOFF:

I really can't tell you one way or another.

LEG. CILMI:

Okay. Okay, thank you very much.

CHAIRPERSON CALARCO:

Thank you, Legislator Cilmi. I have Legislator Browning next, but as she gets to her turn, I think -- I think the point of the list, in my perspective anyway, is that, you know, when you have a license -- I'm in the midst of doing construction on my house. So we've been using a number of different contractors. And, you know, we have the opportunity and the time to research and make sure that those contractors are licensed and checked with Consumer Affairs to see if they have any violations against them; and really kind of do our homework and, you know, seek out referrals to make sure that we were able to get the person that we wanted to do the job. And quite honestly we've had very good experience so far.

But in this particular type of a situation, you really don't have that opportunity, right? Your house was severely damaged by a fire. You need to get it secured. Mr. Negrón does a great business. I'm sure he does a good job and sounds like he is very professional in what he does, but you are looking -- you are not going to, you know, take the time to go on line and look up for the board company. Clearly if you call your insurance company, eventually they will probably get to sending somebody, but it may take a little bit of time. And it's likely that they -- the board up company, if they're

showing up, is a subcontractor of another company that's going to be looking to get that restoration work; or may be getting the restoration work through the contractor, through the insurance company to begin with.

So it sounds to me the point of the list is to give that information to the consumer in a situation where that consumer really isn't going to have the ability to look it up themselves.

LEG. CILMI:

But if you're providing them -- if I may, Mr. Chairman, if you're providing them with an ID card and with a registration number, doesn't that accomplish the same goal?

CHAIRPERSON CALARCO:

I can appreciate that. I'll throw it to the sponsor. Legislator Browning?

LEG. BROWNING:

Well, first of all I want to say thank you to Barbara, and I know Kathleen's not here today, for all the work that you put into this. This is a bill event-driven based on experiences by our local fire departments, the fire marshals, the PD, the arson squad. I mean, the stories that they've told me about what some of these individuals have done, it's pretty frightening. And you would not want to be in the position that some of these people have been in.

And, you know, I spoke with some of the fire department members who -- and I think they think this bill is in the Public Safety Committee so that's possibly why some of them are not here, and they -- FRES, you know, as Chair of Public Safety, you know, I was at the FRES meeting. They explained to me what was going on and asked me to do this. So I have to say this bill was not necessarily just drafted by me. It was drafted by our fire departments' representatives. It was the fire marshal from Babylon and the fire marshal from Huntington that brought this to my attention. So I understand the issue with the list. You know, I get what you're trying to say.

One of the things that we did look at was, we have 17,000 contractors. We're not going to reach out to those 17,000 contractors and say *here's something new* that you can do. Obviously when they reregister their licenses, when they renew their license, they will be notified that this is an option. And I believe that FRES even said, you know, if somebody chooses to opt into it, I'm assuming that Mr. Negron will go anywhere in Suffolk County. He'll go to Montauk, if he has to. But the option is there for someone to opt in and *say but I only want to cover Brookhaven. I only want to do it in Islip.* You know, that we're going to give them that option. And how they want to create that list, that would have to be a conversation with them. I would assume that if you're in Islip and a company doesn't want to do Islip, they're not going to pass that list off. Right now there's only half a dozen companies.

So I understand the concern with the list. In fact, they even talked about, like, the tow truck list, but even the local fire department said, *no, I don't want a board up company that, you know, if we a rotating list, and this particular one that's on the list gets the job, then what's our liability?* So we said, *okay, let's get rid of that.*

So, you know, I would like to see it get out of Committee. I would like to have a conversation between now and Tuesday with FRES to see how they feel if we were just to say eliminate the list. I think the issue being is that when some of these companies do show up, they have caused too many problems. And I think what it is, is the fire departments want to know when a company is there, are they registered with Suffolk County, that we can say, okay, you're going to have to comply with the rules, you're going to have stay behind the line; the registration, absolutely, we need to do something because I think it gives some teeth to what the PD and the fire marshals are doing that we can pull the registration if they continue to misbehave.

LEG. CILMI:

So, respectfully, let's do this in Committee and get it right in Committee. This is the time at which we should be making these sorts of changes.

I really didn't hear a good argument for the list recognizing that -- that contractors would have ID cards with registration numbers that they could provide to residents indicating that they are registered with Suffolk County. And, you know, something just occurred to me, what happens if -- you know, these lists are going out to fire -- the fire services, right? So --

LEG. BROWNING:

FRES maintains the list.

LEG. CILMI:

Right. And they will be provided to the fire services.

LEG. BROWNING:

They could.

LEG. CILMI:

So -- but this is an open enrollment. So let's say -- let's say that I'm FRES and I just distributed to the whole fire service a list of approved contractors. Let's say a new contractor is approved a week from now. What happens then? Does FRES have to go and send a whole new list immediately to all the fire services? What happens if somebody is -- for some reason comes off the list, if they're found to be guilty of some violation or something like that, or they're no longer eligible and they come off the list? Every time there's a change to the list, a whole new set of -- you know, a whole new list has to go to all the fire services and that could -- that could prove to be incredibly cumbersome to deal with.

LEG. BROWNING:

Well, they're likely to -- I mean, electronically they pretty much do everything, so --

LEG. CILMI:

Yeah, but I just think people would have old lists on their -- you know, on their front seats and their -- you know, wherever they would keep them in the fire, you know, trucks on whatever. And they would give the old list to the new list. To me that the registration card and the registration number suffices to accomplish what you want to accomplish. And I think it's a great goal what you want to accomplish here. And I don't know that they would be opposed -- I don't think they would be opposed to that. And let's make the change. Let's deal with it at our next committee meeting. We'll approve it out of our next committee meeting and it'll probably get approved unanimously at that point and it'll be ready to go to the full Legislature.

LEG. BROWNING:

I don't vote on this Committee. You guys do. I understand what you're saying. I would like to have that conversation with FRES. If you want to pass it out to the next meeting and, you know, they're willing to agree to the list issue, then we'll go from there. And if they say *no, we want the list, we're adamant we want the list* --

LEG. CILMI:

Then we can go forward from there.

LEG. BROWNING:

We go forward from there next week.

CHAIRPERSON CALARCO:

So how about we do this? I will change my motion to a motion to discharge without

recommendation. We'll move it out of Committee today. We'll allow Legislator Browning to follow up with FRES. I kind of do hear they're saying, is that if we're issuing a card that's going to verify that they're registered as an entity, that may be accomplishing what the list is meant to accomplish. So, I understand the list kind of gives the consumer an option of all the potential companies that may be out there, not just who shows up at their door.

LEG. BROWNING:

I understand their discomfort with that. But, again, this was -- you know, our FRES, you know, our fire marshals, the arson squad, they were the ones that worked on this, they were the ones that made this decision and requested this. I'm not going to go against what their request was and their reason behind it so -- but, again, if we address it between now and Tuesday and they say we can do away with the list -- but if they're adamant, I'm going to ask that we continue to move it. If they're saying --

LEG. CILMI:

But --

LEG. BROWNING:

If they're saying that they're comfortable with just having a list and not have to share it with the consumer, I'm fine with that, too. And if we have to make that change next week, I guarantee you I will table it.

LEG. CILMI:

But that -- but that should be addressed in Committee, if I may, Mr. Chairman. You know, having a discharge without recommendation and sending it to the floor of the full Legislature is -- is, you know, is a privilege. And, you know, I can't support that not knowing whether or not the bill is going to be -- is going to address whether or not we're going to be able to address the concerns that, you know, that I have.

Whereas I would support it if we could address those concerns. So, I mean, we will be here another day. This is -- you know, this is not something that we need to urgently do for some reason. Let's keep it here, let's make the changes and let's move forward at our next Committee.

LEG. BROWNING:

Like I said, it's the call of the Committee. I made my request. I don't vote on this Committee. It's your call.

LEG. CILMI:

I'd want to know from FRES how in the world they're going to manage those changes if they occur during, you know, during the course of a week, a year, a month, whatever it is, how they're going to ensure that the proper lists are going to be used and how would you -- how could you do that?

D.P.O. SCHNEIDERMAN:

You know, the problem with the discharge without recommendation, if the bill is going to be amended, it can't be amended in that way. It has to still go back to the amended bill date, which will -- you know, we have a pretty tight cycle right now. We have like two weeks. It's not a longtime we'll be back in committee again, which is making -- since I do think this is a legitimate issue, tabling it for one cycle -- and this is something we haven't had in place in a longtime, yes, the sooner we get it in place, I think the better. But two weeks isn't the end of the world either if it means we can do it more unanimously.

LEG. BROWNING:

Well, I -- certainly I want to see an 18 vote on it. And I understand that some of you are uncomfortable with it. You know, like I said, it's the call of the Committee. I would guarantee you if it did get out of Committee today, I would guarantee you that, you know, to address your issue and

allow it to be tabled but I guess it's six and one half dozen of another. I mean what difference does it -- well, George, if you -- what would the difference be between tabling this here and tabling it Tuesday?

MR. NOLAN:

Not much. The only thing I would say if there's going to be a change to the bill, we should make them before Tuesday. And if the change is substantial enough, we'll reopen the Public Hearing so we can do the Public Hearing in June and then act at that time. But, you know, there is not much difference one way or the other. The only difference would be is if we discharged it and FRES said, you know, we want the list and you decided well, that's it, I'm going forward with this, then the bill would be eligible for a vote on Tuesday. If we table it here obviously we're not going to get to it 'til June.

LEG. LINDSAY:

If I could jump in, Mr. Chairman, I would like to table it as well just because we have such a short turnaround time. But I think you could almost make an argument for the list as well; it creates more competition, how it's going to be managed. It might be problematic but we can -- I'd like to get more additional information from FRES and how they would manage it.

To me this -- the way it currently works, the first to the scene is the guys who gets the work. That might not be the most qualified candidate in all deference to the speaker we had in earlier. I'm sure there's some disreputable companies or firms that he competes against. I think for him this actually levels the playing field because they have to have insurance and they have to be bonded. And there's a level of legitimacy that the County then through that process places on its competitors and it's an even level playing field at that point. So just how someone's name appears on the list and how they're going to construct it, I think those are all additional, valid questions that we should further explore.

LEG. McCAFFREY:

Mr. Chairman, if I may?

CHAIRPERSON CALARCO:

Legislator McCaffrey.

LEG. McCAFFREY:

I agree with Legislator Lindsay, I think we need to bring -- this is a Committee. This is where we're supposed to do the business, flush out the details in Committee. We need to have FRES here. This is uncharted territory for us in terms of maintaining a list. Consumer Affairs says they've never done it before. We all have legitimate questions to ask about this. You know, I just texted a couple of my fire chiefs in my area. And they said there needs to be some law and order, you know, to these fire scenes when they're there. But we just need to find out the details. And I really think we should do it in Committee and then vet it and then bring it out completely to the full Legislature. Thank you.

CHAIRPERSON CALARCO:

Okay. Well, right now I have a motion to discharge without recommendation that I made. Do I have any other motions?

LEG. LINDSAY:

Motion to table.

CHAIRPERSON CALARCO:

Motion to table by Legislator Lindsay. I already -- I already had the motion --

MR. RICHBERG:

We had a motion to table.

CHAIRPERSON CALARCO:

-- to table. All right. We already had the motions to table. Okay, so the motion to table goes first. All those in favor? Opposed? Abstentions? I'll allow it to be tabled for a cycle. I'm okay with that. So it is tabled. **IR 1260 is tabled for one cycle. (VOTE: 5-0-0-0)**

INTRODUCTORY RESOLUTIONS

Moving on, Introductory Resolutions, **IR 1312, Amending the hourly rate for certain titles in the Suffolk County Temporary Classification and Salary Plan. (Co. Exec.)** I'll make a motion to approve.

LEG. LINDSAY:

Second.

CHAIRPERSON CALARCO:

Second by Legislator Lindsay. If I'm not mistaken, this is just bringing our -- some of our titles up to par with the minimum wage, the new State minimum way. Is that about accurate, George?

MR. NOLAN:

Doesn't say that.

MR. PERNICE:

It's -- it's so that --

CHAIRPERSON CALARCO:

Oh, Benny?

MR. PERNICE:

The resolution states that it's more they're having trouble getting qualified people for those positions. They're used by Consumer Affairs and Labor and they're funded by grant funds. It's like 50 cents per hour increase.

CHAIRPERSON CALARCO:

Oh, this is 100% funding through the TANF program. Okay. Any other questions? Seeing none, all those in favor? Opposed? Abstentions? **IR 1312 is approved. (VOTE: 5-0-0-0)**

Okay, we did handle 1352, '53 and '54.

IR 1378, authorizing amendments to the Affordable Housing Development Agreements for Millennium Hills to extend the affordability period and to amend the repayment obligations (Spencer) I'll make a motion to approve; second by Legislator Lindsay. Does anybody have any questions for Jill or anybody else that -- on this issue? Jill, maybe -- maybe I think we tried to explain it, but maybe you can come forward and just give us a quick rundown on what we're doing here again just for the --

LEG. CILMI:

Mr. Chairman.

CHAIRPERSON CALARCO:

-- verification.

LEG. CILMI:

At some point maybe since we already just dove into this resolution, could we just go back? I have

a question on the previous resolution that we've already approved.

CHAIRPERSON CALARCO:

On 1312?

LEG. CILMI:

Yeah, yeah. I'm not suggesting that we change any votes but I just had a question to ask.

CHAIRPERSON CALARCO:

Okay. Yep, we'll go back to it. Jill? Go ahead. Just a quick rundown on 1378, exactly what we're doing here.

DIRECTOR ROSEN-NIKOLOFF:

Okay. So --

CHAIRPERSON CALARCO:

I think it's been explained but --

DIRECTOR ROSEN-NIKOLOFF:

Right. So in 2002 the County invested a million five to develop 84 affordable units in a development known as Millennium Hills, which is located in Melville. The portion of the note that's applicable to the rental units is due in a balloon payment in July of 2017.

What this resolution seeks to do is to extend out the affordability period for an additional 15 years. And in consideration for that, the County would agree to forgive the debt provided the affordability restrictions have been complied with.

CHAIRPERSON CALARCO:

Jill, just for clarification. Typically what we do with our affordability programs -- this is the grant programs, right? Don't we usually give the funding and it keeps the units in affordability for, I guess, it's 30 years is the standard.

DIRECTOR ROSEN-NIKOLOFF:

That is correct.

CHAIRPERSON CALARCO:

Okay. Now, this is just kind of taking something we did a longtime ago and bringing it into compliance with what we've been doing with everybody else.

DIRECTOR ROSEN-NIKOLOFF:

That is correct, yes.

CHAIRPERSON CALARCO:

Okay. Does anybody have any problems? No? Seeing none, I have a motion and a second. Oh, Legislator Schneiderman.

D.P.O. SCHNEIDERMAN:

I still need more clarification. Maybe, Jill, it's something you could answer. I'm not -- originally we gave them a loan; the money was coming back to the County, right? Is that --

DIRECTOR ROSEN-NIKOLOFF:

Yeah.

D.P.O. SCHNEIDERMAN:

-- correct? It was \$1.5 million. And this is how we were incentivizing or making it happen, this

project.

DIRECTOR ROSEN-NIKOLOFF:
Right.

D.P.O. SCHNEIDERMAN:

And now they want to change it to a grant that is what, only -- you only get paid back the balance if it's no longer affordable? Is that how it works?

DIRECTOR ROSEN-NIKOLOFF:

That's right. If they agree to the affordability covenants, correct.

D.P.O. SCHNEIDERMAN:

And we can legally do that? I mean, it's changing -- it's funny, a grant is very different than a loan. I wish my mortgage were a grant, but it's not. I mean that's a -- that's a big difference. We're not going to have that money back to do other affordable housing projects.

DIRECTOR ROSEN-NIKOLOFF:

That's true. But the money -- the program doesn't contemplate a revolving fund, right. So --

D.P.O. SCHNEIDERMAN:

But does it -- legally it's not considered a gift in any way to this -- although it's, I guess, a not-for-profit or whatever it might be, it's not a legal problem doing this?

DIRECTOR ROSEN-NIKOLOFF:

I'll have to defer to the Law Department on that.

D.P.O. SCHNEIDERMAN:

I guess maybe George.

DIRECTOR ROSEN-NIKOLOFF:

Certainly the way the whole program under Article 36 is structured --

MR. NOLAN:

I don't think it's -- presents a gift problem. A) because this type of thing is authorized by the administrative code; B) we're getting something in return which is an extension of the affordability; and C) that this is the typical practice. This is what we do with most of these affordable housing developments. But in terms of the gift being an issue, I don't see it.

D.P.O. SCHNEIDERMAN:

But does the extension of affordability, is the fair market value of that -- the same as the one point -- it's not 1.5 million anymore. It's, what, 700,000, something in that range?

MR. NOLAN:

No, it's what we do with everybody. You know, it's -- it's a policy judgement for the Legislature to make. Is it an exact match in terms of value? You know, I don't think we've done that. But there's certainly a public purpose being served here, a public benefit. And we are getting something in return. And it's consistent with our program. So I'm comfortable with it. I don't -- I don't see the problem.

CHAIRPERSON CALARCO:

I would say, Jay, it maybe is kind of a clarification. So the last -- the last resolution that we approved for this body for affordable project was for Concern for Independent Living, I think, right? Didn't we just get done doing a job -- a project with them?

DIRECTOR ROSEN-NIKOLOFF:

I think the last one was Highland Greens.

CHAIRPERSON CALARCO:

Oh, Highland Greens, yeah.

DIRECTOR ROSEN-NIKOLOFF:

Right.

CHAIRPERSON CALARCO:

It was a little bit of a different one. But even in that instance what we did was we gave them a grant; correct?

DIRECTOR ROSEN-NIKOLOFF:

Well, not in that situation.

CHAIRPERSON CALARCO:

Highland Green was a little different. Didn't we do one with Concern for Independent Living? That's a little bit different.

DIRECTOR ROSEN-NIKOLOFF:

That's right. So that transaction was low-income housing tax credit transaction.

CHAIRPERSON CALARCO:

Okay.

DIRECTOR ROSEN-NIKOLOFF:

Because that's driven by the Federal tax code. The debt has to be true debt, real debt because --

CHAIRPERSON CALARCO:

That's that hybrid project that we recently did, right?

DIRECTOR ROSEN-NIKOLOFF:

That's correct.

D.P.O. SCHNEIDERMAN:

Needless to say, there have been a number of grants.

CHAIRPERSON CALARCO:

All I was trying to get at is our typical practice is a grant program.

DIRECTOR ROSEN-NIKOLOFF:

That's right.

CHAIRPERSON CALARCO:

I know the three ones we've done in Patchogue Village were all grant programs.

DIRECTOR ROSEN-NIKOLOFF:

That's correct.

D.P.O. SCHNEIDERMAN:

Summerwind, I think, was a grant as well.

DIRECTOR ROSEN-NIKOLOFF:

Yes.

CHAIRPERSON CALARCO:

So basically that's the process we typically follow. Sure, Legislator Lindsay.

D.P.O. SCHNEIDERMAN:

Well, again, you know, initially this loan was enough to make this project happen. Okay, whatever tipped the scales in favor of them doing it, low interest and no interest loan. By doing this, we're not incentivizing any new housing being created. They've already done it; although we are getting an extension on the, I guess, the covenants that run with this project to keep them affordable.

DIRECTOR ROSEN-NIKOLOFF:

That's right.

D.P.O. SCHNEIDERMAN:

So they were not -- it was never in perpetuity? Because a lot of the grants we're doing, aren't there covenants that keep them affordable in perpetuity? And there's a requirement they have to pay us back or some -- there must be something that protects us if they try to become unaffordable in the future.

DIRECTOR ROSEN-NIKOLOFF:

Right. So there are always covenants and restrictions placed against the developments we fund, true. The period of affordability varies from project to project depending on other funding sources that are in and the amount of money that we're putting in, frankly. So it's not --

D.P.O. SCHNEIDERMAN:

Are those, Jill, typically in perpetuity?

DIRECTOR ROSEN-NIKOLOFF:

No. More typical is approximately 30 years.

D.P.O. SCHNEIDERMAN:

And in this case where we're proposing to divert from a loan to a grant, are we getting a similar period of affordability?

DIRECTOR ROSEN-NIKOLOFF:

We're getting an additional 15 years. So the aggregate affordability for the million five investment would be 30 years.

D.P.O. SCHNEIDERMAN:

Thirty years.

DIRECTOR ROSEN-NIKOLOFF:

Correct.

D.P.O. SCHNEIDERMAN:

Okay, so it's on par with the grant programs we've been doing.

DIRECTOR ROSEN-NIKOLOFF:

Generally, yes.

D.P.O. SCHNEIDERMAN:

The downside is that we're not recovering the money. Well, we're getting half of it, but we're not going to get that remaining 714,000 or something.

DIRECTOR ROSEN-NIKOLOFF:

That's correct, yes.

D.P.O. SCHNEIDERMAN:

Oh, okay.

LEG. LINDSAY:

You know, Jill, correct me if I'm wrong, it's actually a better deal than some of the grants we're doing now because we're giving that same million-and-a-half dollar grant and getting 30 years of affordable housing; but here after we -- I assume we've been paid back up to 714,000 so we're getting 30 years for half the money in essence; correct?

DIRECTOR ROSEN-NIKOLOFF:

It's a bargain.

LEG. LINDSAY:

My only other additional question is how do you sell -- if they were to sell one of these units, the affordable units, how do they do it and maintain the affordability aspect of it?

DIRECTOR ROSEN-NIKOLOFF:

Well, this is the amount that's applicable to the rental component.

LEG. LINDSAY:

Okay.

DIRECTOR ROSEN-NIKOLOFF:

So it's -- there were 84 units: 44 were homeownership; 40 were rental.

LEG. LINDSAY:

Yeah, I thought the gentleman from Millennium came up before said that some them have been sold and maintained the affordable --

DIRECTOR ROSEN-NIKOLOFF:

That's right. So on the homeownership side, so the units can be -- can be sold after 2017, but the money has to be paid back. If the home was not -- out of the proceeds, the sale proceeds. If the home is not sold, then come 2035, the debt has to be paid back whether the home is sold or not. The total affordability period on the homeownership coincidentally is 31 years.

LEG. LINDSAY:

Didn't you guys -- I think they want to add something to that behind you, Jill.

MS. BYNOE:

Good afternoon. I just want to add that one of the mechanisms to maintain the affordability on the homeownership units is -- the Millennium Hills Housing Development Fund Corporation has first right of refusal. So what we have been doing with the money that we have on deposit has -- we've been engaging in the purchase of those sales of those units and then reselling them at the affordable list price in order to maintain affordability. Because the clause on there is as such, that if they decide to sell and not maintain the affordability, they can do that and just pay back the grant. We alleviate that by making the purchase and then reselling ourselves.

LEG. LINDSAY:

But when you make the purchase, you're making it -- then it's fair market value? Is that what --

MS. BYNOE:

No, we're making it at the affordable.

LEG. LINDSAY:

Okay. So then they're not -- at that point they're not -- they're maintaining the affordable element.

MS. BYNOE:

We're maintaining the affordable element to the resale --

LEG. LINDSAY:

So your first right of refusal is at their highest offer, I guess, as to another buyer?

MS. BYNOE:

No, the first right of refusal for the purchase is at the affordable limits to which they purchase the unit. So we go in and we buy it at that price and then we resell it at the affordable price. So they have to meet the income guidelines which would be at the 50 or at the 80% median income depending upon which -- how the unit was actually -- there's units in there at different tier levels.

LEG. LINDSAY:

Can you give -- I'm having trouble following. Can you give me an example, though, using numbers. So if someone purchased the unit when it was originally built for 200,000, and I'm just making up numbers, but now let's say the fair market wants 350,000, you would then buy it from them for the same 200,000?

MS. BYNOE:

If they bought it at, let's say, 200,000 just for simplicity. And the AHC Grant, which was, I think, was \$25,000 and it had a period to which -- it had only ten years it was to be held against the property. So let's say today, they would have earned \$25,000 in equity based on that grant amount. So we would actually buy back the unit, let's say, at 225,000. And then we would make the sale at the affordable rate, which would be probably in the ballpark figure of about 225,000, 235,000, whatever we'll -- the closing fees that we associate -- we encumbered the property with, we would sell it for.

LEG. LINDSAY:

Does that reset the affordable time?

MS. BYNOE:

That resets the affordability because then what happens is there's a subordination agreement that we enter into with Suffolk County and also we have an equity piece on there in terms of a grant. We would also subordinate to that, to the first mortgage as well.

LEG. LINDSAY:

Okay. Thank you.

MS. BYNOE:

Okay.

CHAIRPERSON CALARCO:

Legislator Schneiderman, did you have another followup question?

D.P.O. SCHNEIDERMAN:

Maybe bring up Jill again. I'm not sure. I just -- you know, affordability in quotes is a term of art. You know, we have different programs and different definitions of what constitutes affordability. Some programs it's 80% of their median income; some programs we allow up to 120. Are we consistent in the -- before and after here? Was this loan and the requirements of affordability, do they match what we're proposing with the grant? Are we changing anything? Because that --

DIRECTOR ROSEN-NIKOLOFF:

No, we're not changing those parameters.

D.P.O. SCHNEIDERMAN:

Okay. And do we know with this project, what we required?

DIRECTOR ROSEN-NIKOLOFF:

I know 80% there may have been a portion; up to a 100% what's the income -- the income cap for the residents?

MS. BYNOE:

So on the -- on these particular units that we're looking for the -- the exception, those are at anywhere between 30% of median income to 80. We can't exceed 80% of median income. And on the homeownership they vary between 50 to 100, yes.

D.P.O. SCHNEIDERMAN:

And I just want to make sure that we're, you know, apples to apples here. So as we switch or propose to switch from a loan to a grant, that is staying the same; is that correct?

DIRECTOR ROSEN-NIKOLOFF:

Yes. That's my understanding, yes, absolutely.

D.P.O. SCHNEIDERMAN:

Yes?

MS. BYNOE:

Yes.

D.P.O. SCHNEIDERMAN:

Okay.

CHAIRPERSON CALARCO:

Okay. Any other questions? Seeing none, I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1378 is approved. (VOTE: 5-0-0-0)** Thank you very much. And thank you, Legislator Byone, for being here.

Okay, I have one more resolution, **1384, Adopting Local Law No - 2015, a Charter Law amending and clarifying the procedure of filling County Treasurer vacancies (McCaffrey)** We have to make a motion to table this for Public Hearing; correct, Legislator McCaffrey?

LEG. McCAFFREY:

Yes.

CHAIRPERSON CALARCO:

Motion by Legislator McCaffrey; second by Legislator Cilmi. All those in favor? Opposed? Abstentions? **IR 1384 is tabled. (VOTE: 5-0-0-0)** I have no other items on my agenda but --

LEG. CILMI:

Chairman.

CHAIRPERSON CALARCO:

-- but we have one more issue to go back to.

LEG. CILMI:

Thank you.

CHAIRPERSON CALARCO:

That's right. Legislator Cilmi had a question to follow up on 1312.

LEG. CILMI:

Yeah, yeah, I appreciate the deference here. I'm not sure if there's anybody here from the County Executive's Office to speak to this.

CHAIRPERSON CALARCO:

Looks like we have somebody here.

LEG. CILMI:

Okay.

CHAIRPERSON CALARCO:

Maybe from Consumer's or Labor? Yeah, come on up.

LEG. CILMI:

Okay, so what I heard from our Budget Review Office is that this is funded by a grant from TANF?

MR. O'ROURKE:

Correct.

LEG. CILMI:

Temporary Assistance for Needy Families?

MR. O'ROURKE:

Absolutely.

LEG. CILMI:

And the reason is that you couldn't find people to work at the lower numbers so now we're raising the number to try and find people to fill these positions; is that correct?

MR. O'ROURKE:

It makes it more difficult. Let me point out what we're going to do with this money, what we've done for years, is we're going to hire approximately 800 low-income individuals to service participants with minimal wage going up December 1st, I believe it is, to \$9 an hour, the temporary employees we hire, we want to make sure that people who are running the program, helping us operate it are making equal or more than the individuals that we're serving. It's actually 50 cents an hour bringing the hourly rate up.

LEG. CILMI:

So the people that you're hiring here, are they on public assistance?

MR. O'ROURKE:

No.

LEG. CILMI:

They're not typically?

MR. O'ROURKE:

Correct. We're talking approximately between 15 to 20 interns to help us run a program of 800 participants, which will run for a 6-week period.

LEG. CILMI:

Okay, so the program itself that you're running is funded by TANF?

MR. O'ROURKE:

Correct.

LEG. CILMI:

But TANF is not paying these salaries?

MR. O'ROURKE:

Yes, they will be.

LEG. CILMI:

They will be paying these salaries. All right, I'm still a little bit confused. Here's my -- here's my concern: I guess it's the only way to really get at my question if I express my concern. If we have folks who are on public assistance, who we're offering jobs to, to work at "X" amount of money, and they're not willing to work in those jobs for "X" amount money so now we want to pay them more, that's a concern to me. But you're telling me that that's not what's happening,

MR. O'ROURKE:

No, the participants are -- their wages are going up because of State law. Minimum wage last year was 8.50. It went up to 8.75. It's going up to \$9 an hour in December.

LEG. CILMI:

A-hum.

MR. O'ROURKE:

Those 800 individuals would be paid minimum wage. The 15 to 20 individuals that would be covered by this particular plan will be helping us run the program. They'll be collecting time sheets, doing data entry, helping us pick up time sheets.

LEG. CILMI:

Why wouldn't they be subject to the same minimum wage requirements that the 800 people that we're hiring are?

MR. O'ROURKE:

We're going to be asking them to work at a higher level. They're the ones who are going to be verifying the time sheets, doing data entry to ensure that we're compliant with Federal regulations into the State system. In the case of the crew leaders --

LEG. CILMI:

So will they making more than the minimum wage, then?

MR. O'ROURKE:

The 15 to 20 individuals?

LEG. CILMI:

Yes.

MR. O'ROURKE:

Yes.

LEG. CILMI:

They will be.

MR. O'ROURKE:

Yes.

LEG. CILMI:

So -- okay, so is TANF requiring that we hire 800?

MR. O'ROURKE:

Well, we're basing that on the allocation we're anticipating. Last year we received \$957,000.

LEG. CILMI:

To hire interns? To hire people to work for -- what are they going to do?

MR. O'ROURKE:

The participants work at approximately 60 different work sites throughout the County. They can work in Parks Department, non-for-profit agencies.

LEG. CILMI:

Can they clean up Sunrise Highway? Because it's a mess. And I mean that quite literally. Can they do that?

MR. O'ROURKE:

If they're working in the Department of Public Works.

LEG. CILMI:

Even though it's a State road?

MR. O'ROURKE:

They can be assigned to State agencies as well.

LEG. CILMI:

Okay, continue. I'm sorry.

MR. O'ROURKE:

For example, you know, looking at the assistant crew here, \$11 an hour, that's an individual who might be assigned to supervising 9 or 10 of the youth participants. They could be in the park, cleaning up parks, cleaning up sides of roads. So we expect to pay the people supervising the crews more than the actual participants.

LEG. CILMI:

Okay. So the whole program is funded by the Federal government.

MR. O'ROURKE:

It's Federal money pass through to State OTDA, which passes it down to the one-stop.

LEG. CILMI:

And what's the purpose of this Federal program?

MR. O'ROURKE:

To give low-income individuals an opportunity to work for the summer. For those individuals who cannot find work, we help them find work. We give them jobs.

LEG. CILMI:

I mean this could be a much longer conversation, but we're going to have a conversation off line about this because I can take up a while here. So we've already passed this bill. Maybe we can make it a point to have a conversation before Tuesday's General Meeting so I have a comfort level here.

MR. O'ROURKE:

Sure.

LEG. CILMI:

And we'll try and set that up.

MR. O'ROURKE:

Let me just point out, too, the overall impact of this increases under \$5,000.

LEG. CILMI:

Well, that's the -- okay, so that's the increase -- if you took the number of employees times the increase in wages it's \$5,000.

MR. O'ROURKE:

Right.

LEG. CILMI:

But, you know, \$5,000 here, \$5,000 there, before you know it, you're \$176 million in debt; or not in debt, but rather in deficit.

MR. O'ROURKE:

Okay.

LEG. CILMI:

Right. Okay. Thanks. Could you call my office and just -- we'll set up a conversation?

MR. O'ROURKE:

Yes.

LEG. CILMI:

Great. Thank you.

CHAIRPERSON CALARCO:

Okay, thank you very much. And we have no other questions. I have no other business before us -- oh, Charlie.

MR. GARDNER:

I'll make it quick. Thank you very much, Mr. Chairman. Thank you for your indulgence. Legislator Schneiderman had some very legitimate questions or concerns about licensing and the board up people as opposed to home improvement, because they do the same type of work, why aren't they not licensed.

I can speak to that. That's always been a little bit of a grey area, but it goes back to our statutory definition within the County code in that boarding up is not an alteration, repair, installation, erection that improves the value of the home. It has never been considered home improvement work. And that's why they have not ever been in that pool, that half a dozen or so, they have never been in that pool of licensed home improvement contractors because it's not considered home improvement work. That's it.

D.P.O. SCHNEIDERMAN:

It might be considered home maintenance, though.

MR. GARDNER:

Yes, yes. But it simply goes back to that -- why you would scratch your head and say what they're doing, you know, they're driving nails and putting up plywood but it's not -- it doesn't improve the value --

D.P.O. SCHNEIDERMAN:

They're doing things that carpenters are trained to do.

MR. GARDNER:

Correct, correct, but it doesn't improve the value of the home.

D.P.O. SCHNEIDERMAN:

That's true. But when the wind blows you don't want those --

MR. GARDNER:

I'm not arguing against. I'm just saying that's -- you know, going back to whatever our legal opinions were, that's what I just wanted to say.

D.P.O. SCHNEIDERMAN:

I appreciate that historical context.

MR. GARDNER:

Thank you very much.

CHAIRPERSON CALARCO:

Thank you, Charlie. Always nice to have that institutional knowledge.

Okay, any other issues before us? Seeing none, we are adjourned. Thank you.

**THE MEETING CONCLUDED AT 12:08 PM
{ } DENOTES SPELLED PHONETICALLY**