SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

TWELFTH DAY

November 8, 2017

1:00 p.m.

A SPECIAL MEETING OF THE SUFFOLK COUNTY LEGISLATURE WAS HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM 725 VETERANS MEMORIAL HIGHWAY SMITHTOWN, NEW YORK

Taken By

Alison Mahoney & Lucia Braaten - Court Stenographers

Minutes Transcribed By

Alison Mahoney

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P.O. GREGORY:
Good afternoon, everyone. Can I have all Legislators to the horseshoe? Okay. Mr. Clerk, can you do the roll call?

MR. RICHBERG:
Good afternoon.

(*The meeting was called to order at 1:33 p.m.*)

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

LEG. KRUPSKI:
Here.

LEG. FLEMING:
Here.

LEG. BROWNING:
Here.

LEG. MURATORE:
(Not Present).

LEG. HAHN:
Present.

LEG. ANKER:
Here.

LEG. LINDSAY:
Here.

LEG. MARTINEZ:
(Not Present).

LEG. CILMI:
Here.

LEG. BARRAGA:
Here.

LEG. KENNEDY:
Here.

LEG. TROTTO:
Here.

LEG. McCAFFREY:
(Not Present).

LEG. STERN:
Here.

LEG. D'AMARO:
Here.

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LEG. SPENCER: Here.

D.P.O. CALARCO: Present.

P.O. GREGORY: Here.

MR. RICHBERG: Fourteen. (Amended Vote: Fifteen - Not Present: Muratore, Martinez, McCaffrey.

P.O. GREGORY: Okay. If you would all please rise for a salute to the flag to be led by Legislator Barraga.

Salutation

Okay, Legislator Barraga will introduce soloist Ms. Keliah Greene from the First Baptist Church of Bay Shore who will sing the National Anthem.

LEG. BARRAGA: Just one side note before I start. I cannot speak for my fellow term-limited colleagues -- Legislator D’Amaro, Legislator Stern and Legislator Browning -- but I want you to all know that last night I slept like a baby.

(*Laughter & Applause*)

I’m happy to introduce Keliah Greene who was born and raised in Brentwood, New York. She is a graduate of Temple University with a BA in Broadcast Journalism and St. Joseph's College with an MBA and an MS in Human Resource Management. Keliah has worked for the Congressional Black Caucus Foundation, Inc., and St. Joseph's College, New York. Keliah currently serves as the Executive Director of Planning and Institutional Effectiveness at Suffolk County Community College.

Keliah is a member of the First Baptist Church of Bay Shore, a motivational speaker and a community advocate; however, her most important role is being the mother of her precious almost two-year old. Ladies and Gentlemen, Keliah Greene.

(*Applause*)

(*The National Anthem was performed by Keliah Greene*)

(*Applause*)

LEG. BARRAGA: It is a pleasure to have with us this morning once again the Reverend Daris Dixon-Clark, the Pastor of the First Episcopal Church of Bay Shore. Pastor Dixon-Clark was born in North Carolina and educated in the Greensboro Public Schools. He graduated from

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the University of Pennsylvania with a degree in Political Science, received a Master's Degree in Theology from Northeastern Theological Seminary in Rochester, and an Honorary Doctorate from St. Thomas Christian College and Theological Seminary of Jacksonville, Florida. He was ordained on December 11th, 1988 and is presently attending Memphis Theological Seminary.

Before becoming Pastor of the First Baptist Church of Bay Shore on March 27, 2012, Dr. Dixon-Clark held several pastorships, the last of which was Pastor of the Historical Friendship Baptist Church in Buffalo, New York. Since becoming Pastor, he has further energized the First Baptist Church with his personal mission to glorify God through effective preaching and teaching God's gift to us. Pastor Dixon-Clark's spouse, Shonda Facel-Clark, is also a pastor. They have three children; Samuel, Andrew and Jenella.

In addition, before I introduce the Pastor, this is the Centennial, the 100 Anniversary of the First Baptist Church. Back in 1918, three of the Congregates at that time went to the hamlet of Bay Shore in an open field, erected a tent and had a three-week revival. A hundred years have passed. This is a dynamic church, not only for the hamlet of Bay Shore but for all of Islip and Suffolk County. If you need help and assistance, that church is always there. The congregation is a phenomenal group of people and it has a long and very, very positive future ahead of it. Ladies and Gentlemen, may I introduce Pastor Dixon-Clark.

\[\text{Applause}\]

\text{PASTOR DIXON-CLARK:}

Let us pray together. Creator God, our Father, we thank you for the privilege that is ours, gathered in these sacred halls of government. We also thank you for the privilege of each individual who serves in making policies that will govern Suffolk County. We ask as we do this that you would lead and guide these Legislators as they not only seek for the good of the community, but they also seek for the approval of the God that serves as the Creator of us all. We pray your blessings and your presence in the midst of the deliberation today and that all that we do, you as our Creator. Will get glory, honor and praise. We honor you as our God, and with this all the people of God said amen. God bless you.

\[\text{"Amen" said in Unison}\]

\text{P.O. GREGORY:}

Please remain standing for a moment of silence. This weekend we will honor the brave men and women who have served in our Armed Forces with a population of more than 160,000 veterans on Long Island, approximately 75,000 of them in Suffolk County. We set aside time on Veterans Day to thank them for their service, not simply -- to thank them for their service, not simply their service, their willingness to sacrifice the comforts of home, time with their loved ones or a career put on hold entitles them to a place in our collective hearts of all Americans who live safely and with freedom.
May we also keep in our hearts those who are following in our veterans' footsteps who currently are serving at home and overseas. Also, today let us all remember all affected by the deadly terrorist attack in New York City last week and the recent shooting in the Texas church. We pray for the victims and their families as we ask for strength and courage to do what we can to ensure that these senseless attacks and acts of violence stop once and for all.

And also, may we pray for healing for Ralph Peterson, a Suffolk County Corrections Officer who was seriously injured at work in the jail, in our jail in Suffolk County.

**Moment of Silence Observed**

Okay. Well, thank you all today for our Budget Meeting for the 2018 Fiscal Year for us. Before we start our deliberations, I want to thank BRO and their staff for all the hard work that they have put forward to help us through this process, analyzing the budget, the recommended budget and helping the Working Group, the bipartisan Working Group from -- you know, for our weeks of deliberations as well. I thank to thank the members of the Working Group as well for their time and efforts that went into putting the budget together.

As we know, we still face some very serious fiscal challenges, although not as serious as they once were five years ago, but certainly we're not out of the fiscal woods yet, fiscal deficit woods yet but we're certainly improved from a $500 million budget deficit to what BRO projects to be roughly about a $163 million budget deficit. There are things the budget, in a $3 billion budget, it's hard to put a package together that everyone will agree with; it's just almost impossible. There are hundreds, if not thousands of things that go into this budget, it's impossible to have everyone like every aspect of the budget. But I am proud to say that I think we put something together that we can be proud of, that keeps us moving in the right direction in addressing our fiscal issues, maintaining critical services that the County provides. We have over 1.5 million people and many of them are serviced, well serviced by the services that our County employees provide to them. And I want to thank our County employees at this time as well for the work that they do, because this is a reflection of their efforts. And sometimes we had to do cuts in years past and it wasn't a reflection of the quality of work that they do, but just a sign of the times that we were in.

So with that, I'm going to -- and we're going to go into the **Public Portion**. We do have several cards. I will just remind the speakers that they have three minutes, so the first being is Francine Fierro; are you still here, Francine? Okay. Pam Farino?

**MS. FARINO:**

Good afternoon. You know, I really wasn't even planning on making it here today because I knew it was going to be such a crazy week, but I decided I needed to come after I saw the article in Smithtown -- in Newsday stating that **Suffolk County budget, changes worth 5.7 million, is up for a vote**. That came out the day before
the Empire Center's report that personal income taxes are down by almost $2 billion; $2 billion. Well, that's actually -- it's not just the Empire Center, you can actually read DiNapoli's report that actually just came out I guess on the 1st or 2nd of November. So we all now know that we're basically looking at $2 billion less of personal income tax for the State of New York.

Now, I usually assume that the revenue in for the State would probably effect the County's down chain from it. So instead of adding maybe $5.7 million to this year's coming budget, maybe we need to be looking at taking 12 million off. We are in a serious financial situation. I know you just said that we actually are in much better shape than we were, so I am going to have to assume that we are no longer borrowing money from sewer funds or any other fund to pay for our current expenditures. Because if we are in better shape we would not be doing that anymore; we'd be making the necessary cuts, as much as it hurts. But I don't want my children to have to pay for it. In fact, my children probably aren't because they're probably not going to be here. That's what's happening. People are changing their five months and 29 days out of state to six months and one day out of state. Why else do you think we're losing people and we're losing PIT income, revenue.

Suffolk County, we are number one in Opioid overdoses. We should be number one in wealth, instead we're number one in spending people's money. We're number one in debt; we need to stop spending the money as fast as people like my husband who goes to work six days a week, 15 hours a day just trying take care of the expenses for the business and keep his own people employed, keep his own people with health care. But you guys just keep saying, Hey, we're going to add a little bit more, instead of saying How can we cut? How can we cut so that people don't have to work six days a week, 15-hour days, like all of you work every day, Monday through Friday every day.

So again, I'm going to ask you all to really think about the personal income tax and it being $2 billion less, almost $2 billion less, according to DiNapoli's most recent report. Thank you.

P.O. GREGORY:

MR. ARMSTRONG:
Thank you very much. My name is Mike Armstrong and I am the Director of Field Operations for Reclaim New York Initiative. Today we are here to deliver a clear and simple message to the County Executive and Suffolk County Legislators; illegal fees are theft, stop stealing from Suffolk County residents.

Suffolk County continues to abuse residents with revenue-raising fees and these fees are unlawful. Under New York State Law, it is unlawful for governments to use fees to generate revenue or to offset general expenses, yet Suffolk is rolling in $102 million in ill-gotten revenue from illegal fees. These fees are abusive to Suffolk families and businesses who are struggling to afford to stay here and build a future. These fees hit families who are...
buying a home, who face massive additional closing costs to threaten to crush their dreams. These fees effect seniors on fixed incomes who find themselves paying more to close out on their home loan, even though the County offered nothing more than just a few minutes of service. These fees do not work to fill long-term budget gaps, that's why we're in this position every single year as they regularly fall short of revenue projections.

There is nothing to like about illegal fees unless you're a politician who's willing to break the law to avoid a serious conversation about a more than $3 billion budget. Instead of having an honest conversation with citizens about the County's budget problems and making tough but necessary decisions on reducing spending or raising taxes -- those are your options -- the County Executive and some Legislators here keep finding no new ways to patch a broken budget year-after-year and it is not working. This approach of just getting by is only making long-term prospects worse.

So we're calling, Reclaim New York Initiative is calling on Suffolk County to eliminate all $102 million in illegal fees from the County's budget. Don't just go along with business as usual and keep stealing from your constituents with fees. You have been sued by the Government Justice Center, they will be winning. You know these fees are illegal and you also know that they are wrong and it's time to end this practice now. You see, the clock is ticking. One day very soon the State Supreme Court will strike down the use of fees to generate illegal revenue and then the County will have no choice in this matter and a $100 million hole will be blown into your budget. Now is your chance to lead. Make your mistakes and illegal fees on your own terms, it is the responsible thing to do. Thank you very much.

P.O. GREGORY:
Okay, that is all the cards that I have. Would anyone else like to speak that hasn't --

LEG. TROTTA:
Are we allowed to ask questions?

P.O. GREGORY:
No, this is the public portion. Anyone else like to speak? Okay. Seeing none, I'll make a motion to close the public portion.

LEG. MARTINEZ:
Second.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. All right. So are you ready, Robert?
MR. LIPP:
Okay. So I believe the first order of business, if I heard correctly, is to amend on the floor the budget amending resolutions, or would you prefer that I speak to what a summary of the budget amending resolutions?

P.O. GREGORY:
A summary.

MR. LIPP:
A summary, okay. Okay, so if you have a copy of the two resolutions, Budget Amending Resolution No. 1 and No. 2, the difference being basically they're the same resolution except one is from the mandated side of the budget, that's BA1, and the other is for the discretionary side of the budget, that's BA2. The words for the resolutions are almost exactly the same. The schedules that change line items, though, differ based upon whether or not they're one or the other.

To get a -- the easiest way to summarize the budget amending resolutions is to look at either one, Budget Amending No. 1 or No. 2, and look at the WHEREAS'. So for instance, what I have up on the screen here, the WHEREAS', the first two are like boiler plate resolution information. So beyond that, the summary, very brief aggregated summary is the following:

The Constituent Response Unit, which has seven new Neighborhood Aide positions that is included in the recommended budget, we're taking that out. And that when the grant is awarded later in the year, hopefully, next year, then a resolution could be brought up in order to create those positions; that's number one.

Number two, three new Budget Analyst positions were added to the recommended budget; and given our fiscal constraints, we opted to take those out.

Number three, we restored services by putting back the Public Health Nursing Bureau and Tobacco Education Control Program.

Next, we reduced funding for select vacancies which I believe we will be amending shortly on the floor. In addition to that, we lowered sales tax revenue in the budget for this year, 2017. The assumed growth rate for the year is recommended in the budget as 4.66% growth for this year and we lowered it to 4.4% growth this year and noted that we would have preferred to lower it even further, but we only had limited means to be able to make that corrective action.

Next, we borrowed an additional last $5 million from the Assessment Stabilization Reserve fund to help pay for some of these initiatives that we spoke about just now. And in addition to that, there is a small $750,000 increase in property taxes in the Police District that will provide some recurring revenues for the future and allow us to right-size the 2018 budget a little bit more appropriately. So I'll stop now unless there are specific questions.
P.O. GREGORY:
Okay. Anyone have any questions? Okay, Legislator Barraga.

LEG. BARRAGA:
The recommended budget includes 32 million from the New York State Retirement System, the amortization, another 12.5 million from the Sewer Assessment Stabilization Fund. And then it comes out to like, according to your figures, 44.6, but then you add five million to it so now we're up to 49.6 million which basically is a one-shot. And then you add in what you identify as various shortfalls and the whole package comes up to $150.3 million, but with an additional five million now the deficit, the overall deficit is 155.3.

I guess my question is this; in reading your analysis, Bob, there's a reference made to both of these borrowings. What you're doing is you're taking, someone's taking borrowed money -- in this case, almost $50 million -- and they're transferring it over to give the presumption that we're closing the deficit. You're closing the deficit with borrowed, one-shot monies. So the reality is it's still a $155 million deficit, you really shouldn't be using those one-shots. Just like a guy who has -- runs up a credit card bill of $10,000 and he goes out and borrows 10,000 to pay off the credit card debt and he tells everything is great, I have no more credit card debt; but you still borrowed the money, you have to pay it back.

So there's kind of a misnomer because you're talking about, your words, that would place the structural deficit at only 44.6 million, considerably less than any year in recent memory. And then you talk about the problem, but it gives the inference that somehow we really reduced this deficit to 44 million and we really haven't done that, it's still pretty much at $150 million because you're using almost $50 million in one-shots.

MR. LIPP:
Okay. So specifically what we're talking about here is a couple of things, I believe. So the borrowing that we're talking about, or one-shots that are borrowed money, are from the Assessment Stabilization Reserve Fund --

LEG. BARRAGA:
Right.

MR. LIPP:
-- number one, and from the State Retirement System, number two. So those amounts of money in particular were increased by five million --

LEG. BARRAGA:
Five million more biased on these amendments.

MR. LIPP:
Exactly. So here's the argument, then, both ways. So what we're doing is it's sort of a tradeoff, long run and short run. The trade-off is to try to make the current 2018 upcoming budget a
little more solvent, I'll say; and in return for that, we're then
required to pay over 12 years that money back, so it's a short
run/long run problem. The only -- the benefit, perhaps, to do that
is it buys more time for us to figure out our problems, number one;
and number two, the cost of that borrowing is at zero interest rate
for 12 years.

LEG. BARRAGA:
But the point I'm making, you're using borrowed money and giving
the impression that somehow as a result of that we're really
reducing the deficit. The borrowed money's a one-shot.

MR. LIPP:
Correct.

LEG. BARRAGA:
We're not reducing the deficit at all. I mean, in the short-term
you can make that assumption, but next year when these monies
aren't available, you're still looking roughly at $150 million.

MR. LIPP:
Correct.

LEG. BARRAGA:
Okay. The other thing, too, just to comment; the tremendous
increase in health care costs. And we're talking between last year
and this year, or potentially this year, you know, a deficit or an
additional cost of like $57 million. And this Legislature and the
Executive Branch will take whatever steps they have to close this
gap, and that's our solution. But the real solution is somebody at
some level of government should investigate why hospital costs keep
on going up so dramatically.

Based on your analysis, I mean, in 2017 hospital costs went up
seven point -- 8.6% in 2017 and potentially another 7.4% in 2018.
I mean, these are huge increases; 16% in two years when the rate of
inflation is around two-and-a-half, 3% for the two-year period.
Someone should find out what the hell is going on in these
hospitals that the costs go up that much. What's driving these
costs? At this rate we're talking maybe in, you know, another year
or two you'd have a 25% increase over a four-year period; that's a
tremendous amount of money. And our local governments are in the
position of all we can do is put more money out there, tax more,
come up with more fees to pay for these things. Something has to
be done either at the Congressional level to really deal with the
central problem, you know. We're dealing from a fiscal
perspective, but the real issue is not being dealt with at all.

MR. LIPP:
So it's a good question; why are health care costs going up so
much? There are a lot of theories out there, but there doesn't
seem to be anything that I've seen that truly hits the nail on the
head.
LEG. BARRAGA:
But no level of government is taking the time, either through the committee system or some Executive branch, to really determine what is going on in these hospitals that's driving these costs so high because the negative ramifications have to be on local government and local taxpayers. Fifty-seven million in one-year? That's horrendous, that kind of an increase.

MR. LIPP:
No doubt.

P.O. GREGORY:

LEG. BROWNING:
A couple of people that came to talk about, you know, the issues with people are leaving Long Island, I'm sick of listening to that, and blaming Suffolk County, you know, government for why they're all leaving Long Island.

I got my tax bill, I think probably most of you all just got your tax bill about a week or so ago, and I looked at it and about 60% of my tax bill is school taxes. Then I looked at my County tax and I looked at my town tax and it was kind of convenient that your town tax is one section and then there's another tax which is actually street lighting and garbage removal, which is really the town tax too, and my Town tax was twice as much as my County tax. So I'm just curious, is everybody going and screaming at our State Legislators about the -- you know, the fact that one-third of their -- sorry, more than half, 60%, 70% of their tax bill is schools, their town taxes are much higher than Suffolk County taxes and we're providing how many services here in Suffolk County. And then look at our unfunded and under-funded mandates and of our County bill and our County tax, about one-third of it is under-funded or unfunded mandates. And the one thing alone, you hear me complain about it all the time, is Safety Net which is about 70 to $80 million a year that we have to fork out. So we can all complain and we can all gripe, but we know we have some fiscal problems still.

And I just want to say thank you to the Work Group. You've done your damndest, you've worked hard and you've tried to do the best that you can with what you've got. We know that we had an economic downturn, we know that it was going to take ten plus years to get out of that. We know sales tax revenues are dropped. And so, yes, we do have other revenues. And then I know that in the Work Group the nurses came and said that, Put us back in the budget, and I know that the Work Group did that and I want to say thank you because I appreciate the work they do and the fact that we need them.

So I'm going to support what you guys are doing and what you've done in the Work Group, and I can't understand how anybody could not, and especially if you're in the Work Group, not want to support this, especially if you're advocating for it. And everybody will come with their hands out when it comes to the
Hotel/Motel Tax money for their district and what they want for their district out of the Hotel/Motel. So I'm hoping that, you know, we can all work together. In the past we've always had a bipartisan work group and everybody has worked together, done their damndest to make it a good budget. And we've always in the past previously, especially with our Presiding Officer Bill Lindsay, always had an all-18 vote and we've all worked together.

And Rob, I have to tell you, I read the Newsday article and the endorsement and I thought that was pretty good. Stop throwing bonds, start trying to work with us, okay? So I just want to say thank you to the Work Group and to our Budget Working Group who have tried really hard over the past few years to do the best that they can with what we've got. It's not perfect, but it can get perfect if we work together and stop being partisan. Thank you.

P.O. GREGORY:
Okay, thank you. Legislator Trotta, you were next on the list.

03:03PM

LEG. TROTTA:
Yeah. Last night at six o'clock when it started raining, I went out in my pick-up truck and I picked up every single sign that I put out and I'm going to save them for two years, and that's something that this body should learn. Because when I see DuWayne, who I admire, I think he's a great guy, but he's delusional. If you think today we are better off than five years ago, you're crazy. Because we've incurred almost an additional billion dollars in debt. It's not like taking your credit card and charging $10,000, it's getting the new one and charging it again and getting another new one and charging it again and getting another new one and charging it again; that's what's been going on here.

03:05PM

I'm going to do a little quick summary of what really has happened in the past four or five years since I've been sitting here. We sold our Town Hall. We put it up for sale, the County sold the H. Lee Dennison Building that appraised for $23 million and we're going to ultimately pay back $108 million; insane. We have a drinking water problem, a huge drinking water problem, the number one concern, according to the County Executive. What did this body do? We took $171 million, $171 million from the drinking water fund to pay salaries and to pay payroll; delusional that we're better off.

03:05PM

Our bond rating, which is the government -- which is the officials that lend us money say, This is ridiculous, it's getting worse and worse and worse. So how you can say we're better off is a lie, it's blatantly a lie. And then let's throw in the fees; $102 million in new fees, and we're still not getting ahead. We're falling behind. That money we had to pay back from the Sewer Fund, 5% a year until 2029, where is anybody in this horseshoe going to be in 2029? None of us will be here. That is totally irresponsible for us to kick the can down the road and expect someone else to pay the bill.
And Kate, you think I'm the bomb thrower now, you just wait to see what I'm going to do. I'm going to turn this Legislature on its head, because we are ill-responsible in what we're doing. We need to learn how to say no. We are feeing our people to death and as our own Legal Counsel has told us, this is probably not a good idea, we're going to get sued. But what do we do? We do it anyway. It's unconscionable that we sit here and make pretend it's okay because it's not okay, it's a sinking ship, and no one wants to be the captain and drive it and make this happen. It's deplorable that this has happened and the taxpayers -- I will do everything I can to bring this point up in the next two years. You think I was a bomb thrower before? Stay tuned.

You know, I can go on forever about the money that we've been wasting away, but I'm going to stop now and I can make you all very aware that I will not support this budget until there are massive cuts. Because once they win that lawsuit they're going to hit us for the $30 for the red light cameras. And guess what? We're going to be sinking. We need to make decisions here that doesn't screw our children and grandchildren, and that's all we've been doing. Thank you.

P.O. GREGORY:
Well, that's unfortunate, Legislator Trotta, that as a member of the Working Group -- and you've been diligent. Even before being an official member of the Working Group, the bipartisan Working Group, you would dutifully attend the meetings and, you know, see what was going on and I admired that as a new Legislator you wanted to kind of learn the inner workings of the budget. And you didn't support it then, but I thought you would since you contributed to the conversations, you contributed to some of the spending in the Omnibus that's going to be before us, but yet you won't support it and I think that's unfortunate.

I don't take offense to you calling me delusional, but I think you -- I appreciate you calling me a nice guy, though.

LEG. TROTTA:
A good -- listen.

P.O. GREGORY:
But let me say that, you know, we have to get beyond the words and characterizations of each other and really sit down together and come up with solutions. I haven't heard -- I've heard you say no to the budget in the past several years, but honestly, and correct me if I'm wrong, I haven't heard you come up with one solution.

LEG. TROTTA:
All right, let's go right here. Want to go through the solutions? We spent $150,000 for a study for a guardrail, I voted no; we spent $350,000 for a study of a sidewalk, I said no; $500,000 for a study for a building, I said no.

P.O. GREGORY:
Okay. Okay.
LEG. TROTTA:
I said we should bring a control board in when I first got on to
freeze the salaries and I said -- and they said no and you said no.
So don't accuse me of not saying --

P.O. GREGORY:
But you and Leslie were for that and the group.

LEG. TROTTA:
-- there were solutions. There were solutions that I put forward
and you didn't follow because we're in the minority.

P.O. GREGORY:
So you're saying --

LEG. TROTTA:
So don't blame us for the position we're in, the Democrats caused it.

P.O. GREGORY:
I believe -- well, some of the Republicans have supported some of
those fees that you don't like. But what I heard you say was no,
but I haven't heard what you said yes for. I hear cuts.

LEG. TROTTA:
That's the problem, we're not in a position to say yes.

P.O. GREGORY:
You're always in a position to say yes.

LEG. TROTTA:
No. Look, if my kid comes to me and asks for something and I can't
afford it I don't say yes, I say no and I explain to them the
reason why the answer is no, because we can't afford it. Okay?
We've become like spoiled brats; whatever they want, Oh, yeah, I
want a sidewalk, let's spend $350,000 on the design of a sidewalk.
Who would do that? Who would do -- what responsible person would
do that? When you know that we can hire an architect for $100,000
a year and they could do all three of those projects. But no, what
do we do? We sub it out for a million dollars and we pay top
dollar and we screw the taxpayer, plain and simple.

P.O. GREGORY:
Well, I'm going to challenge you. Put your list, your ideas to
paper, present it to me and we can sit down --

LEG. TROTTA:
Look, I put my ideas every week in front of this -- every month in
front of this Legislature and I have my ideas. And guess what? If
you would've been listening to me, we wouldn't have a Chief of
Police in Federal prison, we wouldn't have a DA in jail, we
wouldn't embarrass this County. Because when I came here you know
I talked about all those things and what did everybody do here?
Nothing, zero, statues, crickets.
LEG. BROWNING:
Don't go there *(laughter)*.

P.O. GREGORY:
Okay. So you have nothing to contribute then. All right, so Legislator Browning, you wanted to make a comment?

LEG. BROWNING:
No, I love it. Don't go there. When he talks about -- talk about the corruption. Let's talk about how many of you took the Conservative party line from a guy who's in jail, okay? So knock it off.

And let me tell you something else. Don't go there but, you know, the salaries. Well, guess what, you're a retired cop; what's your salary now as a retired cop, plus what you're picking up as a Legislator? And don't forget about when you tried to swear in and you wanted to delay it --

LEG. TROTTA:
I am --

LEG. BROWNING:
-- because it was going to get you three more -- 3,000 more dollars? Stop. It's okay, it's do what I say, not what I do, that's how you are.

LEG. TROTTA:
All right, I'm going to respond to that. You want to know something, Kate? You want to know what my salary is? I have $100,000 from here and 93 as a cop, pension. Now guess what? That's ridiculous. But guess what, Kate? Guess what happened? I took a $50,000 pay cut to take this job, even with my pension and salary.

LEG. BROWNING:
Well, then quit if you're not making enough.

LEG. TROTTA:
If you look at this, I'm the stupidest double-dipper in the history of double-dipping, because my salary is $50,000 less and my pension is $50,000 less. So if you want to talk about this, let's get your facts straight; I took a $50,000 pay cut to come here, it cost my family $1.5 million over the course of my life. And isn't it ridiculous that I could sit here and complain? Because you voted a 28% pay increase because you took hundreds of thousands of dollars from the Police unions. So don't talk to me about it. I put campaign finance up here and what did everybody do? Nothing, they put their head down, they put their head down.

P.O. GREGORY:
Okay, all right. I think everyone --

LEG. TROTTA:
Any time you want to debate me.
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P.O. GREGORY:  
I think everyone's made their point.

LEG. BROWNING:  
I'm quite happy to.

P.O. GREGORY:  
All right. We were pleased with the Trotta talks live at the Legislature.

(*Laughter*)

No, and I'm joking, I'm trying to bring a little levity here. I know things are a little heated, but I want to get back and focus onto the budget. We have serious businesses to do. At this point there is -- there is an amendment that I'm going to offer. This amendment was brought up from BRO as to -- you want to explain it, Robert?

MR. LIPP:  
Sure. So there's one line item that we would like to delete from the budget amending resolution, and that is in the case of sales tax where there were two line items, and I'll put it up on the board. As you can see here, we're reducing by $5.4 million sales tax in the General Fund. In addition, the current version of the budget amendment also takes out almost 1.6 million in the Water Quality Protection Program. We'd like to strike out -- strike that line and not take any money out from sales tax and the Quarter Cent for the following reason.

There are two things you can do. Number one, we omitted reductions and changes in several other line items that would be triggered by any change in the sales tax for the Quarter Cent Program, so the alternative would be just simply to take it out. Will there be a difference in terms of allocation of funds? The answer to that is no, and the reason is because at the end of the day we wind up allocating the funds based upon what actually happens so it will be internally reconciled anyhow. If we don't take the line item out, then there's a disconnect between the sales tax going to the Quarter Cent Sales Tax Program and the allocations to the other funds. So the cleanest thing to do would be to take that out.

And case in point, in prior years we've always done it that way, we didn't do a change in sales tax in the Quarter Cent program. It's basically, from a budgeting point of view, us budget wonks, we need to do that so that we aren't missing anything.

P.O. GREGORY:  
Robert, so that's going to be to budget -- amendment to Budget Amendment 1, right?

MR. LIPP:  
So it'll be in both. What'll happen is the line item that'll be eliminated, and you can see it on the board here, will be for one of two lines reducing the sales tax in Omni Code DO-16, and that's in Budget Amendment 2, the discretionary budget. However, in BA1,
the mandated budget, there is a WHEREAS clause that speaks to this
that would be taken out.

P.O. GREGORY:
Okay. All right. So I'm going to make a motion to remove the Fund
477 line item in the DO-16 revenue line of Schedule A of the Budget
Amendment 1 which reads, "In the Water Quality Protection Fund,
revenue is reduced by 752,773 in 2017 and $842,375 in 2018." This
motion also removes all references to that 477 change in sales tax
revenue. Do I have second?

D.P.O. CALARCO:
Second.

P.O. GREGORY:
Second by Legislator Calarco.

LEG. KRUPSKI:
On the motion?

P.O. GREGORY:
On the motion, Legislator Krupski.

LEG. KRUPSKI:
One more brief explanation of that? I think I'm following you,
but --

MR. LIPP:
So if you lower the sales tax in the Quarter Cent Program, you'll
have a negative fund balance there because nothing else was done.
And if you wanted to do it -- if you wanted the sales tax to be
lower there, then you'd change all the allocations in other parts
of the budget which we hadn't done, we neglected to do that. So
the cleanest, simplest way would be to what we did in prior years
and that's simply not include the decrease in sales tax in the
Quarter Cent Program but, yes, maintain the decrease in the General
Fund portion.

LEG. KRUPSKI:
And the money will still be collected and allocated as prescribed
by law.

MR. LIPP:
Correct. And at the end of the day, if sales tax revenue comes in
either higher or lower, that will be self-correct, each of the
allocations will get the same percentages.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
Okay. So we have a motion and a second on this amendment. All in
favor? Opposed? Abstentions?

LEG. TROTTA:
(Raised hand).
MR. RICHBERG:
Seventeen (Opposed: Legislator Trotta).

P.O. GREGORY:
Okay. I'll make a motion to approve Budget Amendment 1 as amended.

D.P.O. CALARCO:
Second.

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

LEG. KRUPSKI:
On the motion. As amended as to what Dr. Lipp just said?

P.O. GREGORY:
Yes.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:

("Legislators Cilmi, Barraga, Kennedy, Trotta, McCaffrey & Muratore raised their hand in opposition")

LEG. D'AMARO:
What were the amendments?

D.P.O. CALARCO:
No, it's on the whole budget amendment as amended.

P.O. GREGORY:
Just the 477.

LEG. D'AMARO:
Just mandated, I apologize.

P.O. GREGORY:
Okay. I'll make the -- so now we have Budget Amendment 2. I'll make the same motion because it applies to discretionary as well, so motion to remove the Fund 477 line in the item 20 -- excuse me, DO-16 revenue line of Schedule A of the budget amendment which reads, "In the Water Quality Protection Fund, revenue is reduced by $752,773 in 2017 and $842 -- $842,375 in 2018. This motion also removes all references to that 477 change in sales tax revenue. I made the motion. Do I have second?

D.P.O. CALARCO:
Second.
P.O. GREGORY:
Second by Legislator Calarco. All in -- for just this, just to 
amend this in Budget Amendment 2.

LEG. KRUPSKI:
On the motion? So there will be other amendments?

P.O. GREGORY:
There is another amendment, yes.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
All in favor? Opposed? Abstentions?

LEG. TROTTA:
Opposed.

LEG. KENNEDY:
(Raised hand).

MR. RICHBERG:
Sixteen (Opposed: Legislators Kennedy & Trotta).

P.O. GREGORY:
Okay, Legislator Calarco, I'll recognize Legislator Calarco for 
purposes of another amendment.

D.P.O. CALARCO:
Thank you, Mr. Presiding Officer. And let me first thank the 
Working Group for all the hard work that put in on this budget and 
to BRO for their efforts in helping us go through this process. 
And I know it is a long and arduous process, and we did not have a 
lot of great solutions or great answers to some of the issues that 
we had to address. But I would like to make one motion, to make an 
amendment to Budget Amendment No. 2 at this time, based on some 
information that has come to light since we've completed our work, 
and that is to make an increase in the budget revenue projections 
for the Real Property Tax Service Tax Map Certification fees line 
for 2017 in the amount of 77 -- $778,003 in 2017 and a like amount 
of $778,002 in 2018. Those estimates are based on current revenues 
in that line and the fact that as through the end of September 
those lines are -- that line has exceeded what was projected for 
2017 in the recommended budget. And even if the months -- the last 
quarter of the months of October, November and December were to 
come out flat compared to 2016 revenue -- realized revenues, we 
will still see an increase in those -- that budget line of that 
amount.

And in doing so, I would like to also make -- strike DO-10 from the 
recommended Omnibus Resolution which is a reduction in funding for 
vacancies in several departments. This will allow our various 
departments across the County to have a little bit more flexibility 
in their budget lines to ensure that they are able to hire staff 
accordingly to their needs. And as we all know, all of our
departments are running on skeletal crews and they need to have the resources necessary to perform the functions and the responsibilities of those departments and this will give them more ability to do that based on real revenues that we've received to date.

LEG. FLEMING:
I'll second the motion.

P.O. GREGORY:
You'll second the motion, Legislator Fleming?

LEG. FLEMING:
Yes.

P.O. GREGORY:
Okay.

LEG. McCAFFREY:
On the motion.

03:20PM

P.O. GREGORY:
On the motion, Legislator McCaffrey.

LEG. McCAFFREY:
Thank you. So I just want to get this straight. So what we're doing is we're increasing the revenue that we expect to get from the tax map verification fees?

03:21PM

D.P.O. CALARCO:
Based on revenue received to date, correct.

LEG. McCAFFREY:
Right. And let me just ask our Counsel. George, I know we've spoken about this before about whether or not we think that it is legal to assess fees which were above and beyond the cost of actually providing that service.

MR. NOLAN:
I think I know what you're asking. Yeah, and I've stated this over the many years I've been serving as Counsel; that in terms of fees, the general principle is that when you set a fee, that it has to be roughly commensurate with the cost of the service that you're providing.

LEG. McCAFFREY:
And I think right now that the amount of money we're getting from fees from the tax map verifications is -- actually exceeds the whole budget for the Clerk's Office; is that correct?

03:22PM

MR. NOLAN:
That I don't know.

D.P.O. CALARCO:
I don't believe that is correct. And I think you are also thinking about a different budget line which is the mortgage recording fee
which is a different line than this particular fee which was not
increased last year. And so this is just an actual realization
based on what is happening in the market based on a fee that
existed prior to the current budget year and any amendments that
would be made during the course of this year or last year for that
matter. So this is not that particular line and this is not the
line that we are currently being challenged in.

LEG. McCAFFREY:
But it was increased last year, correct?

D.P.O. CALARCO:
No.

LEG. McCAFFREY:
Or the year before. It has been increased and it has been
increased above the amount of what it actually costs to provide
that service. And my point is whether it's this fee, the mortgage
fee or the extra fee we put on for the red light cameras, we're
being sued right now over these fees. And we're trying to put in
extra patronage jobs here to pay for them, we're putting ourselves
even further at risk by voting for this.

D.P.O. CALARCO:
I don't think they're necessarily patronage jobs. Yes, there are
some jobs, revenue that belong to the County Executive's Office,
but there's also revenue in this line that belongs to Probation,
there's revenue in this line that belongs to Economic Development,
there's revenue in this line that belongs to Audit & Control, and we are making those departments whole based on
the recommended budget. Because when we were in the Working Group
and we made the decision to make these reductions, it certainly
wasn't because Budget Review had the viewpoint, and they didn't
recommend it in their review; their viewpoint was not that these
lines were overly funded and really unnecessary, but rather we were
trying -- we had some shortfalls and we were making difficult
decisions based on those shortfalls. But given revenues that are
real to date on a line that is not being challenged in court is
reasonable to make this change. And quite honestly, I believe that
had this been realized to us during our work group process, we
probably would have not made the amendment in the first place.

LEG. McCAFFREY:
But we all have to agree that if there's one suit, if it's upheld,
that it is unlawful for us to charge a fee which far exceeds the
cost of that fee -- of that service, providing that service, then
in fact it is irresponsible for us to do that. And we're putting,
one again --

D.P.O. CALARCO:
I don't agree with the assertion that this fee that we are talking
about in particular --

LEG. McCAFFREY:
I know you don't, but if --
D.P.O. CALARCO:
-- is not --

LEG. McCAFFREY:
If you let me finish; I did not interrupt you when you were
speaking, and when I stop then you can speak. But the point I'm
making is that we are -- the whole concept, which is the basis for
this lawsuit, is that you cannot charge a fee, a cost for a fee
that far exceeds the cost of providing that service. And once that
one is upheld it's going to fall like dominos. And we have
increased that fee and we should take a hard look as to whether or
not what we charge for that fee is above the cost to providing that
service, and that's what we need to do. And it's just furthermore
kicking that can down the road and saying, Okay. Well, let's just
hope it doesn't happen. And most of these jobs are non-competitive
spots that they want to fill, whether it be Economic Development,
whether it be Neighborhood Aides and a centralization of the County
-- the work that the District Offices do now. It's just -- it's
just incomprehensible that we're going to continue down this path
when we're continuing to borrow money -- actually, this year we
borrowed money to pay back the money that we borrowed.

D.P.O. CALARCO:
I don't think it's fair to classify a class of Probation Officers
as patronage positions. I don't think it's fair to classify titles
in Economic Development that are tested titles as patronage
positions, nor given the fact that we know that there is going to
be wholesale changes in the District Attorney's Office that
classify bringing in new people who are qualified and capable
prosecutors to run that department as patronage positions. And I
further don't think that I agree with your position that these
particular line of these fees are unreasonable and far exceeding
what is appropriate for this line, nor has anybody challenged this
particular line. So I disagree with your assertions in their
totality.

LEG. McCAFFREY:
All I say is it's a matter of time and it's just another way that
we're just going to be making numbers up, that's all -- that's
where we are.

P.O. GREGORY:
Okay, Legislator Krupski.

LEG. KRUPSKI:
Thank you. And Mr. Presiding Officer, I just want to thank you and
the rest of the Work Group. It is a -- it's always a challenge.
It's hard to understand a budget of this size. I give our Budget
Review, Dr. Lipp and his team there, a lot of credit for trying to
explain it to the Work Group, and to all the Legislators who
participate in it. There's a lot of Legislators who aren't there
every day but who do come occasionally or do send aides and provide
input. All the -- I think it's a -- I think it's a productive
process where the Legislators who are on it get to provide input,
it's meaningful. You agree on some things and you disagree on
other things, but that it is the nature of our process. And so.

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Mr. Presiding Officer, I want to thank you for including me in that.

When we went through the County Executive's budget, we found a number of things that we felt were wanting and to try to find some way of legitimately restoring these, it was definitely difficult. There was also an opportunity to cut -- to find real savings by cutting funding for existing positions, and I thought it was an opportunity that we should take given our current climate, I think that that's something that we should certainly take advantage of.

If this revenue line comes in higher than expected, it could be used to fill other areas or it could be used in any areas and not to fill salaries that are for positions that are existing. Every department comes in here and they make a very good case; Look, we're understaffed. This is what we do, and we can do more, you know, with more people. And I think we all realize the County does so much work, as Legislator Browning said, that you need to have the proper staffing in place in order to take care of the whole business that the County does, and that without that proper staffing that certainly services will suffer. But I don't -- I think that the decision was made by the Work Group to not fund those positions in the budget and I think that it was made very consciously. Thank you.

P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
To Dr. Lipp; that fund that they're talking about, the mortgage fee fund, can you tell me how much they made last year?

MR. LIPP:
I have to pull it up.

LEG. TROTTA:
I think it is 34 million, 26 or 34, I forget which one was which.

MR. LIPP:
Thirty-four in 2016.

LEG. TROTTA:
All right, $34 millin. Now, I know for a fact because I looked into it, the entire budget for that was about a million dollars for that group of people; the six people that work there and the supervisor. So there's a $33 million structural profit, I guess they would call it, that I believe is subject to that exact lawsuit. So I think, in response to the Presiding Officer's, you know, alleged allegation that I don't have a thought on how to save money; well, we can save money by not doing this because we're going to get sued. There's not a doubt in my mind that Reclaim New York is going to come in and hit us for that and the other fee and here we go again. So again, it would be irresponsible for us to take money from a fund that we know we're probably going to get sued and based upon you're just acknowledging that we make 34 million and my knowledge that it only cost us a million dollars,
that's a problem. So here we go again. And there's no way I can support this and I think that anybody now who knows the facts and knows what's going on, and our Legal Counsel will say clearly that $34 million is more than a million it cost to employ those people there, is a problem. So I think that everyone should put their head up, look and make a decision and say, Look, this is wrong, and I cannot support it.

P.O. GREGORY:
I think, for the record, the amendment that Legislator Calarco put forward does not address the fee that you're talking about; it's a different fee.

LEG. TROTTA:
No.

LEG. KENNEDY:
(Inaudible).

LEG. TROTTA:
No, it's the more -- it doesn't matter what fee it is. It doesn't matter what fee it is; the fee far exceeds what it cost to do. Whether we raised it last year or the year before, it's still subject to a lawsuit.

P.O. GREGORY:
Legislator Barraga.

LEG. BARRAGA:
I commend the -- I certainly commend the Working Group for all the work and time and effort they put into this.

Bob, I just have one or two questions which are sort of indirectly related to increasing this tax map verification fee, and my question centers around the sales tax projection. You know, right now I guess the County Executive used IHS Market as their economic consultants in making a ballpark determination as to future projections of the sales tax as it pertains to revenue coming into the County. And at best, that's a crap shoot. I guess my question is why -- what's the rationale for reducing it from 2.83, which is what the County Executive wanted, to 2.63? When you did that, you blew a hole in the budget of 12.6 millin, plus you had a negative projection for the fourth quarter of 2017, so now you're about 22 million in the hole. Now, either you increase the revenues or you generate cuts, but the point is why didn't you just leave it alone? Because if you left it alone, some of these other amendments would not have had to be made, you would have that had 12.6 million in there at least.

MR. LIPP:
So our job, among other things, when we review the budget is to point out where we think items are too high or too low.

LEG. BARRAGA:
No, and I fully agree with you. But when you do that, you know, you're shooting in the wind like everybody else. At 2.83, to me
doesn't seem to be that high based on recent performance of the sales tax figures as we're seeing.

MR. LIPP:
Right. So if you ask me, for 2018, should we go with the budgeted amount of 2.6 or --

LEG. BARRAGA:
2.83, that's what it was. That was the Executive's estimate.

03:33 PM

MR. LIPP:
Right. I'm saying that should we go with the Executive's estimate of the 2.6 or should we go with BRO's 2.8; if that's the question --

LEG. BARRAGA:
No, it's not 2.8, it's 2.63.

MR. LIPP:
I'm sorry, the other way around, right. So the answer is yes, it's a small difference, that's what our forecast came out to be and we make lots of recommendations that are either endorsed or not.

LEG. BARRAGA:
It's a small difference, but that difference results in amendments being put forth to increase fees in other areas, taking an additional $5 million from the Sewer Stabilization Fund. The question is if you left it alone at 2.83 you wouldn't have had to do that; you wouldn't have had to make some of these cuts. We would have had an extra 12.6 million in your budget.

03:34 PM

MR. LIPP:
Right. So what happened in the Working Group is we decided on lowering this year, 2017's number, but not changing next year's number at all.

LEG. BARRAGA:
But you did, you did change it; in 2018 you changed it from 2.83 to 2.63.

03:34 PM

MR. LIPP:
No. Our review did that in the budget, but the Working Group did not do that, it lowered the --

LEG. BARRAGA:
Often the Working Group is sitting there, when I was part of that, once, when I was part of that, they listened to you; when you come in and you're making a recommendation that you think the estimate's a bit high in the County Executive's sales tax projections and you think it should be, instead of 2.83, a 2.68, the Legislators are prone to listen to you and do, basically, in many cases, what you recommend.

03:34 PM

MR. LIPP:
Well, that wasn't the case this time around, I guess.
LEG. BARRAGA:
Well, they did.

MR. LIPP:
No. So we recommended a much lower number for this year and a lightly lower number for next year. What wound up happening, or what was embraced by the Working Group, is to lower it some for this year but not to change what was recommended, the growth rate for next year. And the reason why we came up with the small decrease from 4.66 to 4.4 was simply because we didn’t have more funds to be able to lower it further. So it wasn’t that the Working Group did not want to lower it even further and listened to the exact forecast that we had in our review, it was because where are you going to get the money from.

LEG. BARRAGA:
All right, thank you.

P. O. GREGORY:
Okay. Anyone else?

LEG. KENNEDY:
(Waved hand).

P. O. GREGORY:
Oh, sorry, Legislator Kennedy.

LEG. KENNEDY:
Thank you, Presiding Officer. While my peers have already stated the basic facts, we are going to be sued on what Rob has suggested and we will lose because the amount of money we’re taking in far exceeds any administrative cost which is what the law states.

I do have some questions on DO-10. As with many of these things in this budget, it states "Reduces funding for vacancies in several departments." What are the several departments you plan on using additional money for? Could we know?

D. P. O. CALARCO:
So I think Budget Review maybe can answer what all the lines were that the Work Group originally identified for reductions. Benny, do you have that?

MR. ZWIRN:
Yes. So just to be clear, this is not the Legislature adding money to these lines, it is not cutting it as originally the Work Group had decided.

LEG. KENNEDY:
Right.

MR. PERNICE:
Several departments included the Legislature, Audit & Control, District Attorney, Economic Development, County Executive, Department of Law, Probation and Department of Information Technology.
LEG. KENNEDY:
Okay. So County Executive, would those positions be the seven Neighborhood Aides that we put the positions in but didn't fund; will we be funding those?

MR. PERNICE:
No, this has nothing to do with that. This was based on funding that was available for existing vacancies. The Work Group is still taking out those seven positions, so they will have to come back to the Legislature with a resolution to create them before they could be filled and funded.

LEG. KENNEDY:
Okay. Thank you.

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Thank you, Mr. Presiding Officer. And I just wanted to clarify one thing, because I feel as though the folks who are expressing outrage on what I think here is a responsible, very responsible move, and I thank the Working Group for their good work. I think the folks who are expressing outrage are conflating two different things. This is not the mortgage recording tax, this is the Tax Map Verification Fee when has not been raised and which is simply being -- the increase is an increase in the projected revenues which are to comport with reality. These are already coming in higher. And so whereas the Working Group, you know, had this very tough -- very, very tough job of trying to find either cuts or funding to support the budget decided to cut positions that were funded in the budget but they thought were not vacant. A couple of them they thought were vacant, a couple of them actually were filled and so it was impossible to cut them without, I suppose, layoffs, but that's two positions. But basically they did the very unenviable thing of cutting very important staff positions, including in the District Attorney's Office with a new District Attorney coming in, including in diversion programs when we're desperately trying to keep kids out of jail and off heroin, positions in the Probation Department. And once it came to our attention that these revenues were, in fact, coming in higher than projected, it made sense to say that these positions that have been cut only out of sort of a desperate need because there were no revenues no longer had to be cut. And that's why I'm supporting it.

I think it's -- this is a very terribly, terribly difficult budget and I don't think anyone says otherwise. And the Working Group has been so responsible in showing up day after day, going through line by line and finding things to cut, which they've done. And it's disappointing to me that members of the Working Group are in those meetings, making those decisions, benefitting for their districts by certain expenditures and then turn around and, I think I have to agree with Kate, throw bombs at the work that has been done by their colleagues. So I just wanted to make sure that that's clear, that they were conflating two different things and I think it's a
little bit alarmist and inaccurate. Thank you.

P.O. GREGORY:
Okay, Legislator Lindsay.

LEG. LINDSAY:
I just want to bring up a point. In regards to the Tax Map Verification fee, we actually reduced this fee last year, if everybody remembers; or maybe they don’t because I haven't heard it brought up. But I sponsored legislation to cap this for any HOA or condo association that was filing their fees and we actually capped this fee.

LEG. TROTTA:
(Inaudible).

LEG. LINDSAY:
Can I finish, Rob? So my question is to BRO. Dr. Lipp, how much did that legislation -- how much did that end up reducing the amount we would have collected from this even though we did collect higher than what was projected?

MR. LIPP:
Could you repeat that? I'm not exactly sure what you're asking.

LEG. LINDSAY:
So we have legislation that we passed that was enacted last year -- in the current year, that capped the amount that we would collect from HOAs, for example, when they're refiling their bylaws, they would have to redo all their tax map verifications for each individual homeowner. So we passed legislation that would cap it at a certain amount so that every single resident wouldn't have to pay that fee.

MR. LIPP:
Right. So I would have to research that, I wouldn't know that off the top of my head. We could see if we can get somebody on the staff that could do that as we speak and get back to you, hopefully.

LEG. LINDSAY:
Okay. Thank you.

P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
That was only for condo complexes when they were restructuring, I think it was capped at $5,000 which is, of course, something -- you know, it's pennies in the scheme of it. So if we saved, it would have been 37 million or 39 million rather than 34 million, for a million dollar service it really doesn't matter.

LEG. LINDSAY:
It would matter to them, though, wouldn't it?
LEG. TROTTA:
Yeah. Listen, that's an admirable thing to do. My argument is we shouldn't have it all, but you're saying, Oh, you know, if you're going to cut your arm off, let's just cut it off at the elbow rather than the shoulder.

LEG. LINDSAY:
I never said anything about my arm, I was talking about the tax map verification fees.

LEG. TROTTA:
Oh, well, that's just a diversion to the real problem. Because we are going to get sued for every fee that isn't commiserate with the service rendered; take it to the bank, it's coming, and we have to prepare for it. And we talked about it beforehand, I voted against it, we advised against it, our Counsel advised against it but we did it anyway. That's the bottom line. People don't like to face the truth, I'm a man of the truth, that's the truth.

P.O. GREGORY:
Okay. Legislator Anker.

LEG. ANKER:
So I have the question of the day. Here's the question of the day, and I'd like Rob Trotta to answer this. Okay, you said no and no and no and no to just about everything that the Working Group has been doing. And I want to thank the Working Group for working hard. I know I wasn't part of that physically but my aide was there and reported back, and they're really trying to make our fiscal challenge better. So the question is, Legislator Trotta.

LEG. TROTTA:
Yes?

LEG. ANKER:
What can the County do to help reduce the deficit?

LEG. TROTTA:
I'm so glad you asked that, because let's talk about a rock you wanted to buy for $350,000. Let's talk about $150,000 that we spent in your district -- by the way, we didn't spend it, we borrowed it. We borrowed $150,000 to do a study on where to put a guardrail when the guardrail already exists. At the same meeting we spent $350,000 to do a study for two miles of sidewalk in Southampton; at a different meeting a week later or a month later we spent $500,000 to do a survey for a plan to build a brick building at Police Headquarters, that is $1 million we spent on plans that a first-year architect student could do in about three months. But why did we do that? Because the architect student that we hired wouldn't give $50,000 in campaign contributions to the County Executive for the building, and $30,000 for the sidewalk and $20,000 for the guardrail, that's why. The crux of this County's problems are plain and simple; campaign finance. It doesn't get any easier. You know, my entire life I was a cop and you could break things down to its most basic circumstance, and this is what the problem is. It's simple, it's not a hard thing to...
do.

LEG. ANKER:
So where are we getting the revenue from?

LEG. TROTTA:
We don't need the revenue if we have -- if we don't spend it recklessly. I mean, this is one of the richest counties in the country. The wealth is unbelievable and we've driven it into the ground by spending money, $1.2 million for the Rock and Hall of Fame that we're borrowing, the Long Island Rock and Roll Hall of Fame, for Wyandanch. You know why we're putting it there? Because we can't rent an apartment. Now why can't we rent an apartment? Because there's four -- 197 units that are now on Social Service in there and no one wants to be there. McDonald's went out of business there. And by the way, that project cost the taxpayers almost $400 million.

LEG. ANKER:
But maybe that's growing the economy and maybe you're missing the bigger picture.

LEG. TROTTA:
It's not growing the economy.

LEG. ANKER:
Because what's happening --

LEG. TROTTA:
It's sinking the economy.

P.O. GREGORY:
Okay.

LEG. ANKER:
-- in Mt. Sinai -- and I just want to address the items that you mentioned about a guardrail. Do you not support the safety of our children as they're walking to school? Because that is very concerning. The $150,000 is really -- you have to have a plan before you can construct something. When you built your house, didn't you --

LEG. TROTTA:
There's a guardrail there already.

LEG. ANKER:
I'm not done. When you built your house, didn't you have an architect create a plan, or did you just got out and by the bricks and wood and decided, I think I'm going to build a structure and live in it. Now, I think you had an architect. That's what these studies are for, that's what these plans are for. We cannot go spending millions of dollars without knowing what the County is doing. So I'm working with the School Superintendent and we will create a safer place for our kids.

As far as a rock, that is pure politics. Pure political politics.
LEG. TROTTA:
You wanted to but the thing, not me.

LEG. ANKER:
You know --

P.O. GREGORY:
Okay. Let her finish.

LEG. ANKER:
Let me finish. You know that there was no County money used to purchase property that had a blighted zombie home. You know that that property, which also is the location of Indian Rock and a historical landmark in the Town of Rocky Point, where Rocky Point got its name from. You know that a not-for-profit, Peconic Land Trust, is now in contract to buy that property that will revitalize that community, that will help the economy. And again, bringing up those topics, it's a diversion. It is a diversion into what the County is trying to do, and you are not making it easier by deflecting, by not taking responsibility and accountability. We are trying to do that. We need your help. We need your help and we need for you not to be an obstacle or obstinate and trying to move this economy, trying to help Suffolk County overcome the deficit. And 2008 was when the recession hit, that's when the problem started, I believe most of us may not have been in office at that time, there's a few that'll be leaving. But we need your help. You are on the Working Group, I'm sure there was some good discussion. Isn't there anything positive, Legislator Trotta, that was discussed in that Working Group that can be applied to help our deficit?

LEG. TROTTA:
Absolutely nothing, because all they want to do is spend money. Look, you want to get to the bottom line here? Let's get to the bottom line. Back in 2012 when we were facing a $500 million budget shortfall and we were $1.6 billion in long-term debt, what did this body do? It gave the highest paid workers of this County a 28% pay increase at a cost of $400 million. Do you think that's fiscally responsible? Three point five percent a year every year for eight years when you don't who what's going to happen the next week? Four hundred million dollar contract. Look, that's three times the cost of living. Do you realize if you would have given the cost of living, which everyone else in this County got, we would have $350 million less to spend and more to spend on our deficit, we would not be in the position we're in right now?

P.O. GREGORY:
Okay. All right, I'm going to call the vote. But before I do, I can't -- I have to address this. You know, I know you want to leave this image, because you're talking about my district. The Wyandanch Rising Project, which you want to call a project, is not 197 apartments with Social Services. They're people that I know that sold their homes in Wheatley Heights, a very upper middle class area that moved there because it's a beautiful area, it's a beautiful project.
LEG. TROTTA:
I'm not debating that.

LEG. GREGORY:
You said there were 197 people in there and they're all on Social Services --

LEG. TROTTA:
I did not.

P.O. GREGORY:
-- and that's not true. And you leave the -- I won't say it, but -- I will say it, a bigoted image that only people in Wyandanch are on Social Services, and that's very much not the case.

LEG. TROTTA:
I was told by the people --

P.O. GREGORY:
Okay. Well, you should check the facts of what you were told.

LEG. TROTTA:
No, this was by the owner.

P.O. GREGORY:
I'm telling you, this is my district.

LEG. TROTTA:
This was by the owner of the facility.

P.O. GREGORY:
That's crap. And the other thing is you said that the reason why they want to give the money to the Hall of Fame, there was a 1500 person waiting list. Every residential apartment is full.

LEG. TROTTA:
No, I'm talking --

P.O. GREGORY:
The challenge has been --

LEG. TROTTA:
-- the retail.

P.O. GREGORY:
Let me finish, I'm talking. The challenge has been the retail. So you're conflating issues and you're throwing out these, I think, bigoted -- and I'm not saying you're a bigot, but you certainly -- you leave the impression that this Wyandanch is nothing but people on Social Services that can't handle themselves and all this other stuff. You said there were 197 apartments on Social Services when it's not true; why would you say something like that that's blatantly not true?

LEG. TROTTA:
Well, that --
P.O. GREGORY: And to say that the owner, Russell Albanese, who I just spoke to Thursday, gave you that information? That is absolutely not true. I know he didn't say that.

LEG. TROTTA: When I toured that facility about seven -- I can't tell you when it was; it was warm weather, whether it was in the Spring or late last Fall.

P.O. GREGORY: I don't care when you toured it; it's not true.

LEG. TROTTA: I was -- and I spoke to the -- I spoke to residents and I spoke to the retail people who were moving out because they had no business. So now what we're doing is we're taking taxpayer money and putting in the Long Island Rock and Roll Hall of Fame at a cost of 1.2 million dollars in borrowed money. That's part of the reason we're in trouble. I take -- you know, look, that area needs help and I'll be the first person to help it, and I agree with it, but we can't spend money foolishly; that's my point. And we're spending money foolishly continually. I mean, Legislator Cilmi has put in bills, we want to find out how much it costs if we're paying for all these things, we never hear anything back. We've asked Budget Review and DPW many times to say why don't we hire an architect to do these three things? That's a million dollars of taxpayer money on three small projects. It's unconscionable that we're doing that, it's reckless, at a time when we're broke and have no money? Come on.

P.O. GREGORY: Okay. All right, so we have a motion and a second -- oh, okay.

MR. LIPP: So case in point, before you continue, just to set the record straight. We were talking about the Tax Map Verification fees, there are two things. Number one is we did a fiscal impact last year to -- that was sponsored by Legislator Lindsay to cap the revenue at 5,000 per recording and that was estimated to save 90,000, number one. Number two -- rather, I'm sorry, a cost, a loss of 90,000. Number two, in last year's budget it was recommended a $25 increase in that fee and we rolled that back, we took it out in the adopted budget.

P.O. GREGORY: Okay, thank you. All right, so Legislator Calarco, do you have --

MR. LIPP: And just to finish, the reduction in revenue was 4.15 million for taking it out.

P.O. GREGORY: Okay. All right, sorry. Thank you.
MR. NOLAN: I was just asking Legislator Calarco just to restate the motion so the record's clean as to what the amendment is to Budget Amendment No. 2.

D.P.O. CALARCO: Okay. To restate the proposed amendment to Budget Amendment No. 2, it is to remove DO-10 which references reducing funding for vacancies in several departments and to increase revenue from the Real Property Tax Service Tax Map Certification fees by 7,000 -- $778,003 in 2017 and $778,002 in 2018, and that's it.

MR. NOLAN: Thank you.

P.O. GREGORY: Okay, so we have a motion and a second on Budget Amendment 2.

LEG. KENNEDY: What about me?

P.O. GREGORY: An amendment to the budget. Oh, okay. All right.

LEG. KENNEDY: That's the second time.

P.O. GREGORY: Well, I mean, you're not going to vote for it anyway, so.

(*Laughter*)

LEG. KENNEDY: And pretty much this is the reason why. I just want to answer Sarah. Yes, working in the Budget Working Group was very intense. And people, all -- both sides, tried to save money most of the time. You asked what can we do to save some money? I'll tell you what threw me totally off; duplication of services. The County Executive requested seven Neighborhood Aides, two Computer Programmers and two Accountants that would not -- what I loved the best was the Computer Programmers would not work in the IT Department or any IT Department, they'd work with the Neighborhood Aides to do constituent services. So when I said that's the job of the Legislator and the three Aides, are we getting rid of ourselves so that we could have general constituent services? Oh, no, this was so that they could do stats. We can't afford to do statistics right now. So that was just one of the many things that I couldn't, in good conscience, come forward and vote for. So that's the way we can save money, things like that.

D.P.O. CALARCO: It's a good thing the Working Group took those things out.

LEG. KENNEDY: You left in -- you put in the positions -- Rob, I can't believe you just said that. You put in seven Neighborhood Aides but you didn't
fund them, you said "We're waiting for additional money." I think, if I'm correct, we kept the computer programmers in; am I correct?

MR. PERNICE:
Fifty percent correct.

LEG. KENNEDY:
Okay, we kept one in. And what did we --

03:55PM

MR. PERNICE:
We took the seven positions out, the Neighborhood Aide positions are not in the budget, they were taken out by the Working Group. The two positions that were created, the IT positions were included as recommended.

LEG. KENNEDY:
Okay. And what about the accounting positions; what ended up happening there?

03:55PM

MR. PERNICE:
I think you mean the Budget Analyst positions?

03:55PM

LEG. KENNEDY:
Correct; same thing to me.

03:55PM

MR. PERNICE:
We took them out and the money.

03:55PM

LEG. ANKER:
They listened to you.

03:55PM

LEG. KENNEDY:
Yeah, okay.

P.O. GREGORY:
All right. So we have a motion and a second on the amendment to Budget Amendment 2. All in favor? Opposed? Raise your hands. (*Legislators Cilmi, Barraga, Kennedy, Trotta, McCaffrey, Muratore & Krupski raised their hands in opposition*)

03:55PM

Abstentions?

MS. ELLIS:
Eleven.

P.O. GREGORY:
Okay. All right, I make a motion to approve Budget Amendment 2 as amended.

D.P.O. CALARCO:
Second.

P.O. GREGORY:
Second by Legislator Calarco. All in favor? Opposed? Abstentions?
D.P.O. CALARCO:
This is for the budget.

P.O. GREGORY:
This is the budget.

(*Legislators Cilmi, Barraga, Kennedy, Trotta, McCaffrey, Muratore & Krupski raised their hands in opposition*)

LEG. FLEMING:
The Omnibus.

P.O. GREGORY:
The Omnibus, yeah.

LEG. D’AMARO:
Can we do a roll call? I want a roll call.

P.O. GREGORY:
Okay. All right, roll call.

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

P.O. GREGORY:
Yes.

D.P.O. CALARCO:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. BROWNING:
Yes.

LEG. MURATORE:
No.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
No.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.
LEG. BARRAGA:
No.

LEG. KENNEDY:
No.

LEG. TROTTA:
No.

LEG. McCAFFREY:
No.

LEG. STERN:
Yes.

LEG. D'AMARO:
Yes.

LEG. SPENDER:
Yes.

MS. ELLIS:

Eleven (Opposed: Legislators Cilmi, Barraga, Kennedy, Trotta, McCaffrey, Muratore & Lindsay).

P.O. GREGORY:
All right, Legislator Lindsay would like to be recognized.

LEG. LINDSAY:

Just, it came up faster than I expected, I want to explain my no vote. I have a hard time voting for a document that the architects themselves couldn't even support, so for that reason I had to vote against this.

I understand there's the err of partisanship in the air after Election Day, but the whole process here from the beginning was flawed in that you had people working on documents that you knew they weren't going to support. I don't know how you solve problems by asking the people to provide the solutions but then not have to support those same solutions that they come up with. And Legislator Kennedy, we were at a meeting with the public nurses where you said, stood in front of them and told them you want to help restore the funding and then you just voted against it. So how do you do that?

LEG. KENNEDY:

And I did because that's a cumulative bill, that's one thing. Sometimes you have to make hard decisions.

LEG. LINDSAY:

Okay, but then you shouldn't stand in front of them and say you want to restore their funding.

LEG. KENNEDY:

Well, you know what? Really -- maybe next Operating Budget we should have more than two Republicans in a room full of Democrats

* Index Included at End of Transcript
if you want things to be --

LEG. LINDSAY:
So there wasn't enough of you there, that was the problem?

LEG. LINDSAY:
Well --

LEG. LINDSAY:
No, honestly. I mean, this was your -- this was your work product and you couldn't even vote for it. How am I supposed to support that?

LEG. KENNEDY:
Part of it was -- part of it was, part of it wasn't.

LEG. LINDSAY:
So which part wasn't then and which part was?

LEG. KENNEDY:
You know I support the nurses. The rest of it I can't.

LEG. LINDSAY:
But you didn't.

LEG. KENNEDY:
The rest of it I can't.

LEG. LINDSAY:
When you had a chance to vote for them you did not vote for them.

LEG. KENNEDY:
The rest of it I can't. Yes, if you want to humiliate me, feel free.

LEG. LINDSAY:
I'm not trying to humiliate you. I'm point -- I'm making a point.

LEG. KENNEDY:
I am absolutely admitting, you can't -- sometimes you have to step back and take this whole thing as a whole. Who's going to pay for this? Who's going to pay for this? The nurses were not the issue, their entire budget, as was education, health care education cumulatively is well less than a million dollars. We're talking increases of 17.5 million in bonding, we're talking about things far greater. So this is just what we have to do, this is just what I --

LEG. LINDSAY:
And that's fine. If we have to say no, which I agree we do have to say no, then say no. But to stand up in front of a group and say I support restoring your funding and then not restoring their funding I think puts us all in a much more difficult position.

P.O. GREGORY:
Okay. All right, we have another budget amendment.

* Index Included at End of Transcript
LEG. TROTTA:
DuWayne, I want to comment on that.

P.O. GREGORY:
All right; quickly, please.

LEG. TROTTA:
What Legislator Kennedy just did was she said no. She had to say -- she made a decision.

LEG. KENNEDY:
It was difficult, yeah.

LEG. TROTTA:
She made a decision that the bigger is more important than the smaller, and that's what happened. That was called a mature decision, a conservative decision looking out for the greater good; that's what that was. Sometimes you've got to say no and that's what you just did.

LEG. LINDSAY:
And I just did, too, so thank you.

P.O. GREGORY:
All right. Dr. Lipp, can you explain what Budget Amendment 3 is?

MR. LIPP:
Sure. So we distribute the property tax items in the Southwest Sewer District based upon the per parcel benefit charge which is a user fee, and in addition to that, an ad valorem property tax, so you would pay a combination of those two. When the recommended budget comes out, we don't have all the information to right-size how much of the property tax items should be per parcel benefit charge, how much property tax. So what we did then is took the updated information and said, Okay, these are the minor changes needed to be made to Southwest Sewer District status funds.

P.O. GREGORY:
All right. So --

MR. LIPP:
Pro forma we do this, we've done it for the last several years.

P.O. GREGORY:
All right. So I'll make a motion to approve Budget Amendment 3.

D.P.O. CALARCO:
Second.

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

MS. ELLIS:
Sixteen (Opposed: Legislators Kennedy & Trotta).
P.O. GREGORY:
Okay, if you look in the red folder, we do have a C of N. I want to recognize Legislator Spencer for the purposes of offering a motion.

LEG. SPENCER:
I would like to make a motion to approve this C of N. Just as far as a brief explanation --

P.O. GREGORY:
And state the title.

LEG. SPENCER:
Oh, I'm sorry, accepting and appropriating 100% State pass-thru grant funds from New York State Regional Economic Development pass-thru the Dormitory Authority of the State of New York in the amount of 1.5 million for upgrades to the Northport Waste Water Treatment Plant and collection system administered by the Suffolk County Department of Public Works. I would like to make a motion to approve.

LEG. D'AMARO:
Second.

P.O. GREGORY:
Second by Legislator D'Amaro. On the motion, Legislator Krupski

LEG. KRUPSKI:
So I guess a question towards Legislator Spencer. So this is part of the upgrade to the Northport Wastewater Treatment Plant that has been completed?

LEG. SPENCER:
Yes, this was actually -- they applied for the DSNY Grant back in 2013. This is really more of a technical correction that DSNY doesn't go directly to the Village, it goes through the County to the Village, so they have to use us as a pass-thru vehicle. But they did all the paperwork and they were under a Consent Order from the DEC to reduce their nitrogen from 20 pounds per day to less than 10 they were able to do it. So they've spent the money, the upgrades have been done, they are now at seven pounds per day. So when it was audited, the process was audited, DSNY has a very meticulous process that one of the things that -- although we're a pass-thru vehicle, they need a resolution from the Legislature to allow it to occur.

LEG. KRUPSKI:
So the project's completed and functioning and environmentally providing a great benefit.

LEG. SPENCER:
Environmentally it's doing remarkable things.

LEG. KRUPSKI:
Wonderful. Thank you.
LEG. SPENCER:
Thank you.

P.O. GREGORY:
Okay, so we have a motion, a second. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

LEG. SPENCER:
Thank you.

P.O. GREGORY:
Okay, that is all that we have for our agenda. We stand adjourned. Thank you. Get home safely.

(*The meeting was adjourned at 3:02 p.m.*)
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