SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

FIFTH DAY

March 20, 2018

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

Taken By
Lucia Braaten and Alison Mahoney - Court Stenographers

Transcribed by
Lucia Braaten and Alison Mahoney - Court Stenographers
Kim Castiglione - Legislative Secretary
Denise Weaver - Legislative Aide

* Index Included at End of Transcript
(*The following was taken and transcribed by
Lucia Braaten - Court Stenographer*)

(*The meeting was called to order at 9:33 a.m.*)

P.O. GREGORY:
Good morning. Madam Clerk, could you please do the roll call?

MS. ELLIS:
Good morning.

(*Roll Call by Amy Ellis, Chief Deputy Clerk of the Legislature*)

LEG. KRUPSKI:
Here.

LEG. FLEMING:
(Not Present)

LEG. SUNDERMAN:
(Present)

LEG. MURATORE:
(Not Present)

LEG. HAHN:
(Not Present)

LEG. ANKER:
Here.

LEG. LINDSAY:
Here.

LEG. MARTINEZ:
(Not Present)

LEG. CILMI:
(Not Present)

LEG. FLOTTERON:
Here.

LEG. KENNEDY:
Here.

LEG. TROTTA:
(Present)

LEG. MC CAFFREY:
(Not Present)

LEG. BERLAND:
(Not Present)
LEG. DONNELLY:
Here.

LEG. SPENCER:
(Not Present)

D.P.O. CALARCO:
Present.

P.O. GREGORY:
Present. Can I have all Legislators to the horseshoe, please.

MS. ELLIS:
Ten. (Not Present: Legislators Fleming, Muratore, Hahn, Martinez, Cilmi, McCaffrey, Berland & Spencer)

P.O. GREGORY:
Okay. Will you all please rise, and Legislator Donnelly is going to do the salute to the flag.

(*Salutation*)

P.O. GREGORY:
Please remain standing. The invocation will be given by Reverend Dennis Carter, Pastor of the Community Presbyterian Church in Deer Park, and Chaplain of the Deer Park Fire Department, guest of Legislator Donnelly, who will further introduce him.

LEG. DONNELLY:
Thank you, Mr. Presiding Officer. So Reverend Carter happens to be a good friend of mine. He is the Chaplain of the Deer Park Fire Department. He's also the head Pastor at the Community Presbyterian Church in Deer Park for almost two decades. A native Long Islander, he holds degrees from C.W. Post College in Greenvale. He's also been an educator in the Hicksville, Farmingdale and Kellenberg School Districts before going into ministry. Born and raised in Nassau County before moving to Suffolk County, he is married for 42 years. During his ministry, he has served the Lutheran Congressional Church, the Christian and Presbyterian Churches as well. Reverend Carter and his wife, Theresa, have two sons, two dogs, a rabbit and a parrot, and he resides in Deer Park, New York. Reverend Carter.

REVEREND CARTER:
Let us pray. We gather for this event, Lord, as grateful citizens of a county we are proud to call home, but also as humble people of faith who simply yet sincerely confess as Americans in God we trust. And so we humbly ask for your blessing on our Legislators and on all who collaborate in their work. Bestow on them an abundant share of your wisdom and a deep desire to serve the common good. May they be instruments of your care, most especially in the lives of those who are most in need, our children, our elderly, those who live at the margins of our society. May they be bridge-builders, helping us to strengthen those bonds that unite a very diverse population, encouraging us to honor the innate dignity of each human person, and inspiring us to respect the differences
in culture and experience that have traditionally strengthened our common life. May they and we be wise stewards of the many resources, human, natural, and economic, with which you have so richly blessed us. May they help us to restore the honor and dignity of the great tradition of public service that has long distinguished our County.

And, finally, gracious God, we are thankful for the days that have been enthusiastic for this day that is, and hopeful for the days that could be. May we be moved beyond what is trivial and take part in what matters. May we say yes to the principled visions that honor the movement of peace, promote life in its fullness, and unite us in our convictions. We commit this day together to become more passionate and compassionate people. May this time together be blessed, oh, God, trusting that you are indeed the source of all that is good. Amen.

(*Amen Said in Unison*)

P.O. GREGORY:

Thank you, Reverend. Please remain standing for a moment of silence. May we bow our heads in remembrance of the seven service members who were killed in last week's helicopter crash, four of whom were members of the Air National Guard's 106th Rescue Wing based out of Westhampton Beach: Master Sergeant Christopher Raguso, Captain Christopher "Tripp" Zanetis, Staff Sergeant Dashan Briggs and Captain Andreas O'Keeffe. There is no prayer or more selfless -- excuse me -- there is no braver or more selfless act than risking one's own life so others may live. We pray for the families of these lost service members and keep in our hearts all who continue to pledge their service to our nation.

As always, let us remember all those men and women who have lost their lives in service to our country and those who continue to sacrifice to ensure our freedoms.

And may I also add that there has been early word that there's another mass -- potential mass shooting, I think in Maryland, a school in Maryland this morning, so keep their -- those families in your players as well.

(*Moment of Silence*)

P.O. GREGORY:

Okay. Good morning. We're at the presentation portion of our agenda. Legislators Muratore and Kennedy will present a proclamation to recognize the Centereach High School Cheerleading Squad.

LEG. KENNEDY:

Ladies, are you here? Put up your hand. Come on up.

(*Applause*)

LEG. KENNEDY:

Are we going to do the picture first?
MR. GRAVANO:
No, no, not first.

LEG. KENNEDY:
Okay. Thank you for being here, Centereach.

COACH CATALANO:
Thank you for having us.

LEG. KENNEDY:
Thank you, coaches. You look good.

COACH CATALANO:
Thank you.

LEG. KENNEDY:
I am really proud of these young women and their coaches who worked diligently to make Centereach history. The Centereach Varsity Cheerleading Team for the first time in history made it to the finals in the National Championship. And not only did they make it to the finals, they placed second in the nation; am I correct on that one?

(*Affirmative Response*)

(*Applause*)

LEG. KENNEDY:
These young women have shown us that dedication pays off. Congratulations, ladies, you did well.

(*Thank You Said in Unison*)

LEG. MURATORE:
Well, good morning, ladies. And I echo Legislator Kennedy's congratulations. We know it wasn't a simple task to place second in the nation. The ladies had to be flawless, and, in fact, they were indeed flawless, not once, but twice. These young ladies did two flawless routines at the Nationals, which led them to second place overall. We're immensely proud of these young women, and everyone in Suffolk County is as well as proud. To their coaches, to the team, go Cougars. Thank you very, very much.

(*Thank You Said in Unison*)

(*Applause*)

LEG. KENNEDY:
Thank you. Good job.

COACH CATALANO:
Thank you so much.

LEG. MURATORE:
Thank you.
COACH CATALANO:
Thank you for having us. Thank you.

(*Applause*)

(*Photograph Was Taken*)

(*Applause*)

09:44AM

P.O. GREGORY:
Congratulations, ladies. Next, we'll have Legislator Spencer, who will make a proclamation to Lori Benincasa.

LEG. SPENCER:
Thank you, Mr. Presiding Officer. Good morning. I'd like to ask if Lori Benincasa could join me, and, Nancy, come up with her, please. All right, Nancy Hemendinger.

This is something that gives me great personal pride. And Lori, who's one of our public health educators, she's been a leader and public health advocate, working with Suffolk County for over 39 years. As Director of the Office of Health Education, she has overseen prevention, and in prevention programs, focused on improving the health of all Suffolk County residents.

Lori is a pioneer in changing the social and cultural acceptance of tobacco use in Suffolk County and in New York State. She was an original founder of the Tobacco Action Coalition, and has worked with numerous community agencies to reduce tobacco use among our youth, and to help those addicted to quit. She led the effort to expand the Office of Health Education Tobacco Control Program, which has helped to reduce tobacco use in adults. She's responsible for the implementation of an in-depth school health education curriculum in 56 Suffolk County school districts.

Always recognizing the importance of health issues and challenges, she guided her staff to implement programs that address STD and HIV prevention, intentional and unintentional injury patterns. And her most recent effort was training to be the facilitator to implement the CDC's Evidence-Based Diabetes Prevention Program, which has been noted for their -- on their national registry website, and recognized as provider of evidence-based Type II diabetes programs throughout communities in the United States.

Lori is someone that I have come to work with a lot personally as Chair of the Health Committee, and she's retiring. And it's just been -- over the past six years since I've been here, she's made the job a lot easier, and helped make big changes.

So, Lori, it is with great pride and honor we present you with this proclamation recognizing your distinguished career of service to Suffolk County. Thank you.

(*Applause*)

(*Photograph was Taken*)
P.O. GREGORY:
Okay. Congratulations. Next will be Legislator Anker, who will make a presentation to the Longwood High School Cheerleading Team.

(*Applause*)

LEG. ANKER:
Okay. Cheerleaders from Longwood, come on up. Come on up. And if you could just go ahead, and go ahead and walk in our horseshoe. Legislator Sunderman, I have Legislator Muratore, if you don't mind coming up. Also, Legislator Calarco and Hahn, Legislator Hahn.
And, again, I just want to thank the school for being able to get our cheerleaders over here.

I am pleased today to honor the Longwood High School Cheerleaders for their win, first place in the Suffolk County Section 8 -- Section 11 Cheerleading Championship. Not only did they win the Section 11 Championship for Suffolk County, they also placed in the Empire Regional, and placed top ten in the National Cheerleading Championship. And, again, you know, as -- as a former cheerleader, I have to say the world is your oyster, there are no limits. You know, some people don't appreciate cheerleaders. Cheerleaders are great. They have a lot of energy, they're smart, they're very pretty, as we can see, right?

(*Laughter*)

And you know what, with the right leadership -- and I also want to thank Coach Shauna Cruz for her dedication, because, you know, it takes a lot of confidence to go out there. And what we do, you know, as Legislators, we try to encourage, inspire and get people going in the right direction. You guys do it for the sports teams. So, again, I want to thank you. Congratulations. I have a few other Legislators that might want to say a few words. Okay. I have Legislator Hahn.

LEG. HAHN:
Way to go, girls. My daughter was four years varsity. She graduated in 2011 at Ward Melville High School. But I know the dedication and commitment it takes to be where you are, and the sport, and it is a sport, people, has changed incredibly, the tumbling that's required now. It is the number one sport for injuries, so the fact that none of you are here on crutches is actually quite amazing.

(*Laughter*)

LEG. HAHN:
But the amount of time you put in to get to this level. The dedication, hopefully, what you've learned here is that, you know, working hard pays off, and you can accomplish any goal you set your mind to. So keep at it. We have high hopes for all of you, and congratulations.
D.P.O. CALARCO:
Congratulations, young ladies. You did a great job. And
Legislator Hahn is right, if anybody doubts that cheerleading is a
sport, go watch one of these competitions, because these young
ladies are as athletic as they come. And they go out there and
they compete hard. And my two sisters coached cheerleading back
home, and they tell me stories of those girls getting the bumps,
the bruises, the concussions, the broken bones. It is not easy
flying through the air and catching them as they come down. So
congratulations. Great work, young ladies.

(*Thank you said in unison*)

(*Applause*)

LEG. MURATORE:
Well, ladies, congratulations, first to the team for a well effort,
to the coaches, to the administrators, and most of all to your
parents. I'm sure your parents sacrificed a lot to get you to and
from, and get you where you had to go, and make you the beautiful
young women you're going to be in the future. So thank you very
much, and God bless you.

(*Thank you said in unison*)

(*Applause*)

LEG. SUnderMAN:
I just want to say congratulations. Having a daughter that's in
competition, I know what it takes to be involved in it. I know
what it takes for your parents and the coaches. So
congratulations, well deserved, and thank you for what you do.

(*Applause*)

LEG. ANKER:
So, again, as a former employee for the Longwood School District,
in fact, my former Chief of Staff, Pam Donovan, wave, Pam, is here.
She's going to make sure that you get the credit and also
recognition that you deserve. She's the Public Relations Director.
And, again, wonderful job. I can't wait to see what's going to
happen next year, so congratulations.

(*Applause*)

(*Photograph Was Taken*)

P.O. GREGORY:
Okay. Next will be Legislator Kennedy, who will present three
Regeneron finalists from Smithtown East.

LEG. Kennedy:
Welcome, folks. Our Regeneron Scholars are here. First, where's
Maria? Come here. Come here. One thing we rarely thank at these
presentations are the teachers that go above and beyond, along with their students. They stay hours working with them, they assist them in their research, and they genuinely care about the students and their future. So I want to first thank Maria for being that type of teacher who devotes her time, nonpaid, late nights in libraries to assist. So, Maria, congratulations and thank you. Good job.

(*Applause*)

LEG. KENNEDY:
Now for our geniuses. Sydney Bracht.

MS. BRACHT:
Yes.

LEG. KENNEDY:
Sydney. Sydney did a reverse genetic approach to identify novel regulators of cell invasive behavior. What does that mean?

LEG. HAHN:
You tell me.

LEG. KENNEDY:
You compared human beings to nematodes, since they are very similar genetically?

MS. BRACHT:
Yes.

LEG. KENNEDY:
Amazing. There are days I wonder. I shouldn't say that.

(*Laughter*)

The nematode is an excellent model for cell invasion process, a process that is shared by both nematodes and humans. This process, which is difficult to study in the body, enables cells to cross membrane barriers, allowing it to migrate. Within humans, cell divisions is the driving force behind the spread of cancer. Because of a high degree of genetic similarity between humans and nematodes, investigating the gene that regulates invasion can be key in unraveling the mechanisms of metastases in cancer. This is wonderful. Thank you. And continued success, Sydney, in everything you do. There you go. Congratulations. And just stay, because we want you up for a picture.

Next is Cindy Li. Cindy did her project on the role of Sts-1 and Sts-2 in ROS response in mononuclear phagocytes. Okay. This investigation looked into two proteins that regulate the immune system response and their role with fungal invaders, fungal infections. This research is especially beneficial to patients with weakened immune systems, such as those with HIV and AIDS, as they are most susceptible to fungal infections. A better understanding of these proteins may help with the development of new treatments of these infections. Amazing, wonderful. Thank
you, and congratulations. There you go.

(*Applause*)

**LEG. KENNEDY:**

Now Shrey. Shrey Thaker, Thacker?

**MR. THAKER:**

Thaker.

**LEG. KENNEDY:**

Thaker, okay, worked on the role of MIR34A in colorectal -- colorectal racial health disparity. Very interesting project. Colorectal cancer, the second most common cause of cancer-related deaths in the United States, has an underlying racial health disparity. African-American patients are the most disadvantaged -- I can't even speak -- among others, with increased incidence of mortality rates as compared to the Caucasian patients. And he worked with the molecular pathways in human colon cancer cells, investigating a recently discovered genetic molecule that is capable of reducing the amount of cancer-progressing cellular proteins. Exploring this critical cancer molecule, he found that African American cells cannot use it as effectively as Caucasian American cells, and there are other related factors to this molecule that were being inherently suppressed. With the future of medicine uncovering gene therapies using this genetic molecule, comprehensive understanding of this cellular protein pathway from a perspective of racial health disparity can prevent significant harm to patients. Amazing. Wonderful. There you go. Congratulations.

(*Applause*)

**LEG. KENNEDY:**

We are blessed to have these high school students in our midst, we really are. They are our future. Thank you, folks. Come on up for a picture.

(*Photograph Was Taken*)

**P.O. GREGORY:**

Okay. In recognition of Women's History Month, in 2002, the Legislature passed Resolution No. 786-2002, to select a "Woman of Distinction" in March of every year. I will read the list of all it's 20,000 -- 2000 -- excuse me -- 2018 Women of Distinction nominees. If they are in the audience today, please stand.

(*Applause After Each Nominee*)

District 1, Legislator Al Krupski, Leslie Kanes Weisman.
District 2, Legislator Bridget Fleming, Linda Blowe.
District 3, Legislator Rudy Sunderman, Janeth Billian.
District 4, Legislator Tom Muratore, Ellen J. Morrison.
District 5, Legislator Kara Hahn, Lynda Perdomo-Ayaya. Ayala, excuse me, sorry.

District 6, Legislator Sarah Anker, Claudia Capie Friszell.

District 7, Legislator Robert Calarco, Bunnie Schiller.

District 8, Legislator William J. Lindsay, III, Eileen Tyznar.

District 9, Legislator Monica Martinez, Debra Hughes.

District 10, Legislator Thomas Cilmi, Linda Bohlsen.

District 11, Legislator Steven Flotteron, Gail Farrell.

District 12, Legislator Leslie Kennedy, Christine D'Agostino, and Michele Martin, who she's recognizing posthumously.

District 13, Legislator Rob Trotta, Rose Mangogna -- Mangogna, excuse me.

LEG. TROTTA: I've known her for 20 years, I could never pronounce it.

P.O. GREGORY: District 14, Legislator Kevin McCaffrey, Christine Manzi.

District 15, my district, Ellen Ricciuti.

District 16, Legislator Susan Berland, Twila Silverman.

District 17, Legislator Tom Donnelly, Jeanette Perez.

District 18, Legislator William Spencer, Dr. Eve Meltzer-Krief.

Congratulations on being nominated by your District Legislator for this award. Our Countywide "Woman of Distinction" this year is Lynda Perdomo-Ayaya.

LEG. MARTINEZ: Ayala.

P.O. GREGORY: Ayala, I'm sorry. And for that purpose, Legislator Kara Hahn will make a presentation.

LEG. HAHN: Come on up. I am so pleased.

(*Applause*)

I am so pleased to get to honor you here today. So deserving, and I, please, can't wait to read this. I could never memorize all this, it's quite amazing. You're amazing.
Well, as we know, March is Women's History Month, and it is a month that is so important because we acknowledge the contributions of women to events in history and contemporary society. Today, in honor of Women's History Month, it is my pleasure to honor Lynda Perdomo-Ayala as the Suffolk County Woman of Distinction County-wide.

Lynda is the Administrative Department Head for the Department of Pharmacological Sciences in the Health Sciences Center at Stony Brook University, and serves on both the President's and Provost's Advisory Councils on Diversity. In addition to her professional responsibilities, Lynda has been an advisor to the University's Latin American Student Organization for approximately 30 years, where she has worked closely with undergraduates to guide their career pathways.

Beyond the Stony Brook campus, Lynda has worked within her community to establish a series of programs and services to benefit individuals in need. With a focus on people of color, and an underlying theme of education, she has developed bilingual programs for parents and the community-at-large within such organizations as the Long Island Education Coalition, the Stony Brook University Medical Center's Health Initiative for Underrepresented Communities, Infant Jesus Church, La Familia Unida, the Suffolk County Hispanic Advisory Board, and a variety of school districts on Long Island.

Lynda is also a member of the National Association of Puerto Rican and Hispanic Social Workers. As a social worker, I appreciate that, yay. And a member-at-large of its Executive Board since 1992.

Lynda has been an active board member for the past 20 years on the Board of Directors for the Victims Information Bureau of Suffolk County, where she uses her knowledge of community issues to raise awareness on issues specifically in the Hispanic community. Lynda is on the Suffolk County Human Rights Commission, and presides over the subcommittee of Health, Education, Employment, Housing, and Administration of Justice, as well as Limited English Proficiency in healthcare.

Lynda has received many awards and distinctions, including the Stony Brook University's Make a Difference Award - One Step at a Time, the National Outstanding Service Award by National Conference of Puerto Rican Women, named Woman of the Year by NACOPRW for her work in the Puerto Rican/Hispanic Community, the Bethel A.M.E. Church in Setauket honored her with the First Sara Allen Community Service Award, a Certificate of Appreciation from the American Association of University Women, New York State Division, the Social Worker of the Year award in 2000 by the National Association of Puerto Rican/Hispanic Social Workers, the Woman of Distinction Award by La Unión de Mujeres Americanas -- Mujeres Americanas, the Presidential Award for Affirmative Action at the State University of New York at Stony Brook, and a Distinguished Alumnus for University Services at Stony Brook University, the New York State Social Worker of the Month, a certificate of appreciation from the
Office of Diversity and Affirmative Action at Stony Brook University, the Sister Margaret Landry Lifetime Achievement Advisor Award from Stony Brook University. I do want to read all of this. Be proud.

LEG. KENNEDY:
That's right.

LEG. HAHN:
That's right. And they're all listening. This is rare, they're listening.

(*Laughter*)

LEG. HAHN:
She was honored by VIBS and given the Lifetime Achievement Award for her dedication and work in helping them acquire the building they currently reside in, in 2013, and she was a recipient of the State University of New York Chancellor's Award for Excellence in Professional Service for the academic year 2012-2013.

Considering her impressive career and extensive volunteerism that continues to serve Suffolk County and its residents, I am pleased to honor Lynda Perdomo-Ayala -- sorry -- as the 2018 Suffolk County Woman of Distinction.

(*Applause*)

LEG. HAHN:
And yes, please.

MS. COLETTI:
Lynda, on behalf of the Suffolk County Women's Advisory Commission, we congratulate you today, and we thank you for everything that you do. You're an incredible woman, and thank you for being who you are.

MS. PERDOMO-AYALA:
Thank you.

(*Applause*)

(*Photograph Was Taken*)

(*Applause*)

P.O. GREGORY:
Okay. That's it for our presentations this morning. We're going on to the Public Portion. And we have several cards, first being Victor Rugg. Are you still here, Victor? There you go. And then Paul Pressman's on deck.

MR. RUGG:
Presiding Officer, County Legislators, my name is Victor Rugg. I was born in Bay Shore, I now live in East Hampton. I am the former Director of Drug Abuse Services, the Drug Control Authority, the
Deputy Commissioner of the Department of Drug and Alcohol Services. I could go on and on, but I only have a few minutes, so I won't.

On September 12th, a young lady passed away about three miles from my house. I knew her because I helped her get into treatment. I testified in front of the Judge at the Southampton Drug Court to get her into treatment. Unfortunately, she OD'd, and a few -- the next day her boyfriend OD'd.

On November 13th, Dr. Florence Wood, who was born in Bay Shore, an educator, 73 years old, she was a principal in the Bay Shore Schools for over 24 years. While I was Director of Drug Abuse Services, every new program we had she initiated in the Bay Shore Schools. She OD'd on a mixture of Oxycontin and a sleeping pill she was taking. This was very close to me because Florence Wood was my sister.

Newsday did a recent article that we have 600 deaths in the Year 2017, of which 190 of those are from Nassau County, 400 from Suffolk County. Believe it or not, we have the highest incidence of opioid overdoses in the State of New York, higher than the Bronx, Brooklyn, Queens, Manhattan, the highest. In 2014, we had 210 deaths. Last year we had 400.

Three years ago, I met with the Deputy Commissioner of Health and the Acting Director of Mental Health to find out the state of affairs of drug abuse in Suffolk County. I had built an agency from $200,000 to $12 million when I left, $12 million. I asked them, "Who is in charge of drug abuse?" They said, "We don't have anybody." That was three years ago. That's what exists today.

You do not have anybody running drug abuse in Suffolk County, carrying the water, going up to Albany, like I did in Washington, and bringing money into this County to fight this epidemic. Everybody talks about treatment, treatment, treatment. Treatment is good, it's important. You should have the best treatment you can possibly have.

In the little paper, The Independent out in East End Long Island just did a story, and they talked about Jay Schneiderman, the Supervisor of the Town of Southampton, saying we need treatment.

We have so many other Legislators and other --

P.O. GREGORY:
Mr. Rugg, please wrap up, your time has expired.

MR. RUGG:
Well, then why did Suffolk County close the Bay Shore clinic and the Babylon clinic, methadone clinic? You know how hard they were to keep open? And when the Cohalan Administration tried to close them down --

P.O. GREGORY:
Mr. Rugg.

MR. RUGG:
-- I stood up against them and got them to open -- keep those
clinics open. I'm sorry.

P.O. GREGORY:
Thank you.

MR. RUGG:
It's an emotional thing.

P.O. GREGORY:
No, no, absolutely.

MR. RUGG:
I think it deserves more than three minutes, Your Honor, I really do.

P.O. GREGORY:
If you have -- if you have written comments, you can submit them and it will be distributed to each of the Legislators.

MR. RUGG:
Okay. Well, I have a 20-point plan and a message. You have a copy of that 20-point plan, so does Sarah Anker, and so does Legislator Fleming. And if you'd like to share that, believe me this has taken many years to get together. I worked with of the 13 of the --

P.O. GREGORY:
Thank you, sir. I'll look at your plan. Mr. Pressman, and then John Carter.

MR. PRESSMAN:
Good morning, Legislators. There's a little bit of a lull, so you're not going to hear a whole bunch of stuff today. Right now, what really needs to be done in the way of transportation is this Legislature, please, needs to get on all the State people, especially all our State Senators, to make sure that money comes after the budget is decided in Albany. I know right now Senator Croci is waiting to find out what Governor Cuomo's budget is going to be. I've got all their Legislative Aides, from Senator Boyle, from Assemblywoman Pellegrino, from Senator Croci, all waiting to let me know what is going on there.

There is a $20 million bill that Senator Croci wants to bring up to Albany specifically for Suffolk County buses, not Nassau County, not anywhere else. They are also working on a specific thing in Albany that Suffolk County doesn't get any less than what the least amount of money is given to any municipality in the State. We are so far behind it's not even funny.

Finally, there is people in Albany from this County, and thanks to the Legislators as well, and maybe because I have a big mouth and I keep coming here every day complaining, that transportation is now taking a forefront, and it needs to be. There are too many people that can't afford cars on Long Island. We are no longer, you know, the people that have all the money, as everybody in the State thinks we do. We don't have any money anymore, we really don't.
Everything is so expensive. We've got taxes up the gazoo. Not blaming anybody for whatever, but that's the way it is, and I think everybody here knows what all the issues are.

We need transportation. We made a big mistake with the buses that we just bought. I blame that on the State. The State told us what we can buy, and what we can buy they messed up. And they know that, because they sent the Department of Transportation lady to the SILO meeting. She's coming back next month. She's going back to Albany with all the things that I said and other people said, people with disabilities that can't get on these buses. I'm still asking Legislators, please, from the Transportation Committee or any other Legislator that would like to take a bus ride with me on these new ARBOC buses.

I want to thank Legislator Fleming, I want to thank Legislator Calarco for already saying they will take a ride with me. I want to thank Legislator Krupski, who at every transportation meeting knows all the issues --

P.O. GREGORY:
Thank you, Mr. Pressman.

MR. PRESSMAN:
-- and is trying to help everything. Yes, Mr. Gregory, I'm leaving. Thank you very much.

LEG. SPENCER:
Thank you, Paul.

P.O. GREGORY:
Mr. Carter, John Carter, and then Andrea Barracca.

MR. CARTER:
Good morning, and thank you very much for this opportunity. I also, before I read this brief letter regarding Resolution 1002, I want to thank Legislator Krupski and Legislator Sarah Anker for their support for this initiative.

Concerning resolution 1002, and the wooded property at the corner of Main Road and New Suffolk Avenue in Mattituck, the Mattituck-Laurel Civic Association reiterates its support for and commitment to this property as a preserved land and protected watershed and as a public park for the Mattituck community. Knowing that care of such property once dedicated is an essential consideration of the County Legislature, the civic association pledges to contribute to the management, maintenance and upkeep of the subject parcel by participating -- by partnering with the North Fork Environmental Council and with Southold Town to initiate and continue appropriate stewardship of this land. The civic association and the Environmental Council have agreed to this collaboration and are supporting Southold Town's assurance to steward the property in perpetuity. This is a synergistic collaboration.
The civic is focused in part on preservation within the Mattituck and Laurel communities, and the Council is dedicated to environmental quality, protection and sustainability on the North Fork. And, additionally, the council's home is on a property, a parcel of property adjacent to the land in question.

And one last point. Should this parcel of property become preserved, it would serve pedestrians quite well in this community. It would be a connecting point, supported by appropriate crosswalks, between the north side of Main Road, Route 25 in Mattituck, and the south side of this very, very busy, very high speed corridor. This would be a boon to businesses throughout Mattituck, and it would enable us to reach -- to help us reach our goal of making Mattituck a pleasing, walkable pedestrian-friendly community. Just this very morning on my way here, I witnessed yet another accident at this very intersection in front of this parcel.

Thank you very much for your time, and I'm happy to answer any questions, if there are any.

P.O. GREGORY:
Thank you, Mr. Carter.

MR. CARTER:
Thank you.

P.O. GREGORY:
Andrea Barracca, and then Austin Remson.

MS. BARRACCA:
Okay. Good morning. My name is Andrea Barracca. I'm a resident of Middle Island. And I wanted to thank Legislator Anker for bringing you Resolution 1156.

Legislators, when a resolution such as this is set before you, what motivates your decision to move forward with it or reject it? Do you have or follow a land ethic? In 1949, Aldo Leopold, founder of the Wilderness Society, wrote, "A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise." This was his land ethic. And the resolution put before you today is the perfect opportunity to practice Leopold's world -- words.

The property in questions, located opposite of the lake on Church Lane in the Pine Barrens Compatible Growth Area has a direct impact on the integrity, stability and beauty of the biotic community, as does it help to preserve the historical and rural nature of Middle Island’s Pine Lake neighborhood. For one, the Pine Lake Ten, as we have been calling it, is a wildlife refuge unto its own. As the last remaining open space parcel adjacent to this lake, and as part of the DEC freshwater check zone and seasonal wetland, it is home to and hunting grounds for countless animal species who thrive from their proximity to the lake. There are also large amounts of mature and rare native plant species present throughout the forest floor. Once the property is developed, there will be no safe wild habitat adjacent to Pine Lake for these animals, and there will be
no haven for these local populations of native plant species to set
their seeds.

Preserving this property preserves the integrity, stability and
beauty of the biotic community by ensuring that there is still
viable habitat for native and increasingly more rare Long Island
native species, particularly those who thrive from the waters of
Pine Lake. Being on the Revolutionary War's Tallmadge Trail, and
also part of the 1745 Swezey Homestead, the Pine Lake Ten also has
historic significant value. And, yet, as imperative as it is to
note how the development of such a parcel would impact both Pine
Lake's ecology and its historical and rural character, this
resolution isn't about that. It's about drinking water and
protecting it, and Pine Lake has a direct impact on the quality of
our water.

Situated over Hydrogeological Zone 3, a deep water recharge basin
for Long Island's sole aquifer -- sorry -- the trees on this parcel
help to divert stormwater runoff by directing and filtering rain
through to the water table, keeping our drinking water healthy and
clean. Developing these woodlands would, therefore, have a
negative impact on our drinking water, because it would prohibit
maximum water table recharge over this important aquifer. In other
words, less water would reach the water table if we develop this
property. Moreover, the lake is fed by the water table. This
filtration helps keep the lake's water levels and water quality
healthy, which is additionally significant when one considers that
this lake is also part of the upper Carmans River watershed.

Therefore, it is imperative that we do preserve this piece of
property today in order to protect our drinking water and
everything that thrives off of it, including the land above it, the
species above it, and the health for all of us. Thank you.

P.O. GREGORY:
Thank you. All right. Austin Remson, and then Damaris Lind.

MR. REMSON:
Good morning, and thank you for the opportunity to address all of
you. I am speaking on Resolution 1156. I am a resident of Pine
Lake. And, you know, in addition to what Andrea just described,
you know, Pine Lake, it's such a stressed ecosystem as it is. We
have runoff problems there. And when that real estate sign went up
on those ten acres, our hearts all just sank in the neighborhood,
knowing what may be in front of us. And it wasn't until we reached
out to the Town, and then I had a wonderful knock on my door from
Ms. Anker canvassing the neighborhood, asked what some of my
concerns were, and she really listened to us, and I'm really
appreciative of that.

And this is just such an important resolution, and we really thank
you for your consideration. The neighborhood is really very
pleased that it's reached this point, and it's just a vital, vital
part of our community, and we thank you very much.
P.O. GREGORY:
Thank you. Damaris Lind, and then John Lessler.

MS. LIND:
Good morning, Presiding Officer, good morning, Legislators, and
good morning, community. I'm coming also to speak on the Pine
Barren, just as Andrea gave us all the details. I'm coming to
speak as a resident.

10:27AM
We bought this property that's adjacent to the ten acres.
We bought two acres right next to the ten acres, a beautiful,
beautiful environment there. We live at 16 Lake Terrace in Middle
Island. We moved from Miller Place. The beautiful homes of Miller
Place could not compare to the beauty that we found in Middle
Island.

When my husband said to me one day, "We need to move out of Long
Island, I want to live near the nature and the environment, maybe
we should go to Pennsylvania." But because my heart is here on
Long Island, and we need to preserve Long Island, and we need to
stay on Long Island, us and our generations, I looked for this
property in Middle Island.

We enjoy the beauty and the nature of this place. It is home to
many, many animals, and we see group of deers, a pack of turkeys,
beautiful albino turkeys that just come over to our property every
single day. Beautiful falcons and owls, native plants, turtles,
owls, all of this is nature on Long Island.

10:28AM
We're respectfully requesting the preservation of this land for the
residents of Pine Lake, for our generations to come. Thank you.

P.O. GREGORY:
Thank you. John Lessler, then Jo-Ann Lechner.

MR. LESSLER:
Good morning, Presiding Officer Gregory, and the members of the
Suffolk County Legislature. I am also here to speak upon
Resolution 1156.

10:28AM
My name is John Lessler. I represent the Town of Brookhaven
Division of Land Management. And the Town is willing to commit 30%
toward that acquisition, and then also take over management for the
property.

And then, also, another item on today is I.R. 1258. It's another
parcel that the Town is willing to commit 30% for, and also manage
the property.

10:29AM
And I'll stick around for the meeting, if there's any questions,
that I could speak on behalf of the Town. Thank you.

P.O. GREGORY:
All right. Thank you. Okay. Jo-Ann, it Letchin?
MS. LECHNER:
Lechner.

P.O. GREGORY:
Lechner, okay. Three of us, we were trying to figure it out.

MS. LECHNER:
I'm a left-hander and I have very bad handwriting.

P.O. GREGORY:
That's all right. And then Mary Eisenstein.

MS. LECHNER:
Good morning. I'm here today to speak about Resolution 1002. First, I would like to thank Legislator Krupski for always being there and being an advocate for the East End, and protecting the environment, our land and water and air.

I've been informed by Legislator -- that Legislator Krupski has submitted a resolution to the Suffolk County Legislature asking for the preservation of the wooded property on the corner of Main Road and New Suffolk Avenue. I am in total agreement with this plan for preservation. The preservation is one link in aiding to the protection of our estuaries and our drinking water.

A substantial part of the Town of Southold coffers are afforded from tourism. People come to enjoy the beaches, the wildlife, the farm, and just to appreciate our small towns and what they have to offer. If we do not grab this opportunity for land preservation, much will be lost. This will include financial losses for our Town, and increased taxes for our residents.

Main Road has the distinction of being a New York Scenic Byway. Preservation of this wooded property would provide a perpetual green gateway that our neighbors, as well as our visitors, can enjoy and love. Mattituck is the only town that does not have a village green. The property is close to Love Lane, and would provide for a continuation of our small town touch. People could enjoy sitting among the trees, sipping coffee and coke, having lunch, reading a book and meeting friends. It would be a great place for children's concerts and dance recitals.

I request that the other Legislators please agree with Legislator Krupski and support your -- his resolution for the preservation of the wooded property on the corner of Main Road and New Suffolk Avenue. Thank you.

P.O. GREGORY:
Thank you. Mary Eisenstein, and then Charles Gandolfo.

10:31AM

P.O. GREGORY:
Thank you. Mary Eisenstein, and then Charles Gandolfo.

MS. EISENSTEIN:
Good morning. Thank you very much for this opportunity to address you again. I am speaking in support of Resolution 1002, Main Road, LLC.
I am with the Mattituck-Laurel Civic Association, and we certainly appreciate that you have many requests before you just even being here today. This small parcel is very large in its importance to the wellbeing of the Mattituck community.

On a personal note, my husband, Mel Morris, and his colleague and friend for over 40 years, Steve Englebright, have influenced me to be a steward of the environment. I chose a path to work to protect the culture of Southold. This property helps do that. Please preserve it, not just for Mattituck, but for your constituents who visit the beautiful Town of Southold, for your constituents who have second homes in Southold Town, for your constituents who want to retire in Southold Town. But, most of all, to protect it for the future generations, that we show that not every piece of parcel it gets built on on Long Island.

I want to thank you so much for your time and attention to this matter, and to have Al Krupski as a leader for the Town of Southold and beyond, and a special thanks to Sarah Anker. Thank you.

(*Applause*)

P.O. GREGORY:
Thank you, Mary. Charles Gandolfo, and then Sherrie Godfrey on deck.

MR. GANDOLFO:
Thank you, Chairman, and the Legislators of Suffolk County, and Ms. Fleming. This is in reference to 1006, ride-sharing, establishing a temporary moratorium. I'll go through this quick, just a high -- a few highlights again.

We really feel that the TNCs should have drug testing, extensive full background checks, pay sales tax -- charge sales tax rather. There's no defensive driving course, no Workers Comp, no taxi limousine license and no commercial insurance.

To move on, I really would like to see our government and also our media put out surveys to the consumer to see how they feel. They love the TNCs, they're a great, great concept, but do they know that these consumers are not vetted properly by our consumers? There's no drug testing, no nothing. Everyone I speak to comes out and says they had no idea that these people are not checked and not vetted. This is a very important thing. I would never let my child or family member in a car knowing that these people are not vetted properly.

When a consumer signs up for Uber, they resolve any claim whatsoever as sexual assault or any other incident that may arise, they must go through arbitration, so Uber's trying to stay out of it. They don't want to be in the limelight. These things are all taken care of mainly out of court system. It's all in writing, you could look it up.

I understand that the Legislator had to rush into -- to opt in only due to pressure from our governments, but I have to tell you, the
transportation companies on Long Island are severely injured, only
because of such actions by our government created an unfair
competition which result in a loss of millions to us and our
government. And this is our standards from the Long Island
Limousine Association and my own company, Dynasty Limousines in
Babylon. Thank you and have a good day.

P.O. GREGORY:
Thank you. Okay. Sherrie Godfrey, and then Kamal Waris.

MS. GODFREY:
Do I speak now?

P.O. GREGORY:
Yes.

MS. GODFREY:
Okay. Good morning, Board. My name is Sherrie Godfrey and my
topic is going to be related to policies, policies that maybe the
Board can come together about enforcing Suffolk County companies or
libraries to take responsibility for their misconduct toward say
their members or towards the -- I always mispronounce this,
patrons, because my rights had been violated in the Town of
Babylon. And I had brought this very topic to the attention of
Ms. Kimberly Jean-Pierre, and I think I mentioned it to you,
Mr. Gregory. The actions pertaining to the incidents that I
encountered were pretty much relating to the -- how could I put it
-- violation of my human and civil rights. And what I had done
speaking to this, about it, I contacted each administration via
phone and written letters to arrange meetings to address, resolve
and prevent any reoccurrence. I sought out public officials' help
to address, resolve and prevent recurrence when my attempts failed
with those administrations, but I was shunned and given the
runaround by the public officials.

I consulted with lawyers to find the best approach to address,
resolve and prevent reoccurrence, but too many of them were
disgraceful and unprofessional. My purpose for asking and the
questions I'm going to ask is what can be done to protect customers
and/or patrons from intentional administration employee misconduct?
Two, what are the policies that protect customers or patrons, I
can't pronounce that word --

LEG. CILMI:
Patrons.

MS. GODFREY:
Thanks you -- from intentional administration and employee
misconduct. And the last, what public official has jurisdiction to
make changes in the public libraries or businesses' misconduct.
Because when you go to these places and you try to address it, you
know, chain of command, it makes it very difficult when the
problem, when part of the problem is in the chain of command. So
my thing is well, what can Suffolk County do to sort of address
these issues and kind of enforce these businesses being that
they're here on Long Island and Suffolk County to, you know, take
responsibility for the misconduct of their behavior and their employees' behavior.

The reason why I ask these questions is because my human and civil rights have been violated by discrimination and defamation of character. Businesses throughout the Town of Babylon have jeopardized, endangered, played and mocked with my health and well-being. I have experienced and endured misconduct from certain businesses and libraries throughout the Town of Babylon, you know, who use the Suffolk County Police complaint report process tracking to harm my reputation, to discredit me because I had confronted them with the truth that they did not want exposed, meaning their incompetency when I brought several things to their attention that they did not want to address nor acknowledge. But the fact is there because I have the proof in the pudding. So, you know, these are the questions that I need to find out of what can Suffolk County's legislation do to sort of enforce these businesses and libraries to take responsibility for their misconduct.

P.O. GREGORY: Thank you, Ms. Godfrey.

MS. GODFREY: That's my thing. You're welcome.

P.O. GREGORY: Thank you. Kamal Waris, and Lawrence Blessinger, Jr.

MR. WARIS: Thank you, Mr. Chairman. You may not find my language very appropriate for, not I'm going to use very bad language, but I've never been addressing such an august house, okay? So I'll be talking fairly crude, from my perspective. I'm here to talk about the resolution which is on the table, 1006. And I am speaking in capacity of a long time Suffolk County resident and a very, very small business owner in Suffolk County. I thought that my county will provide me with an opportunity to make an honest living with a fair competition, and give me justice also. Here I feel that I've been denied both.

I, as a taxi driver, I want to work in Suffolk County. I need to get a lot of licenses, but my next door neighbor, because he calls his app, so he doesn't need anything. So I think I've been treated unfairly.

The second part is that I'm a consumer also. So as a consumer, again, I have no right. Like the price goes up, the price goes down. I have a budget to live. My wife goes to work every day, and the next morning, because the weather is bad and this app is allowing it, my whole week of groceries is gone in that ride which I was taking every day for $10, because today the price came to $50. So this is not consumer protection.

I'm sure that there must be some officer around here who's telling everybody to shut off the phones before you walk into this -- you
know, this gathering. That's fair, right? But if somebody's app
is disturbing everything that's allowed because there's a big
company and that app is Uber. We all know that. So you think
that's fair? We guys voted you and it's your time to decide that
have you treated us fairly? Is the justice being done? The
consumer has the protection? I have a fair opportunity to work in
the same business, same capacity, as the other guy is doing? Thank
you very much.

10:42AM

P.O. GREGORY:
Okay. Thank you, sir. Lawrence Blessinger, Jr., and then Andrea
Majer.

10:43AM

MR. BLESSINGER:
Good morning. Would I be able to pass this out to each of the
Legislators, please? Thank you.

10:45AM

MR. BLESSINGER:
My name is Lawrence Blessinger, Jr. I'm the president of the
Nassau and Suffolk Taxi Owners Association. I'm here to speak in
regards to bill 1006. It is my understanding that you are
considering putting a temporary moratorium on TNCs, aka Uber and
Lyft. I do believe that this is a positive thing to do for many
reasons, the most important one is the public safety matter. These
drivers do not have to go through criminal background checks,
fingerprinted criminal background checks like the traditional
limousine and taxi companies do.

I just gave you a little information here. These are all the facts
currently throughout the country of incidents that ride-sharing has
had. As of last night we're up to 91 assaults, alleged assault by
drivers, 361 sexual assaults or harassments, 16 kidnappings and 48
deaths. Some of this -- some of these incidents have already
occurred in Suffolk County. About a month-and-a-half ago, we had
an alleged rape of a 16-year-old girl in Southampton. If the
drivers are not mandated to go through criminal fingerprinted FBI
background checks, you're just going to see this number rise and
Suffolk County will be an increasing part of these statistics.
It's a public safety matter that these drivers should be background
checked and that the consumer should be protected.

I also believe that Uber and Lyft should have to -- should have to
pay their fair share to the County for operating and for doing
business in Suffolk County. Currently right now, they don't have
to pay any tax, any licensing fee. I don't believe that's fair to
the residents of Suffolk County. I don't believe it's fair to the
government of Suffolk County. I just hope that you will consider
doing this moratorium today, and I also believe that it's a public
safety matter if it is not done, and I do believe you will see more
incidents and more crimes committed by these drivers. Thank you
very much.
P.O. GREGORY:
Thank you. Then Andrea Majer, is that?

MS. MAJER:
Good morning. I'm also here to talk about 1006.

P.O. GREGORY:
Can you speak into the mic, please?

MS. MAJER:
I'm also here to talk about 1006. In New York City, which is the only city in the country that TNCs are required to get New York City TLC licensed, it's a total level playing field. Nobody in our industry, and I've been here for 45 years doing this, nobody in our industry is looking to get rid of Uber and Lyft. They're here to stay in this country, in the city, in these counties. All we're looking for is the level playing field.

My drivers are drug tested every year, they're fingerprinted, they go through background checks. Uber's drivers are -- you can put an 18-year-old behind an Uber car, he can get licensed. That means my son could be driving you and I wouldn't want to see that happen to any of you.

I understand now that because companies are suffering, a lot of the black car companies are suffering, the small ones, they're farming their work out to Uber drivers that they know. So the rule with Uber is if you have passenger plated cars in Nassau and Suffolk County, when you have an Uber customer in the car, or you have a call on your app, Uber picks up your insurance. But, if, for example, another company hires Uber to do their work for them, which is happening on a regular basis now, that customer doesn't know it, but he's not insured by Uber or the company because he's in a passenger plated car. So it just seems like the rock is -- it's tumbling down. And unless the government gets involved and regulates them in some way, preferably the same way we're regulated, then we're going to see more and more bad things happen.

That's it. I think that you could, you know, my company collects sales tax, goes right up to the State every month, and these TNC's are not required to collect sales tax. So, again, just looking for a level playing field. Thank you.

P.O. GREGORY:
Thank you. Then Jan Williams.

MR. WILLIAMS:
Oh, boy, that was quick. I could go to work. Good day to you, Suffolk County Legislature. Jan Williams, 125 Smithtown Boulevard, Nesconset, New York. I've come to talk to you today on a notification that I received about -- I don't know the bill numbers but -- and I can't do this this afternoon, so it's Legislator Cilmi's bill. Where is Mr. Cilmi?

LEG. CILMI:
(Raised hand).
MR. WILLIAMS:  
There you are, about the budget vote before and after required. I don't think two weeks is enough, to tell you the truth, okay? And also Trotta's bill, Legislator Trotta, to place a cap on fees imposed on the County. And the other Trotta bill, limiting donations from County vendors and unions. I think that you should rescind that bill and say zero.

LEG. TROTTA:  
I tried.

MR. WILLIAMS:  
You tried? Okay.

LEG. TROTTA:  
This is the third time.

MR. WILLIAMS:  
As far as Mr. Cilmi's bill goes, that's the budget vote -- I'd like to talk about something else also. This happens before or after Election Day, because a horrible, horrendous action took place prior -- after the election that they passed and upgraded this sanitary law to 1979 standards. Now, I spoke to -- I was given names to speak to people, I'm still working on it, and I spoke to the Suffolk County Board of Health. And he said he's the one who told me about what exactly was going on with this.

Perhaps you don't understand, because every one of these items here is a huge footprint on the lawn. They're asking for a separate tank put in prior to an installation of any overflow. This starts July 1st, 2019. I -- that's my industry. Now, when I spoke to the gentleman, he blamed it on us for not doing this ahead of time. So I can't go to a customer's house from 30, 40, 50, 60, homes in 70, 80, 90 and say it's going to cost you 4X when my competitor is going to say X. This is totally ridiculous to do, put a law into effect and give an 18-month clearance for people to do this.

Now, the people that I have spoken to about this, customers, 20 minutes it takes me. Who's going to pay me for all that time I got to talk and explain to them? And they are p.o.'d. There are no two ways about it. The footprint on this, you might as well -- you're going -- lawns, trees, walkways, paved walkways. I says it's gone. And the minimum cost of some of these systems to put that in -- see, a homeowner doesn't call somebody when they have a problem and then are going to say all right, all of a sudden I am going to put a septic tank in. No, they call because they have a problem. It's a huge footprint. It's 5,000 to $8,000 cost plus fixing it up. So I want you to be aware of that and we're going to go on with this, I'm going to get all of the information I need, because I'm going to push it back to you guys because you're the ones who passed it and allowed them to run rampant on this. Thank you.

P.O. GREGORY:  
Thank you, Mr. Williams. Okay. That's all the cards that I have. Is there anyone else that would like to speak that hasn't already
spoken? Please come forward. Okay. Seeing none, I make a motion to close the Public Portion.

LEG. CILMI:
Second.

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

MS. ELLIS:
Fifteen (Not Present: Legislators Hahn, McCaffrey and Spencer).

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

D.P.O. CALARCO:
Second.

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

MS. ELLIS:
Sixteen (Not Present: Legislators Hahn and Spencer).

P.O. GREGORY:
Okay. We have one more card for the Public Portion. I'll make a motion to reopen the Public Portion. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MS. ELLIS:
Sixteen (Not Present: Legislators Hahn and Spencer).

P.O. GREGORY:
All right. Robert Cunningham.

MR. CUNNINGHAM:
Yes.

P.O. GREGORY:
All right, come forward.

MR. CUNNINGHAM:
Good morning. My name is Robert Cunningham. I own Platinum Limousine here in Suffolk County. I've been in the limousine industry for 27 years with the Long Island Limousine Association. I was on the Board of Directors for ten years. Four of those years I was president. As I was president, I worked with the County to form a law in Suffolk County to make sure that everybody is licensed. Now I think that these Uber drivers should be licensed just like we are. I'm currently on the Board of Directors for the Suffolk County Taxi and Limousine Commission. Thank you, Mr. Calarco, Ms. Hahn. I'm sure that you guys will see clear that everybody should be licensed if they're going to be driving professionally. Thank you.
P.O. GREGORY:
Okay. Thank you. All right. Anyone else before we close the Public Portion? Okay. I'll make a motion to close the Public Portion.

LEG. CILMI:
Second.

10:54AM
P.O. GREGORY:
Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Sixteen (Not Present: Legislators Fleming and Spencer).

P.O. GREGORY:
Okay. We approved the Consent Calendar. Resolutions Tabled. 0010 - Designate local newspapers in which County notices may be published (Presiding Officer). I make a motion to table.

LEG. HAHN:
Second.

10:54AM
P.O. GREGORY:
Second by Legislator Hahn. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Sixteen (Not Present: Legislators Fleming and Spencer).

P.O. GREGORY:
I.R. 1006 - Adopting Local Law No. -2018 A Local Law to establish a temporary moratorium on ride-sharing services in Suffolk County (Fleming). I make a motion to table.

LEG. KRUPSKI:
Second.

10:54AM
P.O. GREGORY:
Second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Sixteen.

LEG. LINDSAY:
Recusal.

10:54AM
MR. RICHBERG:
Fifteen (Not Present: Legislators Fleming and Spencer. Recusal: Legislator Lindsay).

P.O. GREGORY:
I make a motion -- oh, excuse me. I.R. 1162, Approving County -- I'm sorry. I have a request to take I.R. 1237 out of order. It's in Ways and Means. I.R. 1237 - To appoint member of Suffolk County Board of Ethics (David Bekofsky). I'll make a motion to take it out of order. Second by Legislator Cilmi. All in favor? Opposed?

* Index Included at End of Transcript
Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator Fleming).

P.O. GREGORY:
Okay. I.R. 1237 is before us. Anyone want to make a motion?
Motion by Legislator Calarco.

10:55AM

LEG. HAHN:
Second.

P.O. GREGORY:
Second by Legislator Hahn. Is Mr. Bekofsky here?

LEG. KENNEDY:
Yes.

P.O. GREGORY:
There you are, sir. Anybody have any questions? Yes. Thank you, sir. Legislator Cilmi has a question for you.

MR. BEKOFSKY:
Okay.

LEG. CILMI:
Good morning.

MR. BEKOFSKY:
Good morning.

10:56AM

LEG. CILMI:
How are you, sir?

MR. BEKOFSKY:
I'm fine. How are you?

LEG. CILMI:
I'm doing great, thanks. Your son does a very nice job for our County.

10:56AM

MR. BEKOFSKY:
Thank you.

LEG. CILMI:
You should be proud.

MR. BEKOFSKY:
I am.

10:56AM

LEG. CILMI:
He's also a heck of a guitar player.

MR. BEKOFSKY:
Yes, he is.
LEG. CILMI:
So I understand you addressed this in committee, but I just wanted
to kind of hear it from you for myself. You know, the fact that
you have a relative, your son, in fact, working as a Deputy
Commissioner in our Planning Department, which I'm not sure how
many employees are in our Planning Department, but there's a number
of them, is concerning to me, you know, from the standpoint of you
now being a board member of the Ethics Commission. And should
something develop within the Planning Department, not saying that
it would ever develop with your son, but if something were to
develop within that department I'm wondering, you know, how you're
going to deal with that as a member of the commission.

MR. BEKOFSKY:
Well, as I said to the Ways and Means Committee, I would absolutely
recuse myself if there was any issue that involved anything that
was with Louis or the department or anything that could get in the
way of me doing the right thing. I would ask the attorney to make
sure I was on the right -- taking the right stance that this was
the appropriate thing for me to do. I read part 77 of the booklet
carefully, and there's obviously a whole chapter, a whole section
on recusals and requesting to be part of something even if you
think there might be a problem. And I think I would just follow
the direction of the attorneys in that case, and I would
absolutely, as I don't know who it was that asked me this question,
but should I see it interfering with my ability to do the job on a
regular basis, then I would just withdraw from the position.

LEG. CILMI:
Thank you very much. I appreciate that.

MR. BEKOFSKY:
You're welcome.

P.O. GREGORY:
Thank you. I had similar concerns as well. I'm trying to find my
e-mail where I had requested the number of recusals from the Board
of Ethics and I don't see it. But there have been hundreds of
cases that they've heard over the past several years and maybe a
handful of times each year there's an opportunity or a reason for
recusal. So it's not a common occurrence but certainly something
that we should all be aware of. It's not a position that -- it's a
particular position where we certainly wouldn't want anyone to have
any type of conflict, but I think you understand and appreciate our
concern about it. You understand and appreciate your
responsibility, and from what I hear you're a fine gentlemen.
You do great service.

MR. BEKOFSKY:
You talked to my wife I guess.

P.O. GREGORY:
I'm sorry?

MR. BEKOFSKY:
You talked to my wife.
P.O. GREGORY:  
Yes, and she's very complimentary so you should be very proud of her.

(Laughter)

So I will support your appointment, but please keep in mind the concerns that we have shared today because we've had members that were appointed, not necessarily particularly to this body, but to other boards in the County and they had subsequently had to resign because of their conflicts, and we certainly wouldn't want that to happen in this situation. So anybody else? Legislator Cilmi again.

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

LEG. CILMI:
Well, let me just explore this just a little bit more. I mean, to the extent that Lou is employed by the County, by the County Executive, you know, works at the pleasure of the County Executive, if you will; theoretically, any matter that's before the commission that has to do with a County employee, I mean, potentially could create a conflict for you. Do you see that?

MR. BEKOFSKY:
I don't know that I see it that way. I don't know that it would be that in-depth that an issue with any County employee would reflect back to my relationship with Louis. But, again, I would turn to the Counsel for the Ethics Board and ask what's the right thing to do here.

LEG. CILMI:
Yeah. I mean it's really -- this is a question not so much for Mr. Bekofsky here, but from a matter of policy, does it make sense to have relatives of employees on that commission? I'm not sure what the answer is there but it's a cause for concern for me just in general. And again, it has nothing specifically to do with you, Mr. Bekofsky.

MR. BEKOFSKY:
No, I understand.

LEG. CILMI:
You seem like a fine gentleman and -- but it concerns me as an overall policy question.

P.O. GREGORY:
No, and I understand your concern. I'm trying to remember the gentleman's name who was -- who used to work in Planning who was on the board? Retired. I'm picturing his face, I can't --

LEG. HAHN:
Tom Isles.
P.O. GREGORY:
Tom Isles, who I think would probably be even more appropriate to your concern, who was a former employee who wasn't related to anyone but certainly had relationships over a number of years with people. And if something were to come before the body at that time, certainly could present itself in, you know, a precarious situation, although there are no familiar relationships and we kind of weathered that storm; I don't know if Tom ever had any -- had to recuse himself or anything. But I think you -- there's a responsibility and that responsibility is on you.

MR. BEKOFSKY:
Yes.

P.O. GREGORY:
And I think you understand that responsibility.

MR. BEKOFSKY:
Clearly.

P.O. GREGORY:
There's a particular sensitivity with this body because of some of the actions with the prior board and some of the -- I'll just say manipulation, if you will, from the Executive Branch with investigations or things of that nature, which led to the creation of this board. So there's a particular sensitivity on how things are carried out, who's appointed the board, that there's no undue influence on the board, that people understand their responsibilities so there aren't any conflicts to jeopardize the faith and -- that we have put into this fairly new institution that is supposed to uphold our ethics and ensuring that things are being properly vetted and investigated.

MR. BEKOFSKY:
The only thing I would say is that I would never put the County -- and I said this before at the Ways & Means Committee; the County, my son, myself, the Ethics Board in any kind of jeopardy. And if I didn't feel I could do the job appropriately, which I do believe I can, I would bow out.

P.O. GREGORY:
All right. Anyone else? No? Oh, Legislator Krupski; or is it Krupki?

LEG. KRUPSKI:
Thank you. Thank you for acknowledging me.

("Laughter")

I was gonna ask the applicant the same question that he just answered. So, thank you.

P.O. GREGORY:
Okay. All right. Anyone else? No? All right. So, we have a motion and a second. All in favor? Opposed? Abstentions?

* Index Included at End of Transcript
MS. ELLIS:
Eighteen.

P.O. GREGORY:
Okay. Congratulations and go do a good job.

MR. BEKOFSKY:
Thank you. I hope to.

P.O. GREGORY:
I will recognize Legislator Anker for the purposes of making a
motion to take, what is it, 1056 or whatever?

LEG. ANKER:
Okay, we have IR 1156. Can we take that out of order, please?

P.O. GREGORY:
Which committee?

LEG. HAHN:
Environment.

P.O. GREGORY:
Environment?

LEG. ANKER:
Page six.

P.O. GREGORY:
Okay. So Legislator Anker makes a motion to take IR 1156 -
Authorizing appraisal of land under the Suffolk County Drinking
Water Protection Program, as amended by Local Law No. 24-2007,
Abraham Realty Management, LLC – Town of Brookhaven (SCTM No.
0200-376.00-01.00-001.000)(Anker) out of order. I'll second --
second by Legislator Krupski, excuse me.

LEG. ANKER:
Motion to approve.

P.O. GREGORY:
Wait, wait, wait. All in favor? Opposed to take out of order?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
Okay. Motion to approve by Legislator Anker.

LEG. HAHN:
Second.

P.O. GREGORY:
Second by -- oh boy, they're fast hands. Second by Legislator
Hahn.
LEG. TROTTA:
On the motion.

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

LEG. TROTTA:
Is this the -- the Pine Lake? Look, I'm all 100% for this, but I'm just looking at the aerial map and there are some very concerning sand and gravel mines just to the east and to north that look like a scar on this earth. So, you know, I'm 100% behind this. But I would think that -- are we having our Health Department look and see what they're filling this in with? Because I never -- you know, when I worked back here, back in the day, it was nothing like this. They're actually digging down to the groundwater. There's groundwater visible on these holes.

LEG. KENNEDY:
That's bad.

LEG. TROTTA:
So, you know, I'm for this, I want to preserve everything I possibly can, but this is disgusting.

P.O. GREGORY:
Legislator Hahn.

LEG. HAHN:
Yeah. So the DEC, the Town of Brookhaven, you know, our Health Department should certainly be alerted to that.

LEG. TROTTA:
You know what they fill it in with, so. They're going to dump West Hills in there.

LEG. ANKER:
Right. This -- well, I guess, Sarah Lansdale I think is here to talk about it. But this is not -- this is not on the site. What's even more concerning is that I have two of the largest sand mining operations that have gone down into our aquifer, that is concerning, you know.

LEG. TROTTA:
I see that.

LEG. ANKER:
Yeah, in addition -- in addition to illegal dumping. And this is a parcel, approximately ten acres, that is -- will help with a -- the small pond, the pine -- what's it, Pine Lake Pond, Pine Lake? It's a very small, little water area. But between the storm water runoff and all the other environmental concerns, this is an important parcel.

In addition, the town will be partnering with us. It is highly supported by the community, the Civic Association. So, again, this is -- and it's for the appraisal, so this is not an acquisition at
this point, it's for the appraisal.

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

MS. ELLIS:
Eighteen.

11:07AM
P. O. GREGORY:
Okay, back to Budget & Finance.

IR 1162 - Approving County funding for a contract agency (Bayport Heritage Association). (Lindsay) Motion by Legislator Lindsay. I'll second. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

11:07AM
P. O. GREGORY:
IR 1164 - Authorizing a technical correction to the 2018 Adopted Operating Budget for Historical Society of Islip Hamlet. (Cilmi) Motion by Legislator Cilmi, second by Legislator Flotteron. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

11:08AM
P. O. GREGORY:
IR 1173 - Amending the 2018 Adopted Operating Budget to appropriate Insurance Recoveries in the Department of Public Works 2018 Operating Budget. (Co. Exec.) I'll make a motion. Do I have a second?

LEG. LINDSAY:
Second.

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

11:08AM
MS. ELLIS:
Eighteen.

11:08AM
P. O. GREGORY:
IR 1192 - Approving 2018 County funding for a contract agency (Mastic Beach Property Owners Association). (Sunderman) Motion by Legislator Sunderman. Second by Legislator Muratore. All in favor? Opposed? Abstentions?

11:08AM
MS. ELLIS:
Eighteen.

11:08AM
P. O. GREGORY:
IR 1194 - Approving County funding for a contract agency (Kevin Williams Memorial Foundation). (Anker)
LEG. ANKER:
Motion.

P.O. GREGORY:
Motion by Legislator Anker. Second by Legislator Sunderman. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

(Economic Development)

P.O. GREGORY:
IR 1161 - Amending the composition of the Long Island Legislative Manufacturing Task Force. (Lindsay) Motion by Legislator Lindsay. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1235 - To appoint member to the Long Island Legislative Manufacturing Task Force (Ellen Cea). (Lindsay) Motion by Legislator Lindsay. Second by Legislator Fleming. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

(Environment, Planning & Agriculture)

P.O. GREGORY:
IR 1002 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, 12500 Main Road, LLC - Town of Southold (SCTM No. 1000-114.00-11.00-017.000). (Krupski) Motion by Legislator Krupski. Motion -- second by Legislator Fleming. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

LEG. ANKER:
Amy, cosponsor.

P.O. GREGORY:
IR 1159 - Reappointing Chairman of the Suffolk County Water Authority (James F. Gaughran). (Pres. Off.) I'll make a motion.

LEG. SPENCER:
Motion.

LEG. HAHN:
Second.
P.O. GREGORY:
Motion by Legislator Spencer. I'll second. On the motion?
Oh, okay. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1160 - Appointing member to the Suffolk County Water Authority (Timothy H. Bishop). (Pres. Off.)

11:09AM
LEG. SPENCER:
Cosponsor.

11:10AM
LEG. FLEMING:
Motion.

LEG. HAHN:
(Raised hand).

P.O. GREGORY:
Motion by Legislator Fleming. Second by Legislator Hahn. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1202 - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County ¾% Drinking Water Protection Program (effective December 1, 2007) for the Rottkamp property - Town of Riverhead - (SCTM No. 0600-061.00-02.00-007.001 p/o) - (Co. Exec.) Motion by Legislator Krupski. I'll second. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1210 - Authorizing the acquisition of land under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum - Land Purchases for Open Space Preservation (CP 8732.210) - for the Lucyshyn property - Hauppauge Springs addition - Town of Smithtown -(SCTM No. 0800-155.00-04.00-016.001) - (Co. Exec.)

11:10AM
LEG. KENNEDY:
Motion.

11:10AM
P.O. GREGORY:
Motion by Legislator Kennedy. Second by Legislator Trotta. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.
P.O. GREGORY:
Okay. IR 1217 - Requesting Legislative approval of Contract Award for a sole bidder for the Suffolk County Shellfish Aquaculture Lease Program ten year review. (Co. Exec.)

LEG. KRUPSKI:
So moved.

P.O. GREGORY:
Motion by Legislator Krupski. Second by Legislator Fleming. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1221 - Accepting and appropriating 50% Federal grant funds from the United States Environmental Protection Agency in the amount of $271,100 for the Peconic Estuary Program (“PEP”) administered by the Suffolk County Department of Health Services and to execute grant related agreements. (Co. Exec.)

LEG. FLEMING:
Motion.

P.O. GREGORY:
Motion by Legislator Fleming. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1225 - Amending Resolution No. 1029-2017 to extend the grant term for the evaluation of innovative/alternative sewage disposal systems within the South Shore Estuary. (Co. Exec.)

LEG. FLEMING:
Motion.

P.O. GREGORY:
Motion by Legislator Fleming. Second by Legislator Muratore. And this extends the term of the grant, okay. All in favor? Opposed? Abstentions?

MS. ELLIS:
Eighteen.

(Government Operations, Personnel, Information Tech & Housing)

11:11AM
P.O. GREGORY:
IR 1152 - To approve the appointment and promotion of Marisol Martinez. (Pres. Off.) I will make a motion to approve.

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

LEG. CILMI:
On the motion.

P.O. GREGORY:
On the motion? Legislator --

LEG. MARTINEZ:
Please note my recusal for the record.

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

LEG. CILMI:
Through the Chair; is there somebody from the County Executive's Office that can speak to this? (Brief pause) Well, let me put this question, then, to the Presiding Officer.

11:12AM
I've received some information from a number of different sources that seems to -- leads me to believe, anyway, that the Legislature is precluded from voting or from overseeing the hiring practices of the Board of Elections because they're State employees, or they're not really State employees but the Board of Elections is a State -- quasi-state agency, I suppose. Is that -- I mean, has anyone else -- have you heard that? Is that something that we've talked -- that you talked about in developing this?

11:13AM
MR. NOLAN:
Well, I have heard from the County Attorney that he believes that the Legislature does not have the authority to pass this type of resolution. That under the State Constitution, under the State Election Law, the hiring of employees at the Board of Elections is strictly a Board prerogative. This actually came up a year or two ago when the Board of Elections came to us, they wanted to change their Salary and Management Plan, and I believe at that time the County Attorney took the same position, that we cannot tell them who to hire or who not to hire. And I've actually read the law that was provided by the County Attorney and it's a pretty strong opinion, I think he's probably correct.

11:14AM
And let me just add -- and by the way, that notwithstanding that, in the past the Board of Elections has asked us to do these resolutions, we've done them for other Board employees who were related to a County official. But that's kind of the issue and kind of the backdrop for this resolution.

LEG. CILMI:
Is there anyone who can tell us what happened initially that -- that a waiver never came to the Legislature?

11:14AM
MR. NOLAN:
I think it was an oversight, as often -- it's happened several times while I've been here where people have been hired or received promotions, technically required this type of resolution, the
anti-nepotism type of resolution. It's almost always an oversight. I don't think it's people do it intentionally, and pretty much that's what the Commissioner, one of the Commissioners at the Board of Elections related to me is they -- it was an oversight.

LEG. CILMI:
All right. I mean, I don't know how many times we can sort of excuse these oversights. I can see if -- I can see that if the Board of Elections initially believed that they were sort of excused from -- from this type of regulation, and if the County Attorney is, in fact, saying that the Board of Elections should be excused from this type of oversight, then I could see them purposefully not coming to us because, according to the County Attorney, they're not required to.

MR. NOLAN:
I think if you asked the Board of Elections, both Commissioners, they would probably say they don't believe the Legislature has this authority. But I think they also don't want to poke the Legislature in the eye either and they want to cooperate, so they're kind on a horns of a dilemma. And as I mentioned, in the past they've sent these type of appointments to us and, you know, again, this is a -- an oversight that only came to light when this particular employee was being promoted.

LEG. CILMI:
Okay. Well, I mean, listen, I have -- I have no reason to question the -- the background or the experience of or the merit of this -- of this, you know, individual who works for the Board of Elections. But based on what you've just articulated and what has been articulated to me by others, both at the Board of Elections and other attorneys, I'm going to have to abstain from this. I just -- I tend to agree with the legal opinions that have been presented to me.

MR. NOLAN:
The only thing I would say -- and I respect what you're saying, Legislator Cilmi -- is just we may get into a bit of a problem if, you know, we don't pass this resolution and then we've got -- then we've got a situation where the Board will say, Well, we don't think you have the authority to reject this person, puts the Comptroller maybe in a difficult position; just something to think about.

P.O. GREGORY:
Legislator Hahn, you wanted to --

LEG. HAHN:
So, George, I'm not sure I fully understand. The legal opinion says the Board of Elections can hire and fire, you know, it's their prerogative --

MR. NOLAN:
Right, within --
LEG. HAHN:
-- who they choose.

MR. NOLAN:
Right, within, you know, the budgetary appropriation.

LEG. HAHN:
Sure. But what does that have to do with transparency?

LEG. KENNEDY:
Nothing.

LEG. HAHN:
So this is -- the anti-nepotism legislation is about transparency, is about openness, is about, you know, just letting the public know when there is this kind of nepotism situation. So where in the law does it say that we're not allowed to require that kind of transparency of the Board?

MR. NOLAN:
Well, what the law says is we can't stop the Board from hiring --

LEG. HAHN:
Well, that's the --

MR. NOLAN:
-- who they want to hire. This isn't just a transparency issue. We -- if we -- we're basically stating that if we don't approve this resolution, Board of Elections, you cannot hire or promote this person. And what the County Attorney has said and which I agree with is when it comes to hiring and who they want to hire, that power lies solely with the Board of Elections, not us.

LEG. HAHN:
So, but what if this had -- so this legislation says they cannot move forward if -- if we don't file this; is that what it says?

MR. NOLAN:
What our law says is if you are being hired and you're related to a County official, you can't work for the County or get paid by the County unless the Legislature passed this type -- this type of resolution. That's what our law says. What I'm saying to you and what the County Attorney is saying is the Board of Elections is a different animal, it's just not any other County department. They operate -- there are State constitutional provisions, State law provisions, a lot of case law, a lot of the opinions stating that when it comes to hiring who they want to hire, that power is invested with the Local Board of Elections.

LEG. HAHN:
And I get that. But us passing this legislation will not keep them from hiring or firing any individual.

MR. NOLAN:
Unless the resolution fails and then you -- you're basically stating this person shouldn't by hired or promoted.
LEG. KENNEDY:
No, you're not.

MR. NOLAN:
Otherwise there's no point to doing -- having the resolution, you know. I mean, it's not simply for transparency, it's a stronger statement than that.

LEG. HAHN:
Umm -- well, I'm going to support this resolution because I believe in the transparency and openness piece of it. I do not believe we are going to let it fail and so, you know, therefore, I think that this is important that we make a statement that they could have just said, oh, you know -- they could have found the error and never tried to correct it; they found the error and they're trying to correct it. They want this to be -- them to be following the rules here and they want this to be transparent and open and they're crossing their T's and dotting their I's and this is a thing I think that we --

11:20AM

MR. NOLAN:
Right, it's a belt and suspenders, you know.

LEG. HAHN:
Thank you.

P.O. GREGORY:
And I intend to agree with Legislator Hahn in that, you know, I think the public wants us to be transparent when we make these types of hires. We have had Legislators in the past who had to recuse themselves; I think I can think of one in particular cause they had a family member that worked for the Board. So I think it's important that -- that we're aware of these, cause we're not so -- you know, I don't know all the connections, I don't think any of us know all the connections, but it certainly would inform us if we had that information before us. You know, it doesn't mean that -- that they can't interview prospective employees of their choosing, but I think from a transparency standpoint, it's important that we're going -- we could potentially be voting on something that could have some type of influence and it's important that we know that going in, what the relationships are, what potential conflicts there are.

11:21AM

I think the greater problem -- to answer your question, Legislator Cilmi -- is, you know, we have such a disparate human resources department, yet there's knowledge in one area that may not be present in another area. You know, we have 28 departments and, you know, maybe the person in, you know, the Legislature who we have, they're aware of this nepotism law but the person in maybe Parks or

11:22AM

IT isn't aware of it, so they may not forward the -- the information through the proper channels when someone's hired when there is a potential conflict.

So, you know, one of the things that Legislator Lindsay and I are going to be looking at is creating a task force to look at those types of things; how do we consolidate those types of things, that
knowledge so that these things don't happen. This should not be happening.

I haven't heard from the Board of Elections that, you know, this was intentionally they decided to withhold the proper -- go through the proper channels; I haven't heard that. I heard, you know, they've always made the argument that they feel that they're independent from us, but I simply think maybe they just don't know what the procedure is, what the protocol is to put this forth, that could very well be the case. And we have to get better at that, and I think certainly we have some ideas on that. Yeah, and there's -- there's several people that want to speak so, Legislator Cilmi.

LEG. CILMI:
So, yeah, I agree with you. Equal to the issue of the legal matter here is I think, you know, there are members on both sides of the aisle who expressed some frustration the last time we had to do something like this, which involved Legislator Barraga's daughter. And, you know, I think some of us, myself included, made it -- made it clear that we weren't going to -- God bless you --

LEG. HAHN:
Thank you.

LEG. CILMI:
You know, that we weren't going to continue to just, you know, make these exceptions and, you know, sort of give the Administration a pass when they failed to follow proper procedure and law here in this County. And it seems to me like we keep creating task forces to -- you know, to do what the County Executive and the Administration should be doing; managing the County.

So, you know, I'm not sure whose responsibility it was in this case to come to us and say -- you know, when Ms. Martinez was originally hired and say they needed a waiver, nor am I sure -- how far does this -- does the -- does the waiver requirement go in terms of members of a family; cousins? Is it brothers and sisters, mothers/fathers? How does it --

MR. NOLAN:
Give me one second, I'll tell you.

LEG. CILMI:
Okay. I mean, there are a fairly limited number of elected officials in the County. There's the 18 of us here and, you know, a handful of Countywide elected officials. If it's relatively clear then it should be fairly simple for us to indicate whether or not we have any relatives working for the County.

P.O. GREGORY:
But it's -- just to chime in, it's not just us that sit here. We have voted on, one I remember a few years ago was a judge, and I don't think I ever heard of him, his son had wanted a job in the Parks Department during the summer and we had to vote on it.
LEG. CILMI:
Um-hum.

P.O. GREGORY:
So, you know --

LEG. CILMI:
Yeah.

P.O. GREGORY:
-- it's all elected officials.

MR. NOLAN:
I'll tell you one second what a relative is under the law, but one
thing I found out about the Board of Elections is most -- in most
County departments, when somebody is being hired they complete a
form and they actually state whether or not they're related to
somebody who's on the County payroll. The Board of Elections
doesn't have that form, and I don't believe they transmit that to
Department of Civil Service. So that's -- that's the anomaly of
the Board of Elections in that they operate a little bit
differently than other County departments. So that was a --
probably a partial explanation for why they didn't do the
resolution back when they should have done it and that's if you
accept that they're required to do it.

LEG. CILMI:
Right.

MR. NOLAN:
By the way, a relative is the spouse, brother, sister, parent,
brother-in-law, sister-in-law, parent-in-law, niece or nephew of a
-- of a County official.

LEG. CILMI:
Of a County official.

MR. NOLAN:
Right. And a County official is a County Executive, a Legislator,
any other elected official or official appointed by the -- to an
elected position or any department head with the power to hire,
fire, promote, all Chief Deputy County Executives, Deputy County
Executives, all Commissioners and Deputy Commissioners or a County
Police official holding the rank of Captain or above. So if you're
related to that type of official, then you're required to get this
type of resolution.

P.O. GREGORY:
Okay, Legislator Donnelly.

LEG. DONNELLY:
I just have two questions for Legislative Counsel. Has this type
of resolution been done even before Legislator Barraga's
resolution? Has it been done in the past?
MR. NOLAN:
Are you talking about with like the retroactive application?

LEG. DONNELLY:
Yes.

MR. NOLAN:
Yes, it has been done in other occasions, yes.

LEG. DONNELLY:
The second question I have is the Board of Elections -- and forgive me if it's a naive question; do they fall within the purview of the County Executive's Office?

MR. NOLAN:
He doesn't really manage them, no.

LEG. DONNELLY:
Okay, thank you. List me as a cosponsor for 1152.

P.O. GREGORY:
Okay, Legislator McCaffrey.

LEG. McCAFFREY:
Thank you. I know we had this dilemma last time and I think we all expressed frustration in having to do this when Legislator Barraga's daughter was -- was promoted. And I thought that maybe back then we would have identified all the people that needed to have that type of resolution passed or -- and I thought that was our understanding. I would hope that maybe this time that somebody from the County Executive's Office would take this time to contact all the people that are included, and now that I have a full definition of that, to send them a letter to say that if you have any of these relatives that fall under the purview of this law, please notify us immediately to verify that they have -- they have got the initial approval.

And secondly, as a reminder that if they get promoted other than through a Civil Service test, that they are required to come before this body so we don't have to do this again and again and again.

So that's my only request. And hopefully if somebody from the -- and I would assume it'd fall under the purview of the County Executive's Office; if not, I'd hate to have to do it, but I would if necessary, file a resolution to direct somebody to do that, but I would like to think that we could do it without having to go through that process.

P.O. GREGORY:
And again, I think it's incumbent upon me to say that, you know, these resolutions aren't intended to punish the individuals, it's to bring transparency of their hiring and any potential relation -- well, obviously a relationship, not a potential relationship, but a relationship.
LEG. McCAFFREY:
But the idea -- I just want to add, though, the idea is to bring it forward prior to that hiring or prior to that promotion have that transparency, not have to go back and do it.

P.O. GREGORY:
Right.

LEG. McCAFFREY:
So I think we need to be proactive. As we said, I thought we said we were gonna do the last time we had to do this to go forward. Because I for one said, also said that it was the last time that I was gonna do it, so I would like to hopefully not have everybody else go through this again.

P.O. GREGORY:
Right. I guess my point is do we vote against something that the individual may not be aware of when obviously the personnel or the management should be aware of it. There was an effort to do that. It's my understanding that there weren't any more people, but obviously I would think maybe they didn't contact the Board of Elections because they don't fall under their purview or whatever.

LEG. McCAFFREY:
Would you be surprised if it turns out there were other people out there that not --

P.O. GREGORY:
No.

LEG. McCAFFREY:
Right. So that's why, let's try and get it right is all I'm suggesting.

P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
Of course I will not be supporting this because I have many, many constituents who have gotten alarm fees for one alarm in ten years and we don't change the law for them. I have people who have run -- rolled through a red light and not stopped all the way and we don't change the law for them.

I have a letter in my hand, very well written letter, going in detail about how does this happen, does this make noncompliance with technical vision an error, yes it is. The nepotism law is here -- shall be promoting, shall not be in effect unless it's approved by the Legislature, so we have to do this. It goes asking the Comptroller to research this, it has to do with my colleague Leslie Kennedy who went from part-time to full-time who was approved part-time, and the letter was written by Monica Martinez who's now in this situation.
So, you know, clearly she's well aware of the law. She sat here
with Barraga -- and I'm not blaming her, it could be an oversight.
But the reality is this body should not be changing the law to suit
itself; plain and simple. You know, if you're telling me that --
that this shouldn't be here because of legal reasons and we don't
control it, that's one thing, but it's like un-American for us to
change the law for ourselves. It's sort of odd. I can't believe
that anybody would support it. And is it wrong? Is it a problem?
Is there some other way to get around it? But to sit here and
change the law for us, I can't support that.

11:31AM

P.O. GREGORY:
Legislator Lindsay.

LEG. LINDSAY:
Just to piggyback on the conversation with the County -- with the
Deputy -- I'm sorry, with the Presiding Officer regarding the need
for the Human Resource Department. To me, the task force isn't to
determine if we need it, it'd be how to best implement it. For an
organization with over 10,000 employees, not to have a centralized
Human Resource Department is unfathomable. And when -- especially
when you exist in a culture that is so siloed from one department
to the next. Forget about which -- even within those departments
there's additional silos, so we have probably over a dozen
different ways of doing payroll, we probably have a dozen different
ways of tracking employees vacation and sick time. None of it
makes any sense, it all needs to be centralized and we just need to
figure out what's the best way to put it in place and how to
implement it so that things like -- mistakes like these don't --
don't occur. And I look forward to working with the Presiding
Officer to try to put that together.

11:32AM

P.O. GREGORY:
Okay, Legislator Flotteron.

LEG. FLOTTERON:
If I'm understanding this nepotism law -- again, I'm verifying with
Mr. Nolan. This is for a County -- all County officials are the
ones supposed to be adhering to this law; correct?

11:33AM

MR. NOLAN:
The ones that I -- those offices I enumerated earlier, yes.

LEG. FLOTTERON:
And where -- and this body is the body that made these rules;
correct?

11:33AM

MR. NOLAN:
Yes.

LEG. FLOTTERON:
Okay, so it's -- just from hearing the discussion going on, I'm new
here, is that it's not the sole responsibility of, say, the
department to report this. But as the members of this board that
made these rules, we should make sure this comes in front of us in
a timely fashion, it's not an oops on the department, so.
MR. NOLAN:
I think it's more on the department because, you know, we're not
gonna know what's going -- you know, members of this Legislature
aren't gonna know necessarily when somebody gets hired out in a
department.

LEG. FLOTTERON:
Of their own family?

MR. NOLAN:
Well, if it's their own family, yes, but there's 17 Legislators who
aren't going to know about a hire, or we're not gonna -- and let's
say there's a relative of another elected official gets hired, this
Legislature's not gonna know that.

LEG. FLOTTERON:
No, i just -- I'm just sort of hearing I'm saying blame it on the
department, but it's saying as a Legislative branch who made these
rules, we should know for our own family members, if we were hiring
them, is to make sure this paperwork is here and that it's shared
properly on a timely basis. That's all.

MR. NOLAN:
The Legislator is in the best position, yes.

P.O. GREGORY:
Okay. Anyone else? Oh, Legislator -- oh, okay, I didn't have you
on my list. Legislator Kennedy.

LEG. KENNEDY:
I agree with Legislator Flotteron. This nepo -- and having been
through this, having passed a nepotism resolution and having the
Legislator who was my spouse not ask if going from part-time to
full-time required anything and being told no, and then during an
election time having a law pop up that said that the same thing was
required, I'm having a really tough time with this particular one.
I don't want to hurt the woman that it's involved, but it is the
Legislator's job to put in the nepotism resolution of their
relative. I don't -- I can't see it any other way.

11:35AM

I discussed that I moved from part-time to full-time. I did my
nepotism resolution correctly, but I discussed with people how I
moved from part-time to full-time, but that wasn't my job, it was
the Legislator's job. Same thing here. I don't see how anyone can
see it any other way. Thank you.

P.O. GREGORY:
Okay. Legislator Anker.

LEG. ANKER:
Legislator Trotta brought up that this is changing the law, I just
want to confirm through Legal Counsel; is this changing a law?

LEG. KENNEDY:
No.
MR. NOLAN:
No, no. It's -- the law has always required the Legislative resolution for hiring of a relative of a County official, but this law has a retroactive application.

LEG. TROTTA:
DuWayne?

MR. NOLAN:
I think that's what Legislator Trotta is referring to, is giving the law retroactive application and I think that's his problem.

P.O. GREGORY:
Okay, Legislator Trotta.

LEG. TROTTA:
That's exactly it. You know, it's like you're changing the law to suit your purposes. It's just, you know, there's a law -- you know, I think of the poor guy who's getting the alarm fee for one time in ten years. Do we come in here and change the law for him? But we do it for us; it's wrong. It's just patently wrong. Do I feel bad about it? Absolutely. Will I support it? No, because we become hypocrites.

P.O. GREGORY:
Okay. So we have a motion and a second. All in favor? Opposed? Abstentions? (Opposed: Legislator Trotta - Abstentions: Legislators Cilmi, Kennedy, Flotteron, McCaffrey, Sunderman, Muratore - Recusal: Legislator Martinez)

MR. RICHBERG:
Ten.

P.O. GREGORY:
Okay.

All right, 1186 - Granting a waiver of Suffolk County Residency Requirements for the employment of Craig McElwee. (Co. Exec.) Motion by Legislator Calarco. Anybody else? I'll make a motion -- I'll second it. All in favor? Okay. All in favor? Opposed? Abstentions.

MR. RICHBERG:
Seventeen. (Not Present: Leg. Martinez)

P.O. GREGORY:
IR 1187 - Granting a waiver of Suffolk County Residency Requirements for the employment of Andrew Weiss. (Co. Exec.) Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:

(Health)
1195 - Establishing an educational program and a "Dangers of Liquid Nicotine" poster contest in Suffolk County. (Anker) Motion by Legislator Anker. Second by -- who's that? Second by Legislator Spencer.

LEG. SPENCER:
Cosponsor.

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

MR. RICHBERG:
Seventeen (Not Present: Leg. Martinez)

LEG. CILMI:
Just, umm, the vote -- the vote stands, I'm supporting this. But we should -- we should create some sort of a list that we can supply to -- I'm not kidding. We could supply it to all of the school districts at the beginning of their school year that tells them what contests are, you know, coming --

P.O. GREGORY:
A poster with all the poster contests.

LEG. CILMI:
Not a poster, not a poster. A list to the Administration of the districts so that they can dispense that to their, you know, schools, their individual principals so that they know what contests, you know, we're hosting and they can participate; I think it would be a good idea to do that. We don't need a resolution to do that.

LEG. FLOTTERON:
(Inaudible).

P.O. GREGORY:
Legislator Anker.

LEG. ANKER:
I think that's a great --

LEG. CILMI:
(Laughter) We don't need a task force or anything like that; just make a list, give it to the school districts.

LEG. ANKER:
I know we have -- we have two, we have the swimming, you know, swimming safety Legislator Spencer has sponsored. And also, this -- this particular piece of legislation is just a one-shot deal, it's just one time. So I know, you know, it can be a lot of work trying to get the word out, but you know what, it's important. And liquid nicotine has become so prevalent in our -- in our communities with our young children, with middle school, possibly elementary school. So if we can start these kids in elementary and really teach them the dangers of liquid nicotine, I think we'll be saving a lot of future smokers. Because what's happening with
liquid nicotine, which has been proven, is that, you know, it was there to help people stop smoking, but it's actually creating more smokers, you know, and people are dying. That's the number one cause, right? I'm looking at Legislator Kennedy; I know, you know, you're a nurse and you've dealt with that. We have to do more. And, again, this is -- this is just one -- one component of trying to reduce people from taking up the bad habit of smoking.

P.O. GREGORY:
Legislator Fleming has a very important announcement.

LEG. FLEMING:
I just want everyone to know that we do have a poster contest for Prevention of Tickborne Illnesses. I didn't want to go that -- that to go under the radar. Thank you.

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

Parks & Recreation

P.O. GREGORY:
Okay. All right, IR 1123-18 - Appropriating funds in connection with the removal of toxic and hazardous materials in County Parks (CP 7185) (County Executive).

LEG. KENNEDY:
Motion.

MR. NOLAN:
She wants to make this motion.

P.O. GREGORY:
Motion by Legislator Berland. Second by Legislator Kennedy.

LEG. SPENCER:
Presiding Officer, Legislator Martinez is really --

P.O. GREGORY:
You've got to speak on the mic.

LEG. SPENCER:
Oh, she's back. I didn't want her to miss this, this is important.

P.O. GREGORY:
All right, you've got to get on the mic. Did you want to speak otherwise?

LEG. SPENCER:
No.

P.O. GREGORY:
Okay. We have a motion and a second. All in fav --

LEG. KENNEDY:
On the motion.
P.O. GREGORY:
Oh, I'm sorry. On the motion, Legislator Kennedy.

LEG. KENNEDY:
Is there anyone here who can speak on this? Phil? Maybe I mean from the DA's Office? Is there anybody there? Nobody? I just have --

LEG. CILMI:
If I may, Mr. Chair? To Legislator Kennedy, I had asked about the DA's Office and I was told that they would not come, but that they would make members available -- you know, employees available to speak to members individually if we so chose, but they wouldn't send anybody to our meeting.

LEG. KENNEDY:
Okay. So then does anybody know what was involved in the plea agreement and why they're not paying for it all? The bad guys should pay, not the people of Suffolk?

DEPUTY COMMISSIONER KEYES:
Hi. We do have Valerie Smith from the County Attorney who can explain what is in the plea agreement, but we -- we talked about this at length at the committee. Obviously we can't -- the County Attorney can't speak to the mechanics of why they agreed to that, but she can give an overview of what's in there.

MS. SMITH:
Good morning. Valerie Smith from the County Attorney's Office. Specifically each defendant agreed to remove 450/35-yard truckloads of contaminated material. They had to use their own vehicles; they have to comply with a -- it's a work plan that was prepared by EnviroScience; each defendant agrees to pay for the lawful disposal or do the removal themselves. In addition, one of the defendants has to pay $34,800 to compensate for the removal and destruction of 58 trees. So that's essentially what they are obliged to do under the agreement. They've pled guilty to certain violations and felonies in exchange for, you know, doing what the plea agreement says, and it's based on a work plan that was prepared by a company called EnviroScience. You're looking at me.

LEG. KENNEDY:
I just -- okay. So that's very good, they made a plan that the felons would contribute some money and use their trucks to take care of removal and pay for that said removal. So why do the people of Suffolk have to pay 1.5 million and why wasn't that included in the plea agreement? Because that's part of the cost.

MS. SMITH:
I can't speak to that because that's outside of the plea agreement. I don't know what that money represents, but I presume it has to do something with oversight of this program.

MR. NOLAN:
This came up in --
MS. SMITH: Actually, I shouldn't be speaking to that. I don't know.

MR. NOLAN: Legislator Kennedy? During the committee session, you know, Dennis Brown basically presented the same information to us. And Legislator Trotta and others were asking, you know, why did we enter into such an agreement. The County Attorney's Office I don't think is in any position to answer that question, nor is the Parks Department. I think it's really only the District Attorney could tell us, you know, what were the considerations, was there a problem with the case; those are all things we don't know, they would have to tell us.

LEG. KENNEDY: Okay. So could we put off voting on this and request that someone from the DA's Office speaks to us in Executive Session?

MR. NOLAN: If somebody could tell me that the District Attorney would come over, I think that would make sense, but I don't know if they're going to do that.

LEG. KENNEDY: Well, we can ask.

LEG. HAHN: We asked and they said no.

LEG. KENNEDY: Oh, they said no?

COMMISSIONER BERDOLT: Legislator Kennedy, it's not going to change the fact that we're still going to need to get the park cleaned up.

LEG. KENNEDY: What's the one point -- correct. But what's the $1.5 million?

COMMISSIONER BERDOLT: This is for other things that we don't know what may or may not be included after the 450 yards of material are removed. They could go over that amount depending on testing that the -- and testing once a lot of the material is moved, that's why EnviroScience's -- their fee is included in that. And if we have to remove more material, that'll be a cost that we'll have to incur now.

There is nothing in this agreement that keeps us from going after these people civilly. So the end result -- I mean, it may take us years to recoup our money, as in any civil lawsuit, but we do plan on taking action on any of these costs that are associated over and above the 450 yards.

LEG. KENNEDY: So we --
COMMISSIONER BERDOLT:
Or 450 truckloads, excuse me.

LEG. KENNEDY:
And this is not -- not that I'm an attorney, and I probably
shouldn't say this, but for $1.5 million leftover potential, the
plea agreement should have included more cost to the felons, in my
opinion.

11:46AM
COMMISSIONER BERDOLT:
Sure, but the people that I dealt with briefly from the DA's Office
are no longer with the DA. I could say that now, dealing with them
with their Environmental Crimes Unit, they've been very responsive.
We're working on cases hand-in-hand now, we have three active cases
going in the Parks Department. So, I mean, they're very responsive
now. You know, as to what happened prior, like I said, the people
that were involved that I dealt with are no longer employed.

11:46AM
LEG. KENNEDY:
All right, one more question. Once a plea agreement is made, we
can legally go back after these folks --

MS. SMITH:
Yes.

LEG. KENNEDY:
-- if there is additional?

MS. SMITH:
Absolutely, we can go after them civilly.

11:46AM
MR. NOLAN:
Yeah, I think Dennis Brown testified at committee that he intended
to do that, to try to recover our out-of-pocket in a civil action.

COMMISSIONER BERDOLT:
Right. Everything we do will be documented; every penny that comes
in and out of there on our own expense is documented.

11:47AM
LEG. KENNEDY:
Okay. Could we wait on this until we find out if there is
additional?

COMMISSIONER BERDOLT:
If there is what?

LEG. KENNEDY:
Could we wait on voting on this bill till we actually find out?
Because once we bond out for the 1.5, we will -- and if we find out
that there is nothing additional to the 450 and 450 and 450 --

11:47AM
COMMISSIONER BERDOLT:
Well, then that'll --

LEG. KENNEDY:
We have to pay it back with interest and that's a tremendous amount
of money.

COMMISSIONER BERDOLT:
True. We don't necessarily have to encumber the entire amount; I mean, what we use we use.

LEG. KENNEDY:
I don't know. How long is it going to take to take out 450 truckloads?

COMMISSIONER BERDOLT:
I believe the plea agreement says that they can get 60 to 90-days to remove the material. It could go longer depending, but legally that's how much time they have.

LEG. KENNEDY:
All three will be in at the same time or will it be consecutive 60 to --

COMMISSIONER BERDOLT:
I'm sorry?

LEG. KENNEDY:
All three --

COMMISSIONER BERDOLT:
Yes, as a whole.

LEG. KENNEDY:
-- felons will be involved at the same time?

COMMISSIONER BERDOLT:
Yes, right.

LEG. KENNEDY:
So it won't be consecutive 60 to 90-days.

COMMISSIONER BERDOLT:
And this is also for paying for Environmental Science, EnviroScience for their services and anything else we might need. As I stated in committee, we could be taking down fences, overhead wires, we could be -- you know, there could be some infrastructure under the ground that's going to need to be either removed, that possibly we'll need to take care of besides the truckloads of material that are scooped out. There are other things, you know, doors may have to come off, doors may be broken. There are a lot of things that will need to be done for the remediation of this property.

LEG. KENNEDY:
Doors?

COMMISSIONER BERDOLT:
Yeah, there's some material inside some of the barns, so in order to get equipment in there.
LEG. KENNEDY:
Okay. Thank you.

P.O. GREGORY:
Legislator Flotteron.

LEG. FLOTTERON:
Again, this may be -- the question's maybe to both of you. Again, from what -- what I'm reading here is from the District Attorney's Office that LJM Gardens, Sweet Hill Stables and Chris Dee and Lynne Contracting Corps are to remove everything, all expenses; it's basically just a slap on the wrist of the cost of doing business. But it seems like -- why are we approving anything? Because this deal was supposed to cover everything, that's why I'm sort of losing it. They're supposed to be moving forward with a plan. Is there a plan that the District Attorney's Office and our offices are working with them, or is this just something that was in the paper? There's a deal but there's no master plan here. Because we've already approved 750,000, I guess from my research, and now there's another 1.5. But again, I thought this was the plea deal, which I'm just sort of surprised.

COMMISSIONER BERDOLT:
The plea deal is done. The plea deal is the plea deal, and you have it and it's the whole 450 yards.

LEG. FLOTTERON:
Okay. So --

COMMISSIONER BERDOLT:
Or 450 truckloads of 35 yards.

LEG. FLOTTERON:
And they're supposed to do this in a very responsible way that's approved by our Health Department, the DEC and etcetera.

COMMISSIONER BERDOLT:
Correct. We already have a plan that was approved by New York State DEC, we do have a permit to start the work. And the plan, you know, it's a 114-page document that was done by EnviroScience, the same people that did Robert Clemente and with the oversight for the removal of material there.

LEG. FLOTTERON:
With this deal, have we -- was the deal covering the -- what was it, 750,000 you already bonded out to deal with this clean-up so far?

COMMISSIONER BERDOLT:
There's 750,000, yes, already, but not specifically for here but also clean-up. And this also is looking for this entire park, sure, but that is a Capital Project that we have for other material removal throughout the entire County and parkland.

LEG. FLOTTERON:
Of this 1.5, what is earmarked for this park and what's earmarked
for the rest of it?

COMMISSIONER BERDOLT:
Whatever we'll need. We don't know what the cost will be if we
don't know what the end result's going to be.

LEG. FLOTTERON:
And you already used the 750 already.

COMMISSIONER BERDOLT:
No, not -- not all of it. I don't know what's the balance.
You'd have to -- maybe Dr. Lipp knows.

LEG. FLOTTERON:
And of that 750, what percentage was used on this clean-up?

COMMISSIONER BERDOLT:
So far very little.

LEG. FLOTTERON:
Very little.

COMMISSIONER BERDOLT:
We only put into this area, besides manpower that we had to have
Park Rangers there 24/7 during a like three-month period during the
investigation. We also just bought fencing to fence off, temporary
fencing, the areas that the District Attorney's Office designated
to keep people out.

LEG. FLOTTERON:
But again --

COMMISSIONER BERDOLT:
So right now there hasn't been any other expenses towards this.

LEG. FLOTTERON:
According to this plea deal, they should be paying for all that;
that was their agreement, either that or go to jail. So --

COMMISSIONER BERDOLT:
No. Their plea deal was for the 450 -- 450 truckloads, as far as I
can see.

MS. SMITH:
Yeah, 450/35-yard truckloads each.

LEG. FLOTTERON:
Okay. That's to have things cleaned --

MS. SMITH:
Trees.

LEG. FLOTTERON:
-- secured, replanting of trees and all those things. It's
supposed to take care -- bring it back to how it was prior.
MS. SMITH:
Well, not exactly. The plea deal just says they have to remove the toxic material in those amounts and replace some trees.

LEG. FLOTTERON:
Well, I don't know how we could -- how do we approve -- we all want to have this place as quickly and as cleaned up and as safe as we can make it. But we don't know what we're approving, what went out, what we're spending, because what exactly, again, is this plea deal?

MS. SMITH:
Once they get to the end of the truckloads, everything has to be -- they test it again and it has to be -- the toxins have to be removed. The plea deal does say that whatever toxins are left have to be removed, but I guess they couldn't quantify it when they entered the plea deal and the best they could do was put 450/35-yard truckloads, and then at the end of it they test it and if there's more to be removed it will be removed at that point.

LEG. FLOTTERON:
It seems like the new District Attorney needs to investigate this agreement and this plea deal. Okay, thank you.

COMMISSIONER BERDOLT:
Well, as I said, you know, we have every intention on going after them civilly for any other money that we have to expend at this park. So, you know, I'm hoping for a free -- a full recoup of anything we spend.

P.O. GREGORY:
Okay, I have a long list. Legislator Trotta.

LEG. TROTTA:
This is no reflection on you, Phil, but this is just like gross mismanagement on so many levels. I mean, granted, you just got there. Think about what we're talking about; 450 truckloads that had to be dumped there for 35-yards. No one saw this, no one went in, there's no Park Police, there's no one, there's no one watching any of this. This is very reminiscent of the carport in Ronkonkoma that cost us $15 million because he decided not to put them up.

And so you're asking the taxpayers -- the County Executive is asking the taxpayers of this County to pay for something where we know who did it, they admitted doing it and they haven't taken one truckload out? How about they remove 450 truckloads for free and then we start talking about this? This is absurd. It's gross, gross mismanagement, gross. It's like keeping Chief Burke on the cover of Newsday after he was on the cover of Newsday for having sex with prostitutes and standing by him; it's gross mismanagement, plain and simple. It doesn't get any worse than this.

How can you come here, how could anybody come here and ask the taxpayers for money for something that -- a ten-year old could say, Wait a minute, there's 450 dump trucks coming in here. We didn't catch this. The fact that we're talking about this is absurd.
Those people should be in jail, every house taken and it never
should have happened in the first place. It's insane incompetence.
We don't know if someone is working for us? The nepotism law.
We have $12 million for solar panels we don't put up, we dump
450 -- it's like a comedy show, it's literally like a comedy show,
it's embarrassing.

COMMISSIONER BERDOLT:
Well, I'd like to --

LEG. TROTTA:
While I want it cleaned up, I will not spend one penny of taxpayers
(sic) expense to do it.

MR. NOLAN:
Taxpayers, not taxpayers.

("Laughter")

LEG. TROTTA:
Freudian slip.

P.O. GREGORY:
Legislator Hahn.

LEG. HAHN:
I listened to what's already been said and answered, but certainly
the frustration that we all might feel with the perceived
inadequacy of the plea -- negotiated plea deal, which I think the
Counsel made a good point; we don't know the quality of the case
that we had against the defendants. You know, there are all kinds
of reasons why a District Attorney would -- and I'm not trying to
defend him, I'm just saying, we don't know those things.

We're here with a park in the western end of Suffolk County, a very
large park used by thousands of people every year, an equestrian
community begging us to reopen the facility. People who, you know,
want to walk their dogs, utilize the trails, crying out for a place to go
for respite, for escape from, you know, a west end community that,
you know, is developed and this is one of their -- our beautiful
places we have to offer and this closed down, it's fenced off.
It's got tall, chain-link fences surrounding it, the trails are
blocked, the toxic or hazardous materials remain; we need to clean
this up. And clearly, most of it will happen at the cost of the
perpetrator, the guilty parties. And we have -- you know, we have
a remedy to go after them for anything above and beyond what was
included in the plea deal.

I really just implore us all to think of the residents of the
district and the surrounding districts that use this park. We need
to get it cleaned up, we need to take care of it for the sake of
our aquifer. The longer anything that could be leaching through,
the longer it sits there the more likely it is that it can
contaminate our aquifer. I think there's no question in our mind
that we would have all tried to get something more out of the
defendants. We don't have the details of that, but we have this in
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front of us today so we can move forward for the people who want to use this park. We have 46,000 acres or more across Suffolk County, they're there for the people to use. And we have criminals here who committed an affront to each one of us and to the residents, but we've got to clean it up, we've got to get it back in use. And I trust and believe that our County Attorney will go after whatever -- however we can on the civil side.

MR. NOLAN:
The County Executive.

LEG. HAHN:
And clearly they plead -- you know, negotiated a deal, they, you know, pleaded guilty here. We will get -- we will get from them on the civil end what we'll get from them, but regardless we've got to do this and we've got to do it now. We should have been done -- you know, I've actually been frustrated at, you know, how long it's taken to get to this point, but all the agent -- we have DEC involved, we have the Health Department involved, we have the Parks Department involved, we have the District Attorney -- you know, you all know what's been going on. We've got to just get it done. And we are all feeling just as frustrated about where we're at, but there is no reason to stop it from being cleaned.

P.O. GREGORY:
I very much agree with Legislator Hahn. I don't know what the argument is here. I mean, you know, it's clear that one of our parks, the West Hills Park was violated, that there was some criminal agreement, there was a settlement. And the argument is, as I think I understand it, that we don't like the terms of the agreement so we're going to punish the neighbors to the park? I don't understand. The park still has to be cleaned up. The neighbors are taxpayers as well and they deserve to not live next to a park that was dumped on; I mean, thousands of yards or hundreds of yards of crap. And we're saying, Well, we didn't like the job that the District Attorney did so we're going to punish these people? I mean, that's preposterous. These people deserve to have their community cleaned up. And we're debating whether, you know, the agreement is sufficient enough? What's sufficient? No one's throwing it out; what's sufficient? You know, you can't even put in terms what sufficient is but you -- you're going to articulate what you don't think is right?

And to have these taxpayers -- I went to this community, it's a beautiful community. People have wonderful homes. And even if they didn't have wonderful homes, no community deserves to have this crap done in their community, and they deserve to have it cleaned up as quickly as possible. It's been too long; it's been, what, two years? Three years?

LEG. HAHN:
A long time.

P.O. GREGORY:
I thought it was cleaned up already. It should have been cleaned up already. So we've got to approve this. This is the height of
irresponsible to protect our parks and to protect our communities if we don't do this. Legislator Berland.

Legislator Berland:
Thank you, Presiding Officer. I agree with you wholeheartedly, what you just said. You know, I offered to sponsor the resolution just for that reason. It's too long, the clean-up has to happen, you know, and it--all of us could be here second-guessing what the--you know, what the DA did. You know, when we're not the lawyers in the case we don't necessarily have all the facts, but I think all of us are wondering what is missing here. Why was this, you know, plea deal, why did it, you know, come out like it did? It's clearly--if all of us had to do it over again, looking today without knowing any of the evidence and any of the facts, we would want something more. I would want something more.

I asked the committee, you know, are you absolutely going after them civilly and, you know, the answer I got was yes. And I think that action should be begun as soon as possible in anticipation of whatever this plan, you know, will yield at the end that it falls short, what has to be done.

So, because I think it's important that we, you know, file that litigation and that we have it ongoing and that these defendants know that we're not going to settle for this plea agreement that, you know--in a perfect world, if they remove everything and it doesn't cost the County other than, you know, minimal, I don't think we should be even paying minimal on this, I think they should be paying everything. But, you know, if it's all removed based on all the truckloads that are required, then that's great, but if we require anything additional, you know, we need to go after them. I had asked if there was a confession of judgment, you know, as part of this plea deal and, you know, I didn't get an answer to that yet, so I don't know. But whatever we do, whenever there's any of these kind of cases and they're pleading guilty, we should do whatever we can at the DA's Office to line up the civil action and make sure that they have to do as little as possible to get an award in the civil action in addition to it as part of the plea deal that they're taking in the criminal. So I would hope that going forward we can do something like that.

But I think the main purpose for today is that this has to get cleaned up. And hopefully we won't be, you know, having to use all of this $1.5 million in excess of what the defendants are supposed to do, but we have to have it ready so that we can do the clean-up. And that's why I am sponsoring the resolution and I would, you know, ask my colleagues to support this as well. Thank you.

Legislator Donnelly:

Legislator Donnelly:

I just have a couple of questions away from the criminal component and all the chatter about the DA's role. Does New York State DEC consider this to be a priority project right now?
COMMISSIONER BERDOLT:
A priority, you mean like a Superfund?

LEG. DONNELLY:
Yeah, as far as the clean-up goes.

COMMISSIONER BERDOLT:
No.

LEG. DONNELLY:
They don't. So is it fair to say that it is time sensitive?

COMMISSIONER BERDOLT:
Well, time sensitive in a few things, like Legislator Hahn said, you know, if we don't want anything leaching into the ground any deeper, the longer it sits the more it'll leach down, that means more material we have to take out. Also, the longer the property sits unoccupied, just as every other building we have in the parks system that is unoccupied, it starts to deteriorate and it's going to cost us more money to get it back up into condition. We are -- I have an RFP ready to go out for a new operator in that facility and I'm waiting on this work to start; the longer we wait the longer it takes to get somebody in there to operate it.

LEG. DONNELLY:
So I know that the County assisted with the remediation in Islip as well, and I think this body takes it pretty serious about protecting our environment. So in your estimation, if we delay the clean-up, are we going to be impacting the environment in that area?

COMMISSIONER BERDOLT:
I really don’t have a professional opinion as far as environmental, it being an environmentalist, but I would consider it as, I would think, yes. You know, as far as -- I mean, I'm not a scientist, if you could give your or somebody from the Board of Health. But yeah, obviously the longer something sits there the more it can leach.

LEG. DONNELLY:
How long has it been sitting?

COMMISSIONER BERDOLT:
Since -- well, they estimate it's been in there a year-and-a-half before it was discovered, somewhere in that time frame, and we discovered it in August of '16.

LEG. DONNELLY:
So it's fair to say, I think, that we would be acting irresponsible if we didn't pass this. List me as a cosponsor.

P.O. GREGORY:
Okay, Legislator McCaffrey.

LEG. McCAFFREY:
Thank you. You know, Valerie, maybe you can answer this question.
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Are you aware, have all of the defendants plead guilty or entered into an agreement?

MS. SMITH:
The three defendants that are listed; I don't know of any other defendants.

LEG. McCAFFREY:
Okay. Would you be surprised to know that there may be another defendant out there that has not plead?

MS. SMITH:
I mean, I really don't have that information at all. Yes, I would be surprised as I stand here, but I have no reason to know that. I only know it's in these -- you know, these three plea agreements that I have before me.

LEG. McCAFFREY:
Okay. So we haven't spoken to the DA's Office to find out if, in fact, there still may be other defendants out there?

MS. SMITH:
I have not.

LEG. McCAFFREY:
Okay. All right, I spoke to somebody from the DA's Office who told me that there still was, probably the largest, the biggest fish out there is still out there.

About the suing, has -- we say we're going to sue, we're going to get all our money back. Has the County started the process to recoup our money in terms of civil suits?

MS. SMITH:
I know that the County Attorney is doing that now. I don't know that anything's actually been filed, but I know that he's looking into drafting pleadings and going after them civilly.

LEG. McCAFFREY:
Right. I mean, so this is -- I mean, there's a sense of urgency here and these plea deals were entered into I think November of last year and we haven't -- and we really don't have anything that we can say yes, we're ready to file papers or move forward on this?

MR. NOLAN:
We haven't incurred any damages yet, Legislator McCaffrey, I don't believe. Until we start expending the money, we probably won't start the case.

LEG. McCAFFREY:
Right, but we're saying that we're setting aside a million and a half dollars to do this and we haven't started actions against them which could take a long time. All right, so we're not sure, the County Attorney's Office cannot verify that there are other defendants out there who have not plead; is that fair to say?
MS. SMITH:
Yes.

LEG. McCAFFREY:
Okay. And it's fair to say that we have not taken any action to file anything to recoup those monies civilly right now.

MS. SMITH:
I personally don't know that anything's been filed. But I think Counsel makes a good point; until we have some damages that we can quantify, it would be difficult to file on any grounds.

LEG. McCAFFREY:
Well, we're willing to spend the million and a half dollars to do this, so it sounds like that's a good starting number, right, where they're asking us to approve a million and a half dollars. Did we just pull that number out of the air or is there some basis for us looking to spend a million and a half dollars today? We're pretty sure those are the damages, right?

COMMISSIONER BERDOLT:
The original estimate that we got for the removal from our requirements contract was from Grant Services at 5.5 million. They estimated about four, up to 4.5 for the removal and disposal of the toxic material, the rest was for oversight and other incidentals, so that's where we came up with our number, that if they're going to be covering the trucking end of it, what else we'll need for monitoring and the other things that I described earlier. So that is how we came up with the number of 1.5. I am hopeful we don't need half of it, but I can't -- I can't foresee what our cost will be.

LEG. McCAFFREY:
Okay. Now we already have -- we have money available as we stand here today, right?

COMMISSIONER BERDOLT:
Correct.

LEG. McCAFFREY:
That we could be using, we could have already been using to move forward; the 750. We don't know how much money is available, but we don't know if we've expended any money to date on that.

COMMISSIONER BERDOLT:
Yes, but money has been used out of that Capital Project for other projects throughout the County. Whether we have tanks that are underground that need to be removed, anything like that. If we're taking down a building, say like we did in Mastic for -- that had hazardous material that got stuck in the Parks Department from whatever reasons that we got it and it had asbestos in it, so that account is used for those kind of operations also. So I don't know what has been expended out of the 750 right now, but for that specific site, there's only been about maybe 13,000 in fencing. We didn't take any costs, obviously, for the Park Rangers, that came out of our Operating.
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LEG. McCAFFREY:
Can I ask Dr. Lipp --

COMMISSIONER BERDOLT:
But there are costs that have been incurred.

LEG. McCAFFREY:
I'm sorry. Dr. Lipp, can you tell us if we've spent any money on that project, and if there's any money available beyond what's already been spent?

12:10PM

MR. LIPP:
We haven't spent any of the 750 and it's all allocated for West Hills.

LEG. McCAFFREY:
Okay. So we have 750 available right now, we have not spent a penny. We're talking about a great sense of urgency. We haven't -- we don't even know if all the defendants have plead. We don't know -- we haven't taken any official steps to recoup our money. We still have $750,000 available right now as we speak to be spent on this and we haven't spent a penny of it and we're being asked to spend or approve another $1.5 million; is that fair to say, then?

COMMISSIONER BERDOLT:
Yeah, it is.

LEG. McCAFFREY:
Okay. And then what is the DEC's role in this? Are they overseeing any of this clean-up at all? I know they took a proactive stance in many other situations, right?

12:11PM

COMMISSIONER BERDOLT:
They are not the lead agency on this.

LEG. McCAFFREY:
Right.

COMMISSIONER BERDOLT:
But they do take -- they do come down to the site and they will be there periodically as they would in any other clean-up.

LEG. McCAFFREY:
Okay. And -- all right. It just -- in my view, this whole thing and this plea agreement, and I don't want to go back there, but this is really kind of like robbing a bank and getting caught and just being able to return the money and walking away and we're being left with --

12:11PM

COMMISSIONER BERDOLT:
You could let these people go in there and do it without oversight and not spend -- you know, that's fine.

LEG. McCAFFREY:
I know. The point is, though, we've got -- we have $750,000
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sitting there that we haven't spent a penny of that's earmarked just for this project and we have not spent any of it. And I'm hearing about today, this is the worst environmental disaster since love canal and we haven't used any of that money to use it and we're asking for more money and we haven't spent any of the money we've already appropriated, so.

COMMISSIONER BERDOLT:
I don't know who's saying it's the worst, but (laughter).

12:12PM

LEG. McCAFFREY:
Well, you know how things go here, right?

12:12PM

P.O. GREGORY:
Legislator Spencer.

12:12PM

LEG. SPENCER:
Thanks, Phil. With regards to the toxic materials that are there, can you just tell me a brief overview of what are the things that we're cleaning up.

12:12PM

COMMISSIONER BERDOLT:
There are areas that contain asbestos which is non-friable which means it's not airborne. There's also metals such as Lead and Mercury; there are Polycyclic Aromatic Hydrocarbons which are PAH is their chemical makeup; Pesticides DDT related and Dieldrin, PCBs, Toluene and Phenyl, if I'm pronouncing them correctly.

12:12PM

LEG. SPENCER:
And the area where the park is currently -- I understand that the area is closed, but are these materials contained?

12:12PM

COMMISSIONER BERDOLT:
Yes.

12:12PM

LEG. SPENCER:
And as far as on the surface and the perimeter, how about as far as below as far as absorbing further into the ground?

12:13PM

COMMISSIONER BERDOLT:
No, that is not contained.

12:13PM

LEG. SPENCER:
And the question with regards to us having 750,000 available; why hasn't that been utilized at this point? Just as far as what you understand.

12:13PM

COMMISSIONER BERDOLT:
Well, we haven't had an actual agreement with the company EnviroScience until just recently for the oversight, so now we're ready to start the work. You know, we could start if this is something that you wanted to do, and then if we come to the end where we run out of our money, then we have to wait another cycle for -- you're just delaying the process which is -- it's up to this body. I mean, I don't know what Islip did, maybe Legislator Flotteron can answer how much money they expended on their
properties and did they recoup everything? I'm sure there was some type of outlay in the beginning.

LEG. FLOTTERON:
I'll be having a chance to speak in a minute and we'll finish and I'll go through that.

LEG. SPENCER:
I think my point is actually different from that. I mean, I can understand the concerns as far as, you know, making sure that we hold those accountable. But I think we have an obligation to -- my criticism would be that we should have already started to move things a little bit faster and I think we need to do this as quickly as possible, because the issue of this becoming a plume and getting into the groundwater, and I guess, you know -- do you know as far as that particular area how far it is from the groundwater?

COMMISSIONER BERDOLT:
I do not.

LEG. SPENCER:
You don't know, okay. The fact that we've lost two years. But I do think we have a responsibility in government. You know, we should pursue those who are responsible and hold them accountable and make them pay and do everything that we possibly can, but the idea that we would sit around and wait until we dealt with all of the charges and the bureaucracy before we got started on this. So I would encourage us, you know, that we have to approve this.

Now, just give me some realistic -- like, if we approve this or don't approve this today, what a timeline is to when there would actually be equipment out there starting this clean-up work, you know, within this week, in a month; when would this --

COMMISSIONER BERDOLT:
Well, we haven't -- we have to still meet with the people in the plea agreement and have them -- they have to come up with their plan, it has to be approved. They'll go off of what we already have now with our plan from EnviroScience, but they have to come up with theirs. Also, they have to state in their plan where the material is going to be, its end resting place, and have all their permits in place. So there's still a lot of time -- well, not a lot. Excuse me, not a lot of time, but there is still more work that needs to be done before we can actually start the work.

LEG. SPENCER:
Sure, I get that. But just for a person who's a layperson, realistically, best guess, us making it clear that a priority for us would be to actually see the work started, how long -- three months, six months, another year?

COMMISSIONER BERDOLT:
Till it starts?

LEG. SPENCER:
Yes, just a best guess according to what you know.
COMMISSIONER BERDOLT:
I'm hopeful that if everything goes accordingly that we can get
started within a month.

LEG. SPENCER:
Okay. Well, that's where I think that we have to err on the side.
It's kind of like me coming home and seeing a flood in my basement
that was caused by someone else and I just sit there and I let the
water stay until I work out everything; we have to get in there, we
have to clean this up right away. And so for us to not support
this I think is actually more irresponsible.

The 750,000, when we talk about these sorts of projects, how is it
funded as far as -- we have 750,000, we're looking for another 1.5
million on top of that. Do these projects typically -- are paid
for kind of in block grants of money, or are we able to start the
work with 750,000 and we would find ourselves potentially stopped
somewhere in the middle?

COMMISSIONER BERDOLT:
Correct.

LEG. SPENCER:
Can you give me -- that could happen --

COMMISSIONER BERDOLT:
Yes.

LEG. SPENCER:
-- that we could be at a very sensitive point of the clean-up and
run out of money. And if that happened then --

COMMISSIONER BERDOLT:
Then I come back here again and --

LEG. SPENCER:
We would have to go through --

COMMISSIONER BERDOLT:
-- go through the process.

LEG. SPENCER:
Okay. All right. Well, I'll be supporting this; I think it's
irresponsible for us not to be. I -- my criticism would be that
it's a shame that we hadn't gotten in there earlier. And every day
that we wait, when you talk about a substance such as Toluene;
Toluene diffuses and it gets into the ground water and it's very
difficult to remove as well as some of the other things. So I
think this is about the environment, about another potential plume
and I fully support this. Thank you.

D.P.O. CALARCO:
Okay, Legislator Anker.
LEG. ANKER:
So, again, this situation reminds me of Laurence Aviation. Laurence Aviation is a 153-acre parcel that has been contaminated, you know, because of toxic release and asbestos, many of those chemicals that you mentioned. And what happened at Laurence Aviation was that no one took the lead in addressing it except Suffolk County. Suffolk County Health Department went in there and, you know, as the EPA, they knew about it and the DEC, they knew about it, but it was Suffolk County that really led the clean-up of that -- of that toxic site. But because there was such a long wait, the plume, the contaminated plume grew and now a large portion of Port Jefferson is dealing with the remediation of that site. I don't want to see that happen to this site, and I think that's why it's important that we invest in the remediation. Can we get -- are we going to get reimbursed, I'm assuming, by the defendants of this site?

COMMISSIONER BERDOLT:
That's our plan is to -- any costs that are incurred, to go back to them civilly.

LEG. ANKER:
And the other question I have for you is, you know, as we're working to make sure that our parks are secure and hopefully eliminate illegal dumping in our parks, how many cameras do we have available for our parks throughout Suffolk County?

COMMISSIONER BERDOLT:
We have none.

LEG. ANKER:
How can we get cameras in our parks? I know we looked into that; I know, Kara, you had sponsored legislation. How can we facilitate that and move that forward to prevent this type of situation from happening?

COMMISSIONER BERDOLT:
Well, Acting Commissioner Cameron has told me that he'll be purchasing some cameras for us out of his -- I believe it's asset forfeiture fund; I'm not sure exactly where, but I think that's where it's from. And hopefully within the next month we'll be getting those and we'll be deploying them throughout certain areas that are problem areas.

LEG. ANKER:
Okay. It sounds like we need quite a few. How many cameras would we need? Again, I wouldn't say every park needs a camera, but I know in my district, the Chandler Estate, there was all the graffiti on the rocks. It was just that particular time and I think eventually the -- you know, the folks that were doing it went away. But, you know, I had illegal dumping in the Miller Place parcel that was recently cleaned up, there were stolen items on that parcel. We need to do more, you know, obviously, to make sure our parks are secure, and I appreciate your attention in dealing with this. And of course, if you need help, I know Legislator Hahn is very strong with the Parks Watch.
LEG. HAHN:
That should be on the front page.

LEG. ANKER:
Yeah. But could you please put that on the front page of your Parks website? That would be a very good thing. But again, I appreciate your time and I'll be supporting this. But again, I hope that we can be much more proactive in preventing this type of situation.

P.O. GREGORY:
Legislator Cilmi.

LEG. CILMI:
I have eight minutes; go.

D.P.O. CALARCO:
Seven.

LEG. CILMI:
(Laughter) Seven, darn it! Phil, hopefully you can answer some questions.

COMMISSIONER BERDOLT:
I'll try.

LEG. CILMI:
And forgive me if I'm being redundant here. $750,000 we've approved already.

COMMISSIONER BERDOLT:
Correct.

LEG. CILMI:
For what exactly? What was that money to be spent on?

COMMISSIONER BERDOLT:
That was -- that money was already in place, it was just moved, so that was already there.

LEG. CILMI:
But why did we move it? What was it -- what are we spending $750,000 on, exactly?

COMMISSIONER BERDOLT:
Well, we originally thought, like I said, the cost was going to be 5.5, and with Branch Services, when we got that estimate, we weren't -- we thought it was a little high and then we were going to go out to bid and then this whole plea deal started to come into play, which we didn't get notification I think until late November on it and December and then this is where we are now, so.

LEG. CILMI:
But what are we spending the $750,000 on?
COMMISSIONER BERDOLT:
That was money that we had originally that was going to go from a
dredging project that Public Works dredged, so we used that money
to start this process, to get money for the five -- we didn't know
what we were getting, so we were trying to pick money --

LEG. CILMI:
I understand. Exactly what are we using the $750,000 for?

COMMISSIONER BERDOLT:
What will we be using it for?

LEG. CILMI:
Yes, that's my question.

COMMISSIONER BERDOLT:
We will be using it for whatever is needed for this clean-up.

LEG. KENNEDY:
But we don't know.

LEG. CILMI:
So we don't know what's needed.

COMMISSIONER BERDOLT:
No.

LEG. CILMI:
When did we approve that $750,000?

LEG. TROTTA:
August.

COMMISSIONER BERDOLT:
Over a year ago.

LEG. TROTTA:
No.

LEG. CILMI:
And we didn't know why it was needed then, but we --

COMMISSIONER BERDOLT:
Well, we know we have to clean the site.

LEG. CILMI:
Yeah, but what exactly are we -- you talk about cleaning the site.

COMMISSIONER BERDOLT:
Correct.

LEG. CILMI:
We heard about this plea agreement where three of the allegedly
four dumpers in this case have agreed to this plea where they're
going to remove 450 -- is it 450 per --
DEPUTY COMMISSIONER BERDOLT:
No, total.

LEG. CILMI:
Four hundred fifty total truckloads of material out of this facility, correct?

COMMISSIONER BERDOLT:
Correct.

LEG. CILMI:
Okay, so that's cleaning the facility, no?

COMMISSIONER BERDOLT:
We're not sure. We could -- they could start taking out and take their 450 yards and they -- 450 truckloads, there could still be over a hundred truckloads of material that needs to be removed.

LEG. CILMI:
But we don't know.

COMMISSIONER BERDOLT:
We don't know. As the material is removed --

LEG. CILMI:
Okay. So --

COMMISSIONER BERDOLT:
-- we have to retest these sites; the areas where it was removed from, we take soil samples.

LEG. CILMI:
That's operating cost.

COMMISSIONER BERDOLT:
Yes.

LEG. CILMI:
Okay, go ahead.

COMMISSIONER BERDOLT:
And if more needs to be done, then that's going to be -- we're going to have to incur that cost until we get to the area where we have good soil.

LEG. CILMI:
Okay.

COMMISSIONER BERDOLT:
Now if we remediate down, say we have to go down five feet in the entire park, we have to bring that park back up to grade.

LEG. CILMI:
Okay.
COMMISSIONER BERDOLT:
So now we have to bring material in.

LEG. CILMI:
Well, but --

COMMISSIONER BERDOLT:
So we're going to have to purchase material to be brought in.

LEG. CILMI:
That's if there's more.

COMMISSIONER BERDOLT:
Correct.

LEG. CILMI:
They're taking care of the 450 truckloads, right?

COMMISSIONER BERDOLT:
Yes.

LEG. CILMI:
Do they -- are they actually providing, then, clean fill to --

COMMISSIONER BERDOLT:
No.

LEG. CILMI:
Okay.

DEPUTY COMMISSIONER BERDOLT:
And I don't know if you want it from them, actually.

LEG. CILMI:
Before I get into a diatribe here, why can we just not wait until -- to approve this money; why can't we wait to approve this money until we know exactly what we're dealing with, after they've removed the 450 trucks of material? Why can't you come back to us then? (Brief pause) You don't know.

COMMISSIONER BERDOLT:
I mean, sure.

LEG. CILMI:
You already have 750, so we haven't used any of that since August.

COMMISSIONER BERDOLT:
If this body wants to vote on that then, you know, I'm not going to --

LEG. CILMI:
I don't know -- why would you bring this to us now before the 450 truckloads have been taken out?

COMMISSIONER BERDOLT:
Well, to not delay the process.
LEG. CILMI:
Why would the County Executive presume that we're going to authorize another $1.5 million of borrowing when we don't even know what's necessary? Or, for the matter, if there's a fourth defendant who might be liable for the rest of it? Why would they ask us to saddle the taxpayers with this money?

(*Commissioner Berdolt briefly spoke with Director Keyes*)

12:27PM

COMMISSIONER BERDOLT:
There are hidden costs that we just don't know about. I mean, when they start excavating, we don't know what's going to be under there, how much more we have to do.

LEG. CILMI:
But that's after the truckloads have been removed.

COMMISSIONER BERDOLT:
Yes.

12:27PM

LEG. CILMI:
Okay. So, you're not answering my question. I appreciate you don't have an answer to my question but, you know, that's an answer that I need to have before I vote in the affirmative for this type of borrowing and expenditure.

Secondly, we talked about the plea agreement. And I have grave concerns about this plea agreement, but I don't know, admittedly, all of the legal, you know, discussions and, you know, why the plea agreement happened the way it did. But what I do know is that this happened, dumping happened, enough at least for 450 truckloads to be taken out of the park. So where's the outrage about the fact that this happened in the first place? Where were we when this happened? I mean, we had dumping going on in a park, at Roberto Clemente Park, and there was outrage; there was protest, calls for resignations, there was handcuffs, there was front-page stories in Newsday, day after day after day, week after week, month after month, on and on and on. Where is the outrage on this? What happened that we allowed this to happen? You found material in barns? How in the world did anybody get material in barns without us knowing about it? And this is not -- you were not Commissioner at the time, but unfortunately now you have to answer these questions.

COMMISSIONER BERDOLT:
It was my first week on the job.

LEG. CILMI:
Yeah, it was your first week.

COMMISSIONER BERDOLT:
Yeah, welcome.

LEG. CILMI:
Sorry.
COMMISSIONER BERDOLT:
That's all right. And not to put blame on anybody, because -- and there are two different situations. That this facility was leased out by a contracted agency, so to speak, where, you know, the lessee was in charge of it, and it's not uncommon for her to bring or the lessee to bring in material to redo their trails. You know, obviously we're not --

12:29PM
LEG. CILMI:
But we have County workers on the park at that point, don't we?

COMMISSIONER BERDOLT:
Not in her facility, no; not in the stable. We do occasionally go in, but we do not on a daily basis have somebody there.

LEG. CILMI:
Was all the dumping in the stable?

COMMISSIONER BERDOLT:
I'm sorry?

LEG. CILMI:
Was all the dumping in the stable?

COMMISSIONER BERDOLT:
No, it was in her -- in the West Hills/Sweet Hills Riding Stable area and the trail-ways that she was responsible for. So we have a dog park and a picnic area south of that, and then we have -- north of that we have our camping area, which it's a large park area. So her area is contained by fences and -- so like I said, it's not unlikely for her to bring fill in.

12:30PM
LEG. CILMI:
But it had to get in in the first place, Phil.

COMMISSIONER BERDOLT:
Oh, yeah. I know, I understand, and it could have been coming in at night. I mean, it's a very remote location.

P.O. GREGORY:
All right, gentlemen.

COMMISSIONER BERDOLT:
It's not like it's, you know, in a neighborhood park as Robert Clemente.

LEG. CILMI:
This is an absolute travesty that this happened in the first place.

12:30PM
COMMISSIONER BERDOLT:
Absolutely.

LEG. CILMI:
To come to us and ask for us to approve 1.5 million of borrowing on top of 750,000 that we already approved, before we even know that it's necessary and without even a full understanding of exactly
what that money is going to be spent on? We talk about irresponsible not to approve this? Nothing's preventing clean-up from going forward. If we don't approve this today, there's nothing preventing the dumpers who entered into the plea agreement from coming in and taking truckloads of material out of that park in their entirety and for us to have Park Rangers, Police Officers, Parks officials there to make sure that they're doing it the right way. This resolution does not control that process in the least.

P.O. GREGORY:
Okay. All right, I have several more speakers. We're at the lunch break hour, so we're going to adjourn -- or recess, excuse me, till two o'clock, and we'll see you all then. Thank you.

(*The meeting was recessed at 12:31 p.m.*)

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

(*The meeting was called to order after the recess at 2:04 p.m.*)

P.O. GREGORY:
Okay. Good afternoon, Madam Clerk.

MS. ELLIS:
Good afternoon.

P.O. GREGORY:
Please do the roll call.

(*Roll Call by Amy Ellis, Chief Deputy Clerk of the Legislature*)

LEG. KRUPSKI:
Here.

LEG. FLEMING:
Here.

LEG. SUNDERMAN:
Here.

LEG. MURATORE:
Here.

LEG. HAHN:
Present.

LEG. ANKER:
Here.

LEG. LINDSAY:
Here.

LEG. MARTINEZ:
(Not Present)
LEG. CILMI: Here.

LEG. FLOTTERON: Here.

LEG. KENNEDY: Here.

LEG. TROTTA: Here.

LEG. MC CAFFREY: Here.

LEG. BERLAND: Here.

LEG. DONNELLY: Here.

LEG. SPENCER: Here.

D.P.O. CALARCO: Present.

P.O. GREGORY: Present.

MS. ELLIS: Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY: Okay. All right. So we were in the middle of debating I.R. 1123, and I was going through my list. Legislator Kennedy was next.

LEG. KENNEDY: Okay. Thank you, Mr. Presiding Officer. I just have some questions that I'm sure no one here can answer.

(Laughter)

LEG. KENNEDY: Pretty much. Can we find out, or were we able to find out if we are prosecuting presently that fourth felon that dumped, or we don't know that? Is there anybody that can answer, anybody from the County Executive's Office?

MS. SMITH: I don't have the answer to that.

LEG. KENNEDY: Okay, we don't know that one. Okay. Next question. Does anybody know the percolation rate to groundwater for that piece of property?
LEG. TROTTA:
(Raised hand).

LEG. KENNEDY:
Rob Trotta does. Come on, Rob.

COMMISSIONER BERDOLT:
That seemed like a lob, but go ahead.

LEG. KENNEDY:
That was not a lob.

(Laughter)

LEG. TROTTA:
No, 75 -- I read somewhere that it was -- they estimated it would take 75 years, which is --

LEG. FLOTTERON:
Yeah, I think that's what I read, too.

LEG. TROTTA:
Yeah.

LEG. KENNEDY:
Where was that?

LEG. MC CAFFREY:
It was in Newsday.

LEG. TROTTA:
In Newsday, one of the articles.

LEG. KENNEDY:
Ah, Newsday.

LEG. MC CAFFREY:
Got to be true.

LEG. TROTTA:
It's got to be true if it's in Newsday.

(*Laughter*)

LEG. KENNEDY:
Okay. So then, if that's true, or close to it, I will check it when we get out. Then we have a little amount of time.

There's also a rumor about that there has been dumping going on well over ten years at that site. Has anyone else heard that?

COMMISSIONER BERDOLT:
I have not.

LEG. KENNEDY:
You haven not? Okay. And, Robert, this one's for you. I've been
doing the budget three years and I don't recall ever seeing it, but do we have a reserve fund for emergencies (demonstrating air quotes) in the County?

**MR. LIPP:**
No.

**LEG. KENNEDY:**
Yup, okay.

02:07PM
**MR. LIPP:**
That being said, to -- just to qualify it, there is an over $49 million tax stabilization reserve fund that hasn't been used in years. It's been drawn down upon. It was well over 100 million at one point, but now it's 49 million and change, and it's thought of as we better hold onto to that, because our cash flow is weak and we need that money to help with our cash flow.

**LEG. KENNEDY:**
Okay. But it's still there, and we will now work on getting a reserve fund in place. We have done things such as get rid of Parks Police, reduce the number. We're talking about getting cameras. These are all things that we have to do to prevent this from happening again. But, at this point, I guess I'll -- I'll just hold off on this point. Thank you.

**P.O. GREGORY:**
Okay. Just in time, Legislator Monica Martinez.

02:08PM
**LEG. MARTINEZ:**
Thank you. Okay. Hi, Commissioner.

**COMMISSIONER BERDOLT:**
Hello.

**LEG. MARTINEZ:**
Quick question. Has any water testing been done yet at this site?

**COMMISSIONER BERDOLT:**
Any water testing?

02:08PM
**LEG. MARTINEZ:**
Yes.

**COMMISSIONER BERDOLT:**
I don't believe so. I think they're just soil borings.

**LEG. MARTINEZ:**
Okay. See, I kind of find it hard what we're hearing right now, because being a victim of living in Brentwood, where our only viable park that our children have for Brentwood and Central Islip was one of the biggest, if not largest, toxic dumping scandal in Suffolk. And today, on this very horseshoe, I have a colleague that sat on that same exact Board that oversaw the dumping that took place. And I think, as elected officials, it is our responsibility just how the Town also did in respect to the dumping
at Roberto Clemente Park, clean it up. And that is what we need to do with our Suffolk County parks, and that is clean it up. It's our responsibility.

Our kids are still waiting for that park to be fully open and ready to go. And knowing that those that caused the dumping just got a slap on the wrist, considering 40,000 tons of toxic dumping was poured into the only park our kids had. So now we're seeing something similar in our County parks, and it's our responsibility, as elected officials, to do that, and that is to clean it up, make sure this does not happen again, make sure that our families have a safe place to go, for our waters to be clean.

We passed a resolution here actually making sure that our water was tested around the areas of Roberto Clemente Park, and I think we need to do the same thing with this. We need to pass a resolution directing the Department of Health to make sure that the waters are clean, and to do it for a number of years. Also, we passed a resolution in this exact horseshoe of anyone who has been found guilty of toxic dumping will no longer be able to bid for any contract here in the County. And I really hope that moving forward with this we make sure that those individuals who are held accountable are no longer active in this County, because we're going to keep seeing the same exact thing over and over. So we pass laws here for a reason, and we need to make sure that they're being enforced. And we need to make sure that those, again, that are held accountable, who are doing it, are held accountable.

And I really hope that my colleagues, both sides, really vote for this. This is something very important. I know we always discuss what's priority and what's not, but these are families, these are people's lives that we need to make sure that we take care of. And having hazardous material just sitting there, just seeping into our groundwater, I think in itself we're not being responsible to our constituency.

So, to the cosponsors and the sponsor, obviously, I will be voting for this bill. Again, I know how it feels to have a park taken away from them, and we really can't afford other families not to have a park to go to.

P.O. GREGORY:
Legislator Flotteron.

LEG. FLOTTERON:
Thank you. Yes. Well, one, I do agree with my colleague, my other colleagues, especially even Monica Martinez who just pointed out that this is the utmost importance to get clean, and I totally agree with that. My questions were with really more on the guidelines of the plea deal and what's going on.

But going back to some of Legislative Martinez' comments. I've gotten letters when I was in the Town asking for public forums helping legal professionals to come to meetings to establish a health fund. I got from this horseshoe the public list of every
known location where the defendant did any work throughout the Town of Islip. But the same outrage was not hold by this same horseshoe who's known about this problem for 2 1/2 years, and that's what is more puzzling, is because, you know, the District Attorney at the time said this is more toxic and larger than Roberto Clemente Park. And why you've been sitting quiet for all these years is part of my outrage. And what --

LEG. MARTINEZ:
Who's been quiet?

LEG. FLOTTERON:
It's been quiet. One, you could even see part of the quietness of this is why are these demands of these -- of the Water Authority doing testing there, the Authority -- the demands for reach -- community outreach has been none, none, compared to the resolutions and letters that were sent to the Town of Islip for political gain. So my question going back to this is really basically so from the District Attorney's agreement, this was settled in November. When are they supposed to start this cleanup? Has there been a meeting with them yet?

COMMISSIONER BERDOLT:
Well, there was -- excuse me. There are a couple of things. We -- when we first got our estimate, like I said before, for $5.5 million, we thought it was a little high, so we were figuring we were going to go out to bid. So nothing was done, we didn't ask for any money just then. And then the District Attorney contacted me saying they were looking to make a plea deal, would that be acceptable. Yes, obviously it would be acceptable. And that was one of the -- Chief Heilig, who is no longer with us. The plea deal came through and we needed to have Branch Services, who was our requirements contractor --

LEG. FLOTTERON:
Sorry, just one question in the middle of that. You said they reached out, the District Attorney, to your office to come up with a plea deal?

COMMISSIONER BERDOLT:
To ask if it was okay to enter into a plea deal with the defendants.

LEG. FLOTTERON:
Okay. So your office was able to orchestrate the deal with --

COMMISSIONER BERDOLT:
No, no. They just needed permission to speak on our behalf.

LEG. FLOTTERON:
Okay. I'll let you continue.

COMMISSIONER BERDOLT:
And when we realized that -- well, Branch Services, then, because they were not going to be the prime anymore, because we didn't need
them for the removal of the material from the plea deal, so they were no longer going to let us or let them be the conduit to hire Environmental Services. So we needed to go to the Waiver Committee because Enviro Services already did the entire remediation plan, but we need to hire them for the oversight of the project and to be our GC, so to speak, on the project. So that is why we're --

LEG. FLOTTERON:
One question, just from that point.

COMMISSIONER BERDOLT:
Yeah.

LEG. FLOTTERON:
And do we have a price what that's going to cost for that service from EnviroScience?

COMMISSIONER BERDOLT:
Right, $150,000.

02:15PM

LEG. FLOTTERON:
Okay. Is there anything else you want to --

COMMISSIONER BERDOLT:
No. And then -- so right now, so now we're at that point where the waiver was granted, because they already did the work, and it was a good -- good reason to go to Waiver, instead of going out for an RFP again. So that just came through in the last, I think, week. So we are able to go into contract with EnviroScience now to be our oversight. So right now we are working with the County Attorney's Office, and we have been in touch with DEC and representatives, the attorneys that are representing the defendants, to meet. And we're going to be meeting onsite, and then give them the plan, or if they haven't gotten it already, which they may have gotten our remediation plan, and they need to now come up with their own plan on where they're going with the material so we can move forward, and it has to be approved by DEC. It's a very --

02:16PM

LEG. FLOTTERON:
And, again, so it's EnviroScience for the first -- this oversight, about 150,000, could end up maybe being a little bit more.

COMMISSIONER BERDOLT:
Yes.

02:16PM

LEG. FLOTTERON:
Then their -- the three defendants are supposed to remove all the materials.

COMMISSIONER BERDOLT:
Well, we don't know. There's -- for 450 truckloads of 35 yards each truckload.

02:17PM

LEG. FLOTTERON:
And to get to that point, if everything went wonderfully, when should we be there? Is this something that takes 30 days --
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COMMISSIONER BERDOLT:
Well, we couldn't do anything in the winter --

LEG. FLOTTERON:
-- or 120 days?

COMMISSIONER BERDOLT:
No. Well, they're estimating that they gave them 60 to 90 days to complete the remediation of their plea agreement.

LEG. FLOTTERON:
Okay.

COMMISSIONER BERDOLT:
Doesn't mean it's going to be the entire site, it's just to get to where there plea is.

LEG. FLOTTERON:
Okay. And it might take us -- and how many days would it probably be until we probably -- if everything went smoothly, that we could even start that, I mean, start the removal?

COMMISSIONER BERDOLT:
If they can get their plan approved quickly from DEC, you know, I don't know, maybe 30, 30, 45 days, possibly.

LEG. FLOTTERON:
Okay. And, again, we have -- if I understood, there was already bonding for 750,000 that has not been used yet or --

COMMISSIONER BERDOLT:
Well, some has, and I know Dr. Lipp said that we haven't expend it, but I know we've already spent 22,000 with Branch Services to hire for -- they did the remediation plan and got the approval from DEC, so that was there. That was 22,000 and we spent, I think, 13 on fence.

LEG. FLOTTERON:
Okay. So, again, my concern, my concern is, also, one, number one, we have to get this cleaned up as soon as possible. Two, it sounds like we haven't met with -- sat down with the three defendants, with the District Attorney's Office. And we do have funds to get this started, but we don't -- right now, even this 1.5 million, it's just a number you're grabbing out of the sky, because right now, with all these expenses, you have 150,000 you're looking at. Am I understanding that correct?

COMMISSIONER BERDOLT:
Right. I mean, yeah. We don't know what the end result is going to be. I mean, this is basically --

LEG. FLOTTERON:
And it might -- and I understand it might grow --

COMMISSIONER BERDOLT:
Correct.
LEG. FLOTTERON:
-- as this goes on.

COMMISSIONER BERDOLT:
Right.

LEG. FLOTTERON:
But that's when we'll be able to determine how much more bonding we would need to do. But right now --

COMMISSIONER BERDOLT:
Right.

LEG. FLOTTERON:
-- we're just going out getting a home equity loan, which we probably don't need.

COMMISSIONER BERDOLT:
Yeah, but --

LEG. FLOTTERON:
We might not need.

COMMISSIONER BERDOLT:
-- you draw down on the home equity loan as you need it, you know, and this will not stop anything. I mean, if we don't need the money -- I'm hoping that we can get out of here for 350,000 and we'll be okay, we don't need any of it, we don't have to draw down on it, we don't have to bond it. This is basically just like a -- as a place holder so it doesn't stop. If for any reason this goes over with the money we have, now everything stops. They're going to have to -- EnviroScience is going to have to demobilize, and whatever other trucking we're doing at the time, you know, has to stop. And, you know, everything stops and comes to a halt.

LEG. FLOTTERON:
And, again, it's going to take a while to even -- how you said, at least more than a month before we even know when the trucks are coming and how they're going to remove it. At that time, I think is our next meeting April 24th, because I know there was a lot of outstanding questions we had. It would not slow up anything. You would still be able to have money the money in hand, but we'll have a better idea or exactly what you would need. And the point is like why borrow until we know or we have a little better plan? Right now, again, you have not even met with any of the defendants that you were supposed to be coming up with a plan with. They might not be able to do any of it, and we'll have to hire the whole thing, and it might a dramatically number.

COMMISSIONER BERDOLT:
Well, the plan to them isn't going to be do the whole thing. Their plan is only going to be for their 450 truckloads, that's all. So, you know, it's not like they're going to come up with a plan that's going to say we're going to clean the whole park, and that's it, and it's going to cost $150,000. They're not going to come up with that. Their plan is for the 450 truckloads and where its end
result is going to be. That is their end of their deal, that's it.

LEG. FLOTTERON:
Thank you. And I guess my understanding or outrage is more even
there should be an investigation with the District Attorney's, this
whole -- this whole thing they came up with, it seems like this has
been brushed under the rug. To my understanding, quoting the
District Attorney again, this is larger than Robert Clemente, it is
more toxic than Robert Clemente.

COMMISSIONER BERDOLT:
That's not correct.

LEG. FLOTTERON:
Well, that's according to what the D.A., District Attorney said on
public record.

COMMISSIONER BERDOLT:
Right. Well, you know, the end results are they're not.

LEG. FLOTTERON:
Yeah.

COMMISSIONER BERDOLT:
It's the same material or less, and it's half the amount of
material. It's eight -- they've estimated at 18,000 yards, where
Robert Clemente was about 40,000, I think, if I'm not --

LEG. MARTINEZ:
Forty thousand tons.

COMMISSIONER BERDOLT:
Forty thousand?

LEG. MARTINEZ:
Compared to 47 tons here.

COMMISSIONER BERDOLT:
No, it's not 47, we have less.

LEG. MARTINEZ:
(Nodded yes).

LEG. FLOTTERON:
Again, not getting the exact numbers --

COMMISSIONER BERDOLT:
Yeah.

LEG. FLOTTERON:
Originally, the minimal amount of information out there is I'm
seeing --

COMMISSIONER BERDOLT:
Right.
LEG. FLOTTERON:
-- a quote, according to the District Attorney, saying this is much
larger and more toxic, so --

COMMISSIONER BERDOLT:
Yeah, I saw that, too.

LEG. FLOTTERON:
So -- and, again, I know a lot of the other Legislators had other
questions, but this is -- we all want it clean, we want you to
start right away. Please meet with the District Attorney, and
please get that other bond, the 750, have it ready for
EnviroScience, move ahead. But right now we don't have a plan yet
to know how much money you really do need, and you have money to
work with to get to that point a month from now.

COMMISSIONER BERDOLT:
Well, right. Just to be clear, we do have the remediation plan,
that is already in place. We just don't know, after the
450 truckloads, what is left. That's after the testing gets done.

LEG. FLOTTERON:
Understand.

P.O. GREGORY:
I'm like really, really struggling. It's just -- it's like -- it's
like a predetermined conclusion looking for an excuse. And I think
it should be understood, if it's not understood, we do agree that
there's dumping here, right? And it's toxic dumping, it's not like
nontoxic materials. And, you know, if we look at this seal behind
us, it says the Suffolk County Legislature, it's not the Club of
Legislators, it's not the Association of Legislators. We are part
of government. We have a responsibility. This is not a club, this
is not games. We have a responsibility. We know that dumping has
happened here, and we're talking, well, the D.A. didn't do his job,
and you're not as outraged as what happened in Islip. Who cares?
Really? We're not going to do our responsibility because we're not
as outraged, someone determines that we're not as outraged on this
incident as another incident? That's crap.

There's dumping here, we understand that. They have a plan. They
don't have the money to implement the plan, and we're debating over
syllables and verbs and outrage, and like this is garbage. This is
the crap that goes on in Washington, and that's why people are
upset about what goes on in Washington, because we can't even
determine that today is Tuesday, that's really what's going on. We
don't know if today is Tuesday? Really? We don't know if dumping
happened in our park?

Legislator Cilmi and I sit on the Landbank Board. For decades we
ignored parcels that we knew had dumping on them, that were
contaminated. We are the government, we have a responsibility, and
we ignored it. And now years later we're complaining we have to
pay millions of dollars because of parcels that we knew were dumped
on, contaminated on, and no one wanted to take the responsibility.
This is our park, it's not private property, it's not the property
of the Association of Legislators, or whatever. This is Suffolk
County parkland. We've dumped on it. Someone has criminal
liability on it, and we're complaining that the -- that the
District Attorney didn't do enough job and that maybe Monica
Martinez, or whoever, I don't know what that's aimed at, is not
outraged enough? I mean, that's crap, that is crap.

The Commissioner is here asking us for support. There's a plan.
He doesn't have enough money to implement that plan. And we're
going to go to -- and he mentioned that there are three other cases
that they're working on, dumping cases. That could happen in any
one of our communities, and we're going to sit here and we're going
to ask, "Well, did you prosecute enough? Did you have" -- "Did you
do this, did you do that?" You know, like, really, we're going to
go through that every single time that we have a confirmed case
that there's dumping? It's outrageous. This is -- this is really
outrageous, and it really tarnishes the image, not only of this
body, but of Suffolk County government.

You're going to go to the neighbors, or the people that have to
live with this garbage in their community, and say, "Well, you had
$750,000, you didn't do enough," and the D.A., who's no longer
there, "He didn't do a good job, we want to hold his feet to the
fire." And like really? Like, come on, I mean, let's get serious.

Legislator Trotta. He's going to get serious right now.

LEG. TROTTA:
Yeah, I'm going to get serious --

P.O. GREGORY:
All right.

LEG. TROTTA:
-- because that was the biggest joke I ever heard in my life. They
have $750,000 and they haven't used a penny. We should have been
cleaning this up come November, because if any competent business
would do, if there's -- someone dumped, you have the permits, which
I read in the paper, and you have someone who pled guilty, it
should have been done immediately and it wasn't. You didn't even
spend the $750,000. Where is the plan? Where is the environmental
plan? How come it wasn't done immediately?

COMMISSIONER BERDOLT:
Well, before November, we didn't have enough money for the estimate
we had from Branch Services --

LEG. TROTTA:
Okay.

COMMISSIONER BERDOLT:
-- for $5.5 million.

LEG. TROTTA:
Okay. Once November -- when the plea came in, how come you didn't
get those trucks over there the day after the plea and start doing
it? Because you had a plan in place and you had it.

COMMISSIONER BERDOLT:
Right, but --

LEG. TROTTA:
And to say you don't have the money, we have $750,000 we didn't spend.

COMMISSIONER BERDOLT:
By the time it came through --

LEG. TROTTA:
Wasting the taxpayers money coming here and asking for more before you even spent what you had, plain and simple.

COMMISSIONER BERDOLT:
Well, we couldn't start due to weather. You can't go in there in the winter.

LEG. TROTTA:
Why couldn't you start through the weather. Because I walked out there many times since then and there's -- you could do it no problem.

COMMISSIONER BERDOLT:
If the ground was frozen?

LEG. TROTTA:
Well, it wasn't frozen all the time. If this --

COMMISSIONER BERDOLT:
It wasn't frozen all the time, no. No, we couldn't do our job --

LEG. TROTTA:
If this was that important, it should have been done immediately, the second you got it. You had people who pled guilty, you had the trucks ready to go, 455 truckloads. I mean, how that happened in the first place is beyond me. It should have been done, and nothing's been done, zero. I read in the paper where actually you're saying that we were going to start in September and nothing happened, nothing. The permits are in place, everything ready to go. So to say -- government's incompetent. We should have been doing this. I'm not blaming you, it's the system.

COMMISSIONER BERDOLT:
Sounds like you are.

LEG. TROTTA:
Well, you know, quite honestly, at that point, you were the Parks Commissioner. Because if I was the Parks Commissioner, I would have done it immediately, start immediately and cleaning it up.

COMMISSIONER BERDOLT:
If we had -- back then, if I had the 5.5 million, we would have done it.
LEG. TROTTA:
You don't need 5.5, you had a plea bargain.

COMMISSIONER BERDOLT:
The estimates -- before that, our estimates were 5.5 million.

LEG. TROTTA:
But once you got the plea bargain, which is five months ago, we could have been cleaning today.

COMMISSIONER BERDOLT:
Once we got the plea bargain, which was the end of November --

LEG. TROTTA:
Today we should have been cleaning. Now to come here and ask for another million-five -- and, by the way, I think -- I think if the bill strikes me correctly, it's for this and other parks. So now we're moving money to other parks? Look, this County is flat-busted broke. No one wants this cleaned up more than me. But guess what, we caught the people who did it, they should be held responsible. And to come here and ask for money when you didn't even spend the money we have now, it's unconscionable, it's ridiculous. Start the cleanup. Maybe you could be done in 300 truckloads, who knows.

COMMISSIONER BERDOLT:
I know.

LEG. TROTTA:
We'll never know until we start.

COMMISSIONER BERDOLT:
I'd love for that to happen.

LEG. TROTTA:
So to come here to do it, it's irresponsible to ask for the money. It is, it's ridiculous. Get to work, get your guys out there, and get them going, let's go.

P.O. GREGORY:
Legislator Spencer, you got three minutes.

(Laughter)

P.O. GREGORY:
For the public portion or public hearing.

LEG. SPENCER:
I'm good.

P.O. GREGORY:
Legislator Fleming?
LEG. FLEMING:
Thank you. Thank you, Mr. Presiding Officer. You know, maybe I misheard what my colleagues, who are in opposition to this bill, have been saying. But if I heard right, I feel like I'm a little disoriented as to censuring here. I believe Legislator Kennedy said how far is percolation to groundwater, and Legislator Trotta said, "Well, I read somewhere it's 75 years," and Legislator Kennedy said, "Oh, well, then we have time." We don't have time. We have 15,000 cubic yards of contaminated material sitting in a public park. We have semi-volatile organic compounds, asbestos, metals, pesticides that have been banned since the 1960s.
Long Island relies on a sole source aquifer. Our drinking water sits beneath our feet, and we around this horseshoe are charged with the sacred duty of protecting that aquifer. That we -- that we would think, having discovered this amount of contaminants in a public park, that we have time to consider what to do is an outrage.
I would like to be listed as a cosponsor on this bill and the bond resolution. Thank you.

P.O. GREGORY:
Okay. All right. So we have to recess for now for that debate and go into our public hearings. We have several public hearings that are of interest to folks who are here.
So I.R. 1000 - A Local Law to Provide Legislative Oversight of Asset Forfeiture Funds. (Calarco) PUBLIC SAFETY.

D.P.O. CALARCO:
Motion to recess.

P.O. GREGORY:
Motion to recess by Legislator Calarco, I will second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Vote Amended to 18)

I.R. 1001 - A Local Law to Improve Contracting and Payment Rules for Contract Agencies. (Calarco) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECHNOLOGY & HOUSING.

D.P.O. CALARCO:
Motion to recess.
P.O. GREGORY:
Motion to recess, I'll second. All in favor? Opposed?
Abstentions?

MR. RICHBERG:
Seventeen. (Vote Amended to 18)

P.O. GREGORY:
I.R. 1140 - A Local Law to Adopt Tax Policy Prior to Election Day. (Cilmi) BUDGET & FINANCE. I think I saw one card. Maybe not.
Okay. Oh, there you go. All right. Please state your name, Jack, for the record.

MR. KULKA:
My name is Jack Kulka. I am the founder of the Hauppauge Industrial Association, and Chairman of the Government Relations Committee.

I've been listening to the previous debate very quickly, and I agree. I don't believe there's a Democrat or Republican way of solving problems, there's a common sense solution to problems. And whether you sit on the right or the left of the problem, the problem needs to be resolved.

Similarly, there are three fiscal bills that are coming before the Legislature. I don't think they are partisan bills. I think they are bills that make common sense and should be addressed by the Legislature.

The first one is 1140, which is a Local Law to adopt tax policy prior to Election Day. It would be nice as a voter to know how a potential candidate for the office of County Legislator stands on fiscal issues and on major expenditures, etcetera, etcetera, not to wait until after the election is over and then have the ability to vote on something when the electorate doesn't know where you stood when you ran for election. To me, that's a way of getting off the hook. I don't think that's a Republican or a Democratic statement, I think that's purely common sense.

Fee increases, as was so aptly stated by Legislator Trotta, and having sat on a number of special boards in order to salvage financial problems for the County, especially with regard to the County Center. Of course we'd like to limit taxes, but fees, in essence, are taxes. So that if you don't have a limitation on the increases in fees, basically in an attempt to solve and restore the fiscal integrity of the Legislature, we could be taxing the electorate, utilizing fees to death. I think there should be a cap on it. We have caps on school board expenditures. I think there should be similarly a cap on governmental expenditures. Two percent might not be a bad idea.

And last, but not least, we've always had problems in the State where contract -- we read all the time where contractors make large donations in order to get special jobs, in order to get awards, in order to get expenditures so that they can make money off the backs of the taxpayers. Similarly, we're reading about Nassau County,
where Nassau County officials and Town of Oyster Bay officials were part and parcel of a plan to fund private industry, etcetera, and private individuals who had made substantial donations to their coffers. Similarly, I'd like to see a law enacted in Suffolk County that would limit -- would limit campaign contributions from vendors and County contractors doing business with the County.

P.O. GREGORY:
Hey, Jack.

LEG. TROTTA:
I have a question.

P.O. GREGORY:
Your time is expired, but --

MR. KULKA:
And public unions.

P.O. GREGORY:
Legislator Trotta has a question for you.

LEG. TROTTA:
Do you find that the 2,000 per Countywide official and a $500 for County Legislative official, is that adequate? That's per election cycle.

MR. KULKA:
Personally, I've seen a lot more donations than just that $2,000, but I think $2,000 would be a fair --

LEG. TROTTA:
You would consider that a fair amount?

MR. KULKA:
Yes.

LEG. TROTTA:
Thank you.

MR. KULKA:
Thank you.

P.O. GREGORY:
Thank you, Jack. Kim Revere.

MS. REVERE:
Hi. My name is Kim Revere and I'm a Kings Park resident. And just very quickly on this 1140, I just want to say that it makes no sense to hold a budget vote the day after an election. And I think that giving -- if this body truly seeks transparency and an even playing field, then I think that the taxpayers and the voters of Suffolk County deserve at least two weeks notice to know what the heck we're voting on and who we're voting for. So give us a couple of weeks, please, and then maybe I won't beg my children so hard to leave this County to have a decent life. Thank you.
P.O. GREGORY:
Okay. Pam Farino.

MS. FARINO:
So I was here for the morning session, and there was a lot of conversation regarding a waiver for a particular Legislator's family member and there was a lot of conversation about transparency. So, if we're going to talk about transparency, we certainly should not be voting for a budget for Suffolk County after we vote on our Suffolk County Legislators.

So I'm going to make this real simple. You guys talk about transparency, talk about it every time, talk about it committee meetings, you talk about it almost every single time I'm here. So if you want transparency, you've got to let the taxpayers know the budget, where all of you stand before we vote for all of you on Election Day. All of you deserve to tell all of us where you stand and where our taxes are going before we vote on Election Day. That's all I got to say on this matter.

P.O. GREGORY:
Okay. Anyone else like to speak on this public hearing who has not spoken? Okay. Legislator Cilmi.

LEG. CILMI:
Motion to recess, please.

P.O. GREGORY:
Motion to recess by Legislator Cilmi, I will second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
**I.R. 1157 - A Charter Law to Limit County Fee Increases. (Trotta)**
**BUDGET & FINANCE.**

I do have several cards. Ms. Revere, you're up again.

MS. REVERE:
Okay. On the tax cap fee, basically, I just -- I just don't feel that we should have fees for everything under the sun. I would have more respect for a representative who came to me and honestly said that my taxes need to be raised a certain amount of money because the County needs the funds. But the fees -- but the fees that are here, at the very least, there should be a 2% tax cap, basically, because you just shouldn't be able to charge whatever you want to charge.

So, therefore, as far as we need a super-majority, if there -- if there's any reason to pierce the cap, there should be a super-majority of Legislators voting on it, so that the majority of Suffolk County residents should be represented. So I feel that since the -- you know, the Republicans are in the minority, you need that super-majority of people. We need as much representation

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as we can get for everybody to have a say. And just try to keep it
at 2%. And if you can't do that, because it is -- obviously, there
are certain things that are very, very important that you might
need a little wiggle room there, you should be able to give
everybody in Suffolk County representation on that vote, and that
would mean that you'd have to have the super-majority, and I agree
on that. That's it. Thanks.

P.O. GREGORY:
Hold on. Ms. Revere, Legislator Hahn has a question for you.

LEG. HAHN:
So I'm just curious. Some of the fees that -- well, most of the
fees that we charge, we don't raise them every year. We might
raise them every five years, some of them we went 20, 25 years
without raising. So, you know, at 2%, are you talking about 2%
since the 20 years ago that we raised it, or are you talking about
2% a year? Or what do you think would be fair? You know, so what
you've got to understand is fees are different from the taxes.
Every year, you know, the taxes come up because it's part of the
budget and it's a complete -- you know, when we change a fee
structure, it's not an every year thing. And so sometimes, you
know, we'll wait five years before we do it again, and it might --
you know, we might wait 20 years, some of them. So I'm just
curious if there's any difference for you for that?

MS. REVERE:
No, because --

LEG. HAHN:
What does no mean?

MS. REVERE:
I understand that --

LEG. HAHN:
Two, 2% per year, or 2% over 20 years?

MS. REVERE:
Two percent, whenever it comes up for a vote. We're just being
taxed to death, we're being fee'd to death, and for every -- I know
that this County is in dire -- is in fiscal dire straits, but so
are the residents of this County, and it's just that -- so I just
think that if you're going to pierce -- if you're going to go up
more than 2% on any fee, then you should have a super majority,
that's all, just to give the people a voice.

LEG. HAHN:
Thank you.

P.O. GREGORY:
Okay. Thank you. All right. Michael Watt.

MR. WATT:
Good afternoon. My name is Michael Watt. I am the Long Island
Regional Director for Reclaim New York Initiative, a nonpartisan
501(c)(4) nonprofit organization that advocates for taxpayers on issues such as affordability, transparency and education. And I just want to add, I missed the discussion about transparency, but a colleague, Jack Schnirman, the newly elected County Comptroller in Nassau County, is fond of saying transparency is the anecdote to corruption, and I firmly agree with that.

I'm here today to express Reclaim New York's Initiative support for I.R. 1157, as proposed by Legislator Robert Trotta, which, if passed, would place a 2% cap annually on any fee increase planned by Suffolk County. In addition, Reclaim New York Initiative calls on the Suffolk County Legislator -- Legislature to take this a step further and rescind any and all fees the County currently charges that exceed the cost to the County of the service provided by the County.

Under State Law, fees charged must not exceed the cost of service. Excess fees used for general revenue purposes are unauthorized taxes. Further, these fees unfairly target a subset of the population to raise revenue for everyone else.

As delineated in a lawsuit filed last Fall by the Government Center, Suffolk County has skirted the law by increasing fees far beyond their legal limit. The most egregious category is fees for filing real estate documents. For example, in Suffolk County, tax map verifications were projected to bring in $65 million in 2017 from an agency that costs just over a million dollars per year to run. This makes the increasingly onerous task of purchasing one's first home ever more challenging, and it puts an unwarranted hardship on the legion of Long Islanders who purchase dilapidated houses, fix them up, and then resell them to families who would never be able to do so on their own.

Increasing fees beyond their legal limits as a way to forego raising taxes has been ongoing for several years in Suffolk County, and it's time to end the practice. Reclaim New York Initiative recognizes that Suffolk County continues to face financial difficulties and chronic budget shortfalls. If the Legislature needs to increase revenues, however, then it must do so legally, not by levying unauthorized taxes through excessive fees. If you prefer not to increase taxes, then we encourage the County to cut its expenses and embrace the same belt tightening the private sector has had to endure since the Great Recession of 2008.

In summation, Reclaim New York Initiative supports Resolution 1157, and encourages Suffolk County to do the right thing, the legal thing, and roll back the fees it charges Suffolk County residents so it is in accordance with New York State Law. Thank you.

P.O. GREGORY:
Hey, Mike, I have a question for you.

MR. WATT:
Sure.
P.O. GREGORY:
Has Reclaim New York made the same representations in the Nassau County Legislature?

MR. WATT:
We're in -- it's Reclaim New York Initiative.

P.O. GREGORY:
Initiative.

MR. WATT:
That's a lobbying arm of Reclaim New York, I want to be very clear about that.

P.O. GREGORY:
Right, but you're affiliated.

MR. WATT:
We're affiliated, but it's, you know, 501(c)(3), 501(c)(4).

P.O. GREGORY:
Right.

MR. WATT:
Yes, we will be just as actively engaged in the process in Nassau County as well.

P.O. GREGORY:
Because I've asked that question, I don't know, probably nine months ago and I keep getting the same answer. I'm not sure. Is there a reason why they haven't presented that, those arguments before the Nassau County Republican Legislature?

MR. WATT:
Well, we -- is there a reason why?

P.O. GREGORY:
Yeah.

MR. WATT:
We actually have spoke at Legislative hearings about the fees, and we had a press conference last October calling on Nassau County to -- they were going to add something like $60 million to the budget in excessive fees, which they pulled, I believe, back in October, right before the election.

P.O. GREGORY:
Okay. All right. I wasn't aware, I just wanted to make sure. Okay.

MR. WATT:
Appreciate that.

P.O. GREGORY:
All right. Thank you. Anybody else? Okay. Pam Farino, you're back up.
MS. FARINO:
I, too, am here in support of 1157. I am one of the wonderful homeowners that paid off my $1,789.38 last payment on my house mortgage. But because I have five tax maps for my house, because that's what the original owners had from 1947 and we chose to keep it, I got to pay $1500 to pay off my 1,738 -- $1,738.38 mortgage fee. So, again, I support this fee increase, because there is absolutely nothing that you can tell me, there is no County employee, that it costs $1500 for them to change a few little things in the computer for it to say that my mortgage was paid off, $1500. I really hope Reclaim New York wins this lawsuit, because I'm hoping to get money back. We need to cap these fees.

I'm waiting for Dr. Lipp to give the sales tax revenue at the end of March, because I'll tell you something, your five cent tax fee on the little bags, it's caused a lot of people to change their purchasing. So I know I'm spending my money on a thousand dollar trip on a helicopter to Alaska this year, I'm not spending the money I saved in Suffolk County. That's what I'm doing with my -- the money that I'm saving from the fees.

P.O. GREGORY:
Okay. That's the last card I have on this public hearing. Is there anyone else that would like to speak on it? Please come forward. Okay.

LEG. TROTTA:
Motion to recess.

P.O. GREGORY:
Motion to recess by Legislator Trotta.

LEG. MC CAFFREY:
Second.

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

MS. ELLIS:
Eighteen.

P.O. GREGORY:
I.R. 1158 - A Local Law to Require Adherence to Net Neutrality Principles by Internet Service Providers Contracting with the County. (Hahn) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECHNOLOGY & HOUSING.

I don't have any cards for this public hearing. Was there anyone that would like to speak on it? Please come forward. Okay.

Seeing none --

LEG. HAHN:
Motion to recess.
P.O. GREGORY:
Motion to recess by Legislator Hahn, I'll second. All in favor?
Opposed? Abstentions?

MS. ELLIS:
Seventeen. (Not Present: Legislator Krupski)
P.O. GREGORY:
I.R. 1190 - A Local Law to Prohibit the Use and Sale of Sparkler --
Sparkling Devices. (Sunderman) PUBLIC SAFETY

02:48PM
I have a few cards here, first being Eugene Perry. Mr. Perry, and
then Vincent Szabo is on deck.

MR. PERRY:
Good afternoon, Mr. Presiding Officer, members of the Suffolk
County Legislature. My name is Eugene Perry. I'm a Director with
the Firemen's Association of the State of New York, past president
of the Suffolk County Volunteer Firemen's Association, and a
39-year member of the Patchogue Fire Department.

02:49PM
New York State recently legalized the use of certain sparking
devices, and all counties are allowed to use these types of
fireworks. It's up to the individual counties to opt out of the
legislation. The Firemen's Association in the State of New York,
FASNY, is in -- are in strong support of I.R. 1190, a Local Law to
prohibit the use and sale of sparkling devices. Despite their
legalization, sparkling devices remain dangerous in amateur hands.
According to the Consumer Product Safety Commission's 2015
Fireworks Annual Report, there were an estimated 1,900 emergency
department treated injuries associated with sparklers.

02:49PM
Despite their relatively benign appearance, sparklers can be
extremely dangerous. The tip of a sparkler, as noted in the
resolution, burns at nearly 2000 degrees Farenheit, which is as hot
as a blowtorch. The parts of the body that's most injured from
these sparklers, 36%, are the hands and fingers. According to the
National Fire Protection Association, the NFPA report, sparklers
accounted for more than a quarter, 28%, of all fireworks injuries
in 2014. Furthermore, nearly half of all these fires reported on
Independence Day were caused by fireworks or similar devices.

02:50PM
Centereach Fire Department officials are investigating a report
that fireworks shot through the second -- through a bedroom window
started a fire that largely consumed the second floor of a home
just this past Saturday night. The misguided legalization of
sparklers and other devices does not change the fact that fireworks
and sparklers are extremely dangerous. Fireworks should only be
used by professionals who have undergone the proper training and
certification. There are countless excellent fireworks displays
across Suffolk County, and FASNY urges its residents to enjoy these
shows and avoid serious injury.

02:51PM
FASNY, which represents 45,000 volunteer firefighters across New
York State, hopes that you will support this resolution, and urges
Suffolk County residents not to use fireworks or other similar
devices themselves, but, instead, leave them for the professionals.
Thank you.

P.O. GREGORY:
Mr. Perry.

MR. PERRY:
Yes.

02:51PM

P.O. GREGORY:
Hi. How are you? Thank you for coming. So a few years back I
sponsored a bill looking to make sparkling devices legal in Suffolk
County during the week of July 4th, and the week of New Years, and
I believe yourself and others came out from the firematic services
and, obviously, expressed, I guess, similar concerns. I guess my
question to you today is there's no surprise that, you know,
families, hundreds, if not thousands, of families use these devices
outside of the fireworks in the County. By us not -- by us opting
out of what the State has said we should be allowed to do, is it
really reasonable to think that our residents are not going to use
these devices here in Suffolk County?

02:52PM

MR. PERRY:
They're going to probably use them whether we opt out or not. But,
again, the danger of the sparklers with children, and with the
public in general, is something that the State Firemen's
Association is extremely concerned about.

P.O. GREGORY:
But wouldn't it be probably a -- couldn't our efforts be used to --
shouldn't our efforts be used to -- since we understand that people
are going to be using these devices regardless of whether we opt
out, opt in, whatever, promoting safety of these devices, since
they're already going to be in use, and informing parents of proper
storage of these devices, proper use of these devices, so that
children aren't getting burned in the face, and the hands and arms?
I think to me that seems like, you know, we already know it's
there, you know. How do we promote safety of this -- of these
things?

02:53PM

MR. WATT:
The NFPA had -- the Office of Fire Prevention Control has a flier
out with safety tips and facts --

P.O. GREGORY:
Right.

MR. PERRY:
-- regarding the use of sparklers.

02:53PM

P.O. GREGORY:
Right.

MR. PERRY:
I'm not -- I'm not exactly sure where it was when we had the other
Local Law done, but I believe it was legal in Warren County, but
illegal in Washington County. So a gentleman drove over to Warren County and got his fireworks, brought them home and had his little show with his kids, and then instead of doing what the safety sheet says, have a bucket of water there to put it out and make sure it's dry, he put it in a garbage can and put it in his garage, and subsequently burned his house down that night. So what Warren County got as a little bit of tax revenue caused somebody to cross a county line and go get legal fireworks.

P.O. GREGORY:
Right.

MR. PERRY:
Now, obviously, it's legal in the entire state.

P.O. GREGORY:
Right.

MR. PERRY:
So --

P.O. GREGORY:
You could never legislate stupidity, but we could certainly promote safety. And I think if we used our resources -- you look like a nice handsome guy I could see on the PSA on TV talking about the safety of these, or, you know, the potential dangers of these devices.

(Laughter)

P.O. GREGORY:
I mean, there's got to be a way that we can promote this, and I'm just -- you know, you're part of a large association. I'm just thinking, you know, how we can work together to make this happen, because we both understand that little 6 and 7-year-old kids are going to be using these devices, regardless of what happens in this body, and just wanted to --

MR. PERRY:
I think once a parent hands something to a child that's under 10 years old and he does get burned and he has a problem, that parent isn't going to be -- the parent isn't going to be too happy when their child burns their hands --

P.O. GREGORY:
Right.

MR. PERRY:
-- or gets theirself -- winds up in an emergency room with a -- with whatever, if they have health insurance, or they don't have to pay the bill for the emergency department visit.

P.O. GREGORY:
Right, okay. All right. Well, thank you. Thank you for coming.
MR. PERRY:
Thank you.

LEG. SPENCER:
DuWayne.

P.O. GREGORY:
Next -- oh, I'm sorry, Mr. Perry, Chief Perry. Legislator Spencer had a question. I didn't see you.

MR. PERRY:
I'm sorry.

LEG. SPENCER:
Thank you so much for your service in your distinguished career. So I think politically, you know, since I've been in this body, definitely as a physician, I've taken up issues related to raising the smoking age and energy drinks, and so I'm always of a mind to really support public safety initiatives. But now the rule is sort of reversed in a sense.

One of the arguments that I heard was what about the issue of people's rights and families' rights to a certain amount of self-determination, you know, government coming in and banning? And it's interesting that it's sort of pushed. You know, it seems to be -- you know, I'm a Democrat, a liberal perspective, and I've always argued for the government's protective authority. So my question to you, and, again, I'm looking for a way to support this, and I can distinguish sparklers from fireworks, but a sparkler, someone that decides that they want a sparkler, what would distinguish a sparkler, from your expert opinion as a fireman, from someone that decides to go out and purchase an antique wood burning stove? They have other ways to heat their home, but they have this cast iron beast in the house that's, you know, 1,000 degrees, and you've got small kids running around. Where -- is this a situation where -- are we dancing on the line of the -- of interfering with individual rights when we talk about banning sparklers? I'm just curious about your personal opinion. And how would you distinguish that, you know, should I ban that antique wood burning stove because people like the nostalgia of it, because you -- you know, I'm sure there's a lot more injury and potential from something like that that's going on constantly, so.

MR. PERRY:
Other than the -- other than the heat that's probably generated from that antique stove, it's a contained -- it's a contained unit. The fire and everything is inside the unit. I mean, it's -- again there's regulations on how far it has to be off the wall, and where it has to be, and how it has to be piped and that's --

LEG. SPENCER:
Yes, sir.

MR. PERRY:
That would be left up to the local jurisdiction to do that. Where a sparkler, or any kind of ground device like that, is an open
flame that somebody's dealing with right in front in their hands, and in some -- in most cases, right in their hands. Any kind of low grade sparklers that are laid on the ground and shoot up, and you don't keep your children away, that's not contained inside of some kind of box, it's out in the open and it's -- there is potential for somebody to get hurt.

LEG. SPENCER:
Certainly. I mean, I think that's fair enough. In fact, you know, to my first question that that person, which I had a lot of them came up to me and said, "Hey, Doc, you know, stay out of my life, let me make a determination. I'm old enough to look and decide if I want to have a sparkler with my kids. Why do you have the right to come in and ban that?" Is there -- are we exceeding our government bounds when we start to -- you know, I could understand like explosive devices, like a firework, and I understand these things are really hot. But what if someone -- you know, do you have a personal opinion if a good friend comes up to you and says, "Hey, you know, thank you for protecting us, being there in the community, but, you know, I'm smart enough to look at these things, and why should you ban that?" Is there -- maybe there's no answer. I apologize. I'm not trying to put you on the spot.

MR. PERRY:
I understand.

LEG. SPENCER:
But that's what I'm balancing here, is just -- and I think a lot of -- I've learned that from a lot of my more conservative colleagues that says, you know, this is -- are we getting close to that line? So, if you don't have an answer, that's fine, because it's pretty much, I know, a pretty strong hypothetical, but that's where I feel the balance is.

MR. PERRY:
As a parent, as a parent, my children are grown, but as a parent of two sons who are both in the Fire Department now, they want to -- it just -- it just doesn't work with children. I'm just -- I can remember years ago, I had them when I was a child. It was always a problem with the burning of them and laying them down or -- and, like I said, most of the stuff that's covered in this legislation of ground devices, and in order to keep a child away from them, they have to be -- you know, I just feel it's a problem.

LEG. SPENCER:
Thank you, sir, appreciate it.

P.O. GREGORY:
One more.

03:01PM

MR. PERRY:
One more? Oh, boy. Legislator Flotteron.

LEG. FLOTTERON:
And maybe it's actually maybe to Doc Spencer, but I just want to -- Doc, I totally agree with your thought or opinion, again, like are
we overreaching. The only thing that's made my mind much more open to this topic was when I started learning about the temperature degrees difference when -- I could be a little off, depending which chart you look up. They're saying water boils at 200 degrees, heat for a stove, touching not even just the stove, but the inner flame is like 500 degrees, and some of the studies are showing as much as 2,000 degrees for a sparkler. And that was the thing that sort of made me sway a little different in thinking, yes, I was worried about are we taking away Americana in our children, and running with sparklers, like we all grew up. But, again, a lot of times it's the five-year-olds, the three-year-olds and six-year-olds we always gave sparklers to, and this heat, when they do not act the way we hoped, they're damaged for life. And that is where made my mind open up to this topic in this way.

LEG. SPENCER:
Sure. Thank you.

P. O. GREGORY:
All right. Just to remind my colleagues that at this portion, we're to ask questions and not debate the bill, so we can move it along. Next, I have Vincent Szabo, and then Anthony LaFerrera.

MR. SZABO:
Good afternoon. I appreciate your time this afternoon. And I represent Phantom Fireworks, one of those bad guys. I'd like to bring up a few things that have been brought up to the surface right away. Number one, Phantom Fireworks have always stood behind safety.

03:02PM

Just to answer a few questions that you might have brought up, we at every single site, and we are now in -- we have been in 44 counties now since this bill has been introduced, we have always pressured safety, posted safety. Every single purchase goes out with the safety brochure. Any questions have been answered. On our website are safety films on the use of fireworks and how to use them safety. But, more importantly, New York State right now in every county still uses fireworks, whether they get them legally, because the county has passed it, or where they're going somewhere else and buying whatever fireworks they want.

03:03PM

The fireworks coming into this state by the legal means are what we call safe and sane. They're lower grade fireworks. The sparklers are not the old stick metal sparklers that you got -- most of us grew up with. The sparklers that are coming in are wood stick sparklers. They do not burn super hot, right? They burn and ash off. Most injuries and -- most injuries are from that metal, metal stick. Those metal sticks don't exist, and the sparklers are allowed in New York State.

03:04PM

No explosives are used on these. You're not talking about aerial bombs, you're not talking about bottle rockets, which are probably the number one cause of injuries, all right? You're not talking about firecrackers. You're not talking about the biggie that I hate, which is Roman candles. What we're talking about is safe and sane fireworks, fireworks that are safer than the old. Are they
absolutely safe? No. Do we push safety on them? Yes. And I'd be glad, Phantom Fireworks as a whole would be glad to help you with a safety campaign. We'd be willing to work hand in hand with you, safety brochures, meetings, whatever you need. We'll be happy to work hand in hand with you. The whole idea is to have fun, not for someone to get hurt, and that's what we're all aiming at.

Firework sales in other parts of the state, we push nonprofit groups, we hire people to run these stands. This is all revenue that comes back into your County. They're not going to Pennsylvania, they're not going to New Hampshire, they're spending the money here, and you're creating revenue here.

This is not a tremendously bad bill, this is not the evilest bill in the world. What we're looking to do is, just like any other retailer, sell something safely.

LEG. SPENCER:
DuWayne.

03:05PM

P.O. GREGORY:
I have a question for you, Mr. Szabo.

MR. SZABO:
Yes.

03:05PM

P.O. GREGORY:
All right. Thank you. Thank you for coming today. So you said that you guys, your -- your company promotes safety. And how do you do that? Is it -- do you, with each purchase, do you give like a safety flier or --

MR. SZABO:
Each purchase -- I can pass this over to you.

P.O. GREGORY:
Yup.

03:06PM

MR. SZABO:
Each purchase gets this, at the least, and a lot of locations, they get more --

P.O. GREGORY:
Okay.

03:06PM

MR. SZABO:
-- because of safety -- safety things we've started in other counties. In fact, Warren, we give out two different brochures.

P.O. GREGORY:
Okay.

MR. SZABO:
All right? We get more of a simplistic brochure shows putting the spent fireworks into a bucket. Just like anything else, you know, you talk about you can't legislate stupid, that person that puts
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that turkey into that deep fryer that explodes, right, you can't --
you can't go around that. I mean, all we can do is push safety,
push safety, push safety, and show it to every single person that
comes into that tent or that location to understand it.

P.O. GREGORY:
Now what do you say about the fine gentlemen who sacrifice and
volunteered their lives to keep our communities safe, and that -- I
remember the argument several years back when I had put forward the
bill to adopt it here was that, you know, we have to know what
we're going into. We can go into a house, a garage, and someone
has, you know, sparkling devices next to fertilizer, or gasoline,
or something like that, that could be really potentially dangerous.

MR. SZABO:
Well, you have to understand one other thing, and this is the
truth. If you have fireworks in your town for sale, okay, you're
not going to have people stockpiling as they do now, because
they're assured that they can go out and buy them at a local venue
and turn around and buy them every year. You're not going to have
them stockpiling them. Can I stop that person who buys the
gasoline for his lawnmower and then turns around, puts it in his
garage next to his water heater? No, I can't, okay, and neither
can -- neither can any of us. But, because this is available to
you every year, you're going to stop the stockpiling.

I know for a fact, when I was young, we used to go down and buy our
fireworks in, you know, January, because that's when the sales were
out of state, and bring them into New York State. Yeah, we
stockpiled them. Do we -- do they do that now? I'm sure in
certain parts of the areas of the state they do.

P.O. GREGORY:
Just one last question, because I'm not familiar with the new law.
I assume it's probably the same. Is it available for sale at
certain periods?

MR. SZABO:
It is available for sale only from June 1st through July 5th.

P.O. GREGORY:
Oh.

MR. SZABO:
And again, from December 26th to January 1st. So it's a very short
venue.

P.O. GREGORY:
Okay. All right. Legislator Spencer has a question.

LEG. SPENCER:
You mentioned the sticks, the wood stick sparklers. So the metal
sparklers are no longer manufactured?

MR. SZABO:
No. Well, they're manufactured, but they're not -- I'm sorry.
They're manufactured, but they're not allowed in New York State.

LEG. SPENCER:
And I think the compelling part of the testimony was the idea that the sparklers are over 1,000 degrees and is hot as a blowtorch, but wood, obviously wouldn't --

MR. SZABO:
No.

LEG. SPENCER:
It would disintegrate before that occurs. Do you have a sense or -- of what temperature a wood --

MR. SZABO:
No more than a match, no more than a wood match.

LEG. SPENCER:
No more than a wood match. Okay.

MR. SZABO:
I can't tell you the exact degrees, I'm sorry. A chemist I'm not.

LEG. SPENCER:
Well, I mean, I think for me, because, you know, the idea of deciding about self-determination with regards to where is government overstepping its bounds, and that is I think we have a protective function of the kids are playing with a blowtorch. I think if it's indeed a match, then I'm leaning that we might be overstepping our bounds, so, I mean, personally as far as my vote is concerned. But I'm curious to find out and hear, you know, other testimony, but I think that's very important to me if that's indeed the case, that they're only wood sparklers that are legal that would be -- that are currently allowed right now and manufactured by your company, and the metal sparklers -- is that just your company, or the metal sparklers are no longer --

MR. SZABO:
Metal sparklers are not allowed in New York State.

LEG. SPENCER:
Okay.

MR. SZABO:
Wood stick sparklers only. And just to bring up one additional into that venue, remember, these items are basically a low grade firework. They are sparkling devices made into cones, made into a cylinder, so it's a little bit lower end. You'd rather have that here in the state. Plus, remember, every single tent and venue is licensed, and those licenses are held by the fire departments. They come in and inspect them. They'll know what's in those tents is the right thing.

LEG. SPENCER:
I really want to make sure that I'm not oversimplifying what you are saying. So are you saying to me that the comparison of these
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sparklers would be similar to a match, that when you strike a match?

MR. SZABO:
Similar to, yes.

LEG. SPENCER:
That the temperature would be --

MR. SZABO:
I can't tell you exactly. It's in the same grade.

LEG. SPENCER:
Okay. Thank you. Thank you very much, sir, appreciate it.

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Thank you. Thank you for your thoughts on this bill. You outlined some safety measures that you have in place when you sell your sparklers?

MR. SZABO:
Correct.

LEG. FLEMING:
For how long have you had those measures in place?

MR. SZABO:
The particular brochure you had, see in your hand, I think they made copies for everybody, that's since day one.

LEG. FLEMING:
And when was day one?

MR. SZABO:
The day that the bill went into effect. The day the bill went into effect in New York State. In other states, we've always given them out.

LEG. FLEMING:
Okay. But when the bill went into effect -- I'm sorry, could you just repeat what --

MR. SZABO:
Back in 2015.

LEG. FLEMING:
Okay. So if we were to be seeing statistics that outline injuries to folks, especially young children, since that time, I think we could probably conclude that maybe those safety measures may be preventing some injury, but they're not preventing all injury, right?
MR. SZABO:
Unfortunately, I have looked at those statistics, too, and the
biggest problem right now is that there's no break out of those
statistics. You can't -- the biggest thing is, yeah, you'll see --
yes, you will see the injuries from bottle rockets, you'll see the
injuries from Roman candles, you'll see the injuries from
firecrackers. That's not our fireworks. That's not the fireworks
that are legal in New York State.

And the secondary problem is, when you look at sparklers, they're
all dumped together. So you don't know what the injuries were
caused by, the metal sparklers, which are still quite well used in
New York State, or the wood sparklers, which are the safe ones.

LEG. FLEMING:
Understood. So -- but I just wanted to be clear that if -- these
safety measures, they're not new, they're -- you've been doing them
for some time.

MR. SZABO:
Correct.

LEG. FLEMING:
And so they're doing what they're going to do in terms of
preventing these injuries.

MR. SZABO:
Well, I'll be honest with you. The more we see this in areas --
we've been doing this in other counties. We were in 44 counties
last year, okay? In the other areas that we've been in, I can say
I have not seen -- the only incident that I've seen was in Warren
County as the -- as our Chief had brought up, okay? And, to be
honest with you, that was the very first start of it, okay? And a
little more to that. He took his deleted products, put them in a
wood container and put them in his wood garage. I think that would
be close to being that guy that took a frozen turkey and threw it
into a hot vat of oil.

LEG. FLEMING:
Oh, yeah, yeah. No. I mean, obviously, that's -- there's a
certain level of kind of stupidity that we -- we're not going to
ever be able to prevent. But I do have concerns with regard to
especially the young children that we're seeing. The majority of
the injuries are between 5 and 8-year-olds, and I think we have to
take that seriously, regardless of whether there are safety
precautions in place if we're still seeing the injuries. But I
appreciate your input. Thank you so much. Thank you,
Mr. Presiding Officer.

D.P.O. CALARCO:
Okay. Legislator McCaffrey.

LEG. MC CAFFREY:
Yes, thank you. Over here.
MR. SZABO:
Yes.

LEG. MC CAFFREY:
I heard you say that, because Doc Spencer asked you the question about how -- what temperature you think it burns at, and you think it's about the same as a match, is that what --

MR. SZABO:
Correct.

LEG. MC CAFFREY:
Is that -- how many degrees is that, would that be?

MR. SZABO:
I don't know. Like I said, I'm not a chemist. I know that another Legislator had actually compared it.

LEG. MC CAFFREY:
Yeah.

MR. SZABO:
But I do not know the chemical. I don't know the exact heat.

LEG. MC CAFFREY:
And how do they differ from the old metal ones? You said these are low grade sparklers and --

MR. SZABO:
They're a lot different. First of all, the main difference, the main difference between the older sparkler and the new sparkler is that that old sparkler, and everybody -- everybody knows this, when it burns, it's going to leave that red hot stick behind. The wood sparkler, as it burns, ashes off, there's no remnants.

LEG. MC CAFFREY:
Okay. But is it still burning at that same temperature? The difference is --

MR. SZABO:
It's lower. I don't know exactly how much. I'm being honest, you know.

LEG. MC CAFFREY:
It would be -- you know, you came here kind of -- you want to sell these things, you want us to pass it, but you can't tell us the difference between --

MR. SZABO:
I can't tell you.

LEG. MC CAFFREY:
-- the ones you thought were the old sparklers, which we all got burnt on, versus these -- you almost make it sound like it's safe, they're nice to have, and kids could have them, and everything else. I mean, that's kind of what you're leading us to believe.
MR. SZABO:
I think what we all have to look at is if you're going to hand --
hand something to a child, hopefully it's being supervised, and I
think that's the most important thing. You know, you could turn
around and hand a child a lot of different toys, and that can be
unsafe as well.

LEG. MC CAFFREY:
Does it bother you as much as it bothers me that every single Fire
Department has come forward and every Fire Department organization
has come forward in opposition to this, to legalizing these
sparklers here on Long Island because they're concerned about
safety? Does that bother you as much as it bothers me?

MR. SZABO:
I'm concerned with safety, too, and it's something that I -- in our
promotion of the business and our venue of the business, we hold
very true to, all right? And I applaud the firemen for doing what
they have to do, but you also have to understand, fireworks are
still prevalent in New York State, a lot higher grade fireworks,
including sky rockets, ash cans, firecrackers.

LEG. MC CAFFREY:
No, I understand. But to go into the safety, do you think there's
any validity to their concerns about public safety if we were able
to make these sparklers -- even though they're wood instead of
metal, if we make them more readily available, do you think those
are valid concerns they have, that they would see more injuries and
accidents and issues with safety?

MR. SZABO:
I think that you'd actually in the long term see less, because the
person is not going to travel out of state to buy what we call the
big stuff. I think they're going to buy a safer grade firework, a
more controlled firework, something that you -- that the Fire
Department is going to inspect every year to make sure that that's
what's supposed to be there.

LEG. MC CAFFREY:
Okay. But the fact that they're more readily available, that's
not -- you don't think that would increase the incidents of people
using these?

MR. SZABO:
Maybe initially, but not in the long-term.

LEG. MC CAFFREY:
Okay. I think we disagree, though. All right. Thank you.

D.P.O. CALARCO:
Legislator Sunderman.

LEG. SUnderman:
Sir, so water boils at 200 degrees, flesh melts and 212 degrees,
matches burn at 600 to 800 degrees. So to give you the answer, the
matchstick is about 6 to 800. What degrees does the sparklers burn
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at? I would like you to get me that answer.

MR. SZABO:
I can -- I can find it out for you. I don't know it off the top of my head. I know metal sparklers are 11 to 1200.

D.P.O. CALARCO:
Okay. Legislator Donnelly.

03:18PM

LEG. DONNELLY:
Good afternoon, sir. Thanks for coming. So I just have a couple of statements and questions. So you refer to your sparklers being, or the current sparkler being safe, right, is that a fair analysis?

MR. SZABO:
Safer, yes.

03:18PM

LEG. DONNELLY:
So a number of years ago there was a -- there was a nightclub fire on Rhode Island, I don't know if you're familiar with it, and 100 people were killed, and it was started by safe sparklers.

03:19PM

LEG. KENNEDY:
Right.

03:19PM

LEG. DONNELLY:
So my point is, is that at the end of the day, we could keep debating this back and forth, and there's arguments for the transparency on the public, but this is a public safety matter. So the NFPA says 20% of firework injuries are the result of sparklers. That's a fair analysis as well. Of that, 65% are children under 12. That's not acceptable.

MR. SZABO:
But, unfortunately, what they don't do, and like I have said prior to this, they don't -- there's no way to separate which sparklers are which.

03:19PM

LEG. DONNELLY:
I understand your point, but I don't want to be sitting here at the horseshoe if a tragedy happens in this County.

MR. SZABO:
Sure.

D.P.O. CALARCO:
Okay. Thank you, Mr. Szabo. Our next speaker is Anthony LaFerrera.

03:19PM

LEG. FLEMING:
I have a question of Mr. Szabo.

D.P.O. CALARCO:
Oh, Mr. Szabo, I'm sorry, I let you go too soon. Legislator Fleming has a question for you.
LEG. FLEMING:
Sorry. I used to be a trial lawyer, so I always want to make sure the record is correct. It's a problem that I have, sorry. So what are specifically the components in these newer sparklers?

MR. SZABO:
It's --

LEG. FLEMING:
What makes them sparkle?

MR. SZABO:
It's basically a very similar product to make it sparkle. The big difference is the core.

LEG. FLEMING:
And what are the components that make the sparkle, is it gunpowder?

MR. SZABO:
Chemically, I don't know off the top of my head.

LEG. FLEMING:
Is it fair to say that it is some form of explosive?

MR. SZABO:
No, it's not an explosive device.

LEG. FLEMING:
No, I understand that it's not an explosive device, but the chemical component that makes the spark must have -- just as a spark plug makes a spark, what is making the spark?

MR. SZABO:
It is a chemical compound that makes a spark, but --

LEG. FLEMING:
Okay. So I guess I'm trying -- because we couldn't get the degree.

MR. SZABO:
It's not -- it's not let's say gunpowder or something of that nature that makes that spark.

LEG. FLEMING:
No, I appreciate that, but I just want to try to understand. It's not just fire, it's fire plus something extra --

MR. SZABO:
Correct.

LEG. FLEMING:
-- that makes it sparkly, which is why it's, as you say, entertaining. If we understand that to light a match you need at least 600 degrees, is it safe to say that the match plus whatever chemical is making the spark has to be at least 600, if not higher?
MR. SZABO:
It's probably about the same, yes, just like a match has sulfur --

LEG. FLEMING:
Okay.

MR. SZABO:
-- to make it -- chemical sulfur to make it light.

LEG. FLEMING:
But we have in the instance of a sparkler, we have the match plus something else that's making it spark. So it's got to be at least 600 degrees.

MR. SZABO:
Yup.

LEG. FLEMING:
And I think it's safe to say that it's something in excess of 600 degrees.

MR. SZABO:
Correct.

LEG. FLEMING:
Okay. Thank you.

MR. SZABO:
It's not equal to the 11 or 1200 degrees that are metal.

LEG. FLEMING:
Right, okay. But we're talking -- I'm talking about the ones that you're claiming that are safer.

And then I guess the last question I have for you is you've talked a lot about what -- the safety, that these are safer, and that you promote safety. I have read in the literature that perceived safety can be one of the problems with sparklers, because people perceive them to be less dangerous than, for instance, a Roman candle. That's how they get in the hands of a five-year-old, because people think, "Well, they're not as dangerous as the big fireworks, so here, little Johnny, take the sparkler." Is that fair to say that more children probably use the sparklers because they're perceived to be safer; it's fair to say?

MR. SZABO:
Fair to say.

LEG. FLEMING:
Okay. Thank you so much. Thank you, Mr. Presiding Officer.

P.O. GREGORY:
That's it. Thank you.

(*Applause*)
In 2017, New York State Senate bill S724A, which passed, stated the bill -- that the purpose of the bill was to eliminate the regulatory patchwork that presently exists with the counties in New York State by accepting sparkling devices from the definition of fireworks or dangerous fireworks, but permitting local cities and counties to adopt laws that prohibit the use and sale of such devices. This bill was aimed at eliminating the regulatory confusion regarding Local Laws pertaining to sparkling devices, not just sparklers, sparkling devices, on behalf of law enforcement personnel and the citizens of New York State. Currently, New York State Law permits each county to decide whether or not to exempt sparkling devices from the definition of fireworks or dangerous fireworks. This is a result of the regulatory patchwork of Local Laws, and some counties have not made the decision either way. This makes it difficult for law enforcement personnel and citizens to have clear understanding of the law. This bill was to seek and remedy the regulatory patchwork of Local Laws.

If you do not adopt this law, these devices will be sold in numerous outlets around the County. Under the law, specialty retailers, permanent retailers, and temporary retailers can sell these pyrotechnic devices. Just take a look at the definitions of these facilities. Specialty retailers are in the business of selling fireworks, with a limited market and time frame to sell in. I am not sure how many specialty shops will sell them, and I'm not sure about specialty shops. Temporary retailers mean the selling of fireworks out of a tent or out of the back of a truck, and I am not sure that this is a retailer that you want in our County. This leaves the permanent retailer. I can envision that most of the potential outlets would be gas stations, convenience stores.

While these businesses are perfectly businesspeople, fireworks is not their business that they're in. These facilities will only be able to sell the fireworks between June 20th and July 5th, and December 26th to January 2nd of each year. The limited time frame of sales means that there will be quantities of fireworks stored in the back room of these small retail facilities before Fourth of July, and potential for months until the next time they could be sold in December. If you have been in one of these store rooms, you know they are full of combustible items. Frequently, there are a large number of cardboard boxes, some folded, some empty. There are items such as cigarette lighters, tobacco products, motor oil, other combustibles.
Will our local code enforcement and fire marshals have enough time
to check all of these places? Will they have additional time to
perform inspections of this Local Law, if not adopted? It -- is
the potential for any increased tax revenue or desire to wave a
sparkling device on the Fourth of July worth the potential to a
child or the risk of a fire at any facility that sells
pyrotechnics, or significant risk or injury or possibly death to
to any of our firefighters or first responders in Suffolk County?

As a member of Suffolk County FRES Commission and 39-year member of
the Fire and EMS service of Suffolk County, please let safety of
our County take the precedence over the profit of the fireworks
industry.

P. O. GREGORY:
All right. Thank you, Tony. All right. Anyone? No? All right.
Mr. Corkery, and then Tim Crafts? Criffs? Crafts. Sorry.

CHIEF CORKERY:
Members of the Legislature, Presiding Officer, and my esteemed
colleagues, Legislator Sunderman, Brother Sunderland and Brother
Donnelly, it's a pleasure to be here, and not really speak about
this subject, because I was president of New York State Association
of Fire Chiefs in 2014, and I stood in front of our State
Legislature -- Legislators for this same exact thing. And,
basically, what they did was they passed it off to the counties.
You know why they passed it off to the counties? Because other
people had a stronger lobby than we do. This is simply about
making money. I would hope that the County people are not just
thinking about that on their end, the tax revenue, but, obviously,
as a businessperson, I understand he wants to sell some sparklers,
that's a great thing.

My argument is simple, and you made it right here before. What's
the first thing we teach our children when they're big enough?
Don't play with matches. End of -- end of argument. How many
people have children in this room? That's the first and foremost
thing you should be thinking about.

Now nobody mentioned today the Burn Center. Legislator Lindsay is
my Legislator, who I respect. I forwarded Dr. Sandoval, who is the
lead person, the lead doctor of the Burn Center. His comments to
Kristi, your Assistant, it should be forwarded to every one of you,
okey? And it has all the stats on the burns. Our County leads in
the United States with a Burn Center. And here we are, we're going
to approve something that's going to burn little kids. And the
stats are in there. The stats are very clear.

Now, real simple, just so I could make sure I'm hearing right today
and hearing what we're discussing here. I went and just paid $6700
for hearing today. See, they're brand new. The doctor's sitting
there. She's in the business for 20 years. I said, "You have
children?" She said, "Yes," I go, "How old?" "Four years old." I
go, "Would you give a sparkler to your daughter to play with in
the backyard for Fourth of July?" "Absolutely not." I mean, it's
really -- it's that simple. Please read what the Burn Center
Chairman has offered up.

You have two experts on this panel. It doesn't get any better than that. You have two experts sitting here. As far as stupidity and what people do, yeah, when we -- when I stood here in front of the Legislature to fight for smoke detector law, which you approved, we can't tell people to change their batteries every year, can we? But God forbid -- we hope that they do every year. The sign in front of my firehouse says "Change Your Battery", right? That's what we need to do. When we can stop things like that, we should.

Please read the comments from Dr. Sandoval, and please make your decision based on that. It's that simple. It's going to give you a figure that 28%, and I think Legislator Donnelly quoted that, 28% are sparkler burns. That's enough for me.

P.O. GREGORY:
Chief.

CHIEF CORKERY:
Thank you so much.

P.O. GREGORY:
Chief, Legislator Lindsay has a question for you.

CHIEF CORKERY:
Bill.

LEG. LINDSAY:
Chief Corkery, thanks for coming in today and testifying, I appreciate your comments. The preceding speaker had an interesting point, that the -- since the seasonality of this product, it's only going to be sold twice a year, that there would be a significant amount of time where it would be stored in stockrooms, you know, back rooms within different retail stores. I would imagine that the type of stores that would sell this would be like 7-Elevens, bodegas, maybe small grocery stores, etcetera. Are there anything that -- any code -- anything in the fire code that you're aware of that would require this product, if it were to be legalized, to be stored in some kind of fire safe cabinet?

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

CHIEF CORKERY:
Well, there isn't that I know of that's in this law. We would hope they store them in outside trailers or something like that, not inside buildings.

LEG. LINDSAY:
Right.

CHIEF CORKERY:
But that's not there. Common sense would tell you to store it in a cool, dry place; not in your house, not in a building. That is a
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concern of the fire service. If you want us to fight fires from
outside, we can gladly do that. We don’t pride ourselves on doing
that, but when we don’t know what’s inside the building, the
compound that’s on there, you see the railroad welding tracks, it’s
the same compound, aluminum sulfate, okay. They use that to create
the high powered burn that you get out of that. On a wooden stick
is even worse because I don’t know how the wooden stick even stands
up.

03:32PM But storage -- to answer your question, Bill, storage is a concern
of every fire district. We don’t want to -- the Chiefs of our
departments do not want to send people into buildings that have
storage or hazardous materials and even though that might just fall
below the hazardous material limit, it still is going to burn much
hotter than normal.

03:32PM

LEG. LINDSAY:
In your experience over many years being a firefighter, how many
fires have you gone to where the cause of the fire was due to
storing something incorrectly, something combustible in an
incorrect manner that ultimately led to the cause of the fire.

03:32PM

CHIEF CORKERY:
Well, 48 and a half years, now that you bring it up, in Wyandanch
and Sayville. We had a house in Sayville burn down three or four
years go. They were using a bottle rocket. The bottle rocket went
into the wrong place in the house and completely burnt the house
down. So, yeah, over the years I’ve seen it all. I mean, you had
a gentleman blow his hand off with a big firework. It’s just --
leave it to the pros. Let Grucci make the money, let all these
other fireworks companies, the professionals, do it. That’s what
should happen. Take your kids to a safe place, watch the
fireworks, watch the sparklers go off.

03:33PM

LEG. LINDSAY:
Thanks, Chief. I appreciate your expert opinion.

03:33PM

P.O. GREGORY:
I think that’s it.

03:33PM

CHIEF CORKERY:
Mr. P.O. I had a question for you, because you did -- I did sit in
that meeting with you, and you did bring up that a lot of the fire
departments, a lot of the fires departments when they roll out
their Viennese hour that all of you attend, have sparklers. Have
you seen them ever since then?

03:33PM

P.O. GREGORY:
I wasn’t going to bring it up.

03:33PM

CHIEF CORKERY:
Well, you never see it with -- Legislator Flotteron, you can back
me up. None of the places that we go use sparklers. I know some
of the catering facilities still do that and that’s a hazard right
there, Mr. P.O., that’s a hazard right there. Think about you
lighting a sparkler for your kid and then you decide to change the
propane tank in your backyard. And the kid, "Dad, what are you doing?" He wonders over there and the propane is still active, it's still coming out. Guess what? Now it's not your problem as your house, it's your neighbor's problem because that's where you're going to wind up. But I thank you for your time.

P.O. GREGORY:
Thank you. All right, Tim Crafts. All right. I couldn't tell if that was an I or a T. And next, Matthew Jones.

MR. CRAFTS:
That's a tough act to follow. Good afternoon, members of the Legislature. My name is Tim Crafts, I'm an Ex-Chief, 30-year member of the Smithtown Fire Department. I'm also the current Chairman of the Suffolk County FRES Commission, which is the official organization representing the thousands of fire and EMS responders in our County. Our job is to serve as a liaison between County government and the various fire and EMS agencies in the County.

Three years ago my predecessor stood here and represented fire and EMS agencies and spoke to this body about the legislation that would have allowed the sale to the public of sparklers. Some of you may remember that resolution proposed by Presiding Officer Gregory. And to his credit, after hearing the voices of the thousands of fire and EMS services of the County, he decided quote It would be inappropriate to change our laws governing the use of fireworks end of quote, and retracted that legislation. The thousands of fire and EMS workers in this County applauded his decision, but today we're back here and today we're here to support the bipartisan legislation offered by Legislators Donnelly, Kennedy and Sunderman, IR 1190. And it's the Local Law to prohibit the use of sparkling devices.

Fireworks companies call the sparklers a safe American tradition and legalizing them would increase tax revenue and reduce the number of people going out of state to buy fireworks. While this almost billion dollar industry attempts to minimize the dangers of sparklers, the facts remain, and you heard it today, how dangerous they really are, especially to our young children. The ghost written e-mails that all of you have received and I've seen, provide supporters -- provide their supporters for lobbying purposes, don't mention any of the dangers associated with their devices. The fact is and, again, you heard it here today from the manufacturer, from the members of the fire service. They are combustible devices. They're powdered metal is oxidized which creates energy emitting light and intense heat. According to the NFPA, as we heard before, water boils at 212 degrees; a match burns at six to 800; and these sparklers range from 12 to 2,000 -- 1200 to 2,000 degrees.

According to a recent report by the Consumer Product Safety Commission, there were an estimated 900 injuries with sparklers just in 2016 and approximately 22 of those were children under five. And for those of us who have children, where they've fallen off a bike and scraped their knee, that scar is going to be with them for
a long time. Imagine you put a blowtorch in the hand of your son and he's running around waving it and it hits his face. That scar is going to be there for a lifetime. They have to live longer with their injuries, injuries such as the loss of fingers, the loss of vision and devastating burns.

(Timer Sounded)

Another concern -- I'm sorry, sir, for going over, but I think this is important. Last week News 12 did a presentation on what the Suffolk County Police are doing to prevent mass casualty incidents in our schools. What people don't realize, and you can get on the Internet and look, is you can bundle these sparklers together and you can light them and they will create bombs. That's the biggest concern with a fire service, with being a parent, they create bombs, mass casualty incidents, in this County.

P.O. GREGORY:
Tim?

MR. CRAFTS:
If you don't pass this legislation and prohibit this you're facilitating that opportunity. I would ask you in closing that you support 1190 and you continue to protect our citizens, our children and our first responders.

P.O. GREGORY:
Okay.

MR. CRAFTS:
Thank you.

P.O. GREGORY:
Thank you, actually, for your comments. And is there any way -- I had mentioned, I forgot at this point now, maybe it was the gentleman from the industry, maybe there can be a collaboration between the industry and the FRES Commission or the fire departments on how to promote safety. To me it's almost like we're going to ban underage drinking. You know, it's unfortunate, we know that kids are going to drink, but how do we promote safety, how do we promote -- you know, I don't mean to minimize it, but we know there are things that happen in our communities that aren't sanctioned activities because of the age restrictions or just because of the activity itself, but that they go on on a regular basis. And we know that, you know, whether we pass this or not you're going to be five, six-year-olds, you know, teenagers running around with, you know, with sparklers in their hand. That's a question I have so -- so how do -- can someone from the FRES Commission work with the industry to promote more safety? That's one question. But my second question is, and I didn't get to ask Tony, I should have asked him, what's the definition of a device? Is it just the sparkler itself, because that could be technically named the device.
MR. CRAFTS:
I'm not qualified to what they passed in the legislation, what is
defined as device.

P.O. GREGORY:
Okay. All right. But as to my first question, any --

MR. CRAFTS:
I'm pretty adamant about this, so are the members of the
Commission. Like Chief Corkery said, you know, you teach your kids
not to play with matches. I'm very reluctant to put a firework in
the hand of a kid and let them wave it around.

P.O. GREGORY:
So it's like a zero tolerance.

MR. CRAFTS:
It has to be. I mean, it takes two seconds to get burned and it's
a lifetime of recovery. You guys were joking around about the
catering halls, but it was mentioned here before that station fire
in Rhode Island killed 100 people and injured 230 and it was
started by a sparkler device. We have catering halls on the Island
that disable their fire detection systems so that they can do this.
That -- how do we tolerate that? How do we promote giving the
approval for this type of device to go out into catering halls, to
go out and be used in yards? They're just outright dangerous, you
know.

P.O. GREGORY:
Okay. All right, thank you very much.

MR. CRAFTS:
Thank you.

P.O. GREGORY:
Mr. Jones, Matthew Jones, and Phil Grucci.

MR. JONES:
Good afternoon. I'm Matthew Jones and I serve as General Counsel
to American Promotional Events, which does business as TNT
Fireworks. We're a family fireworks company based in Florence,
Alabama, that has been in the fireworks business for almost a
hundred years. We started selling sparklers out of a newsstand in
downtown Florence in about 1918. And if our products weren't safe,
we wouldn't be in business now and wouldn't have been in business
for 100 years. We operate in almost every state that allows some
form of consumer fireworks, which is currently 48. New York became
the 47th and New Jersey recently became the 48th. We also operate
in the United Kingdom as well.

There's been a lot of discussion that has sort of made this
resolution an us versus them, the industry versus the first
responders, the fire services, and our company doesn't necessarily
view it that way. We like to work hand in hand with the first
responders because we understand and respect what they do. We've
done that in California. We actually developed an app that helped
report illegal fireworks because aerial products are not legal in California, similar to here in New York, and so that's one thing I'd like to offer up to this body, is something that our company is specifically interested in doing.

The injury data that's sort of been noted is focused a lot on children, and I just want to reiterate the point that in New York it is actually illegal to sell or furnish sparkling devices to anybody under the age of eighteen. So is it possible that somebody under the age of 18 could come into possession of one of these sparkling devices? Yes. Is it advisable? No. And how do we prevent that from happening, and we believe that's the issue that law enforcement, first responder, should be focusing on instead of individuals celebrating our nation's independence in their backyard.

It's also been proven in some of the CPSC data that in the short period of time that fireworks can be sold in the State of New York you're actually more likely to be injured on a bicycle and/or fishing and/or playing soccer, especially if you're under the age of 15. And, again, in New York if you're under the age of 15 you shouldn't be able to come into possession of a sparkling device. And it's for those reasons that we oppose 1190. Are there any questions?

P.O. GREGORY:
What's a self-respecting southern man like yourself doing in New York trying to sell sparkling devices?

MR. JONES:
Well, I don't sell them personally.

P.O. GREGORY:
Okay.

MR. JONES:
My company does. We -- New York has been a great state for us so far. We've operated in every County that opted in, which was about 40 or so, and we would like to stay. We weren't in Suffolk County before.

(Timer Sounded)

And we would like to become a business that is in Suffolk County. I also forgot to mention we sell in over 40,000 chain stores nationwide. So these -- our company believes these products are safe. Those companies that sell them believe they're safe. They've continued to do so for over 25 years. We'd like to sell them here in Suffolk County and throughout the rest of the State of New York.

P.O. GREGORY:
Since you're an attorney you can answer this question for me. Can you explain to me what the definition of device is in the law?
MR. JONES:
The definition of a device, it really focuses on the amount of pyrotechnic composition that's in each device. So it depends on, I think, sparkling, the wooden handheld sparkling devices are limited to 100 grams. Then the then cylindrical fountains, which are ground based and go no more than 12 feet are -- they're allowed to have more based on how many tubes they have, and that's just in line with the Federal standards.

P.O. GREGORY:
So it could be the individual sparkler itself is considered a device and is also -- is like some apparatus or stand that can be considered a device? It's kind of ambiguous.

MR. JONES:
I think I understand where you're going. They're sold individually as one wooden sparkler. They're in a pack, they're obviously packaged with multiple, but they're not bundled or strapped together.

P.O. GREGORY:
I thought you just buy a box of sparklers.

MR. JONES:
You do, you do, but inside that box they're individual one wooden handheld sparkler.

P.O. GREGORY:
Right, right, but each of those one individuals is considered a device.

MR. JONES:
Yes.

P.O. GREGORY:
Okay. I'm thinking device, I'm thinking something that holds a bunch of sparklers -- that's what I'm thinking, so when they mentioned device before I was like, oh okay, that sounds kind of maybe -- okay, all right, thank you. Anyone?

LEG. McCAFFREY:
DuWayne.

P.O. GREGORY:
Legislator McCaffrey.

LEG. McCAFFREY:
Curiosity got the best of me. Do you know, and I'm pretty sure you do, what temperature do those sparklers burn at?

MR. JONES:
Again, I'm not a chemist. My chemistry grade in high school, which was the last time I took it, was very, very poor.

LEG. McCAFFREY:
So what was --
MR. JONES:
I will not argue that it is hot, but again, a match is hot, a stove is hot. I wouldn't touch either of those.

LEG. McCAFFREY:
We're seeing 1200 to 2,000 degrees. Is that accurate?

MR. JONES:
I believe so.

03:47PM

LEG. McCAFFREY:
Okay, thank you.

03:47PM

P.O. GREGORY:
All right, thank you.

03:47PM

MR. JONES:
Thank you.

03:47PM

P.O. GREGORY:
Phil Grucci, and Edward Springer on deck.

03:47PM

MR. GRUCCI:
Good afternoon to our esteemed Legislature. We appreciate you providing us the time to express our opinions and certain factual data on the subject. My name is Phil Grucci. I am the President and CEO of Fireworks by Grucci. As you may or may not know, our primary business sector is in public display of professional fireworks displays. We are not a firework retailer -- a consumer firework retailer, we are not a consumer firework manufacturer, but we do have a vested interest in the subject because -- and before I even get into that I do want to make one statement to our esteemed fire service community and to impress upon all of you that have gotten up and spoken on behalf of the safety of the public.

03:47PM

I myself representing my family, representing the six-generations of our family, 400 plus employees, have a deep, deep respect for you and what you do for our communities, certainly in my business. We rely very heavily on cooperating, collaborating, between the fire service and the authority having jurisdiction and what we do in the firework display industry. But what we've been finding and what we're seeing here in Suffolk County and in other places that illegalized consumer fireworks of some sort, is the extreme amount of illegal fireworks that are out into the communities. Us as a firework display company, we pretty much know where most of the permits are, pulled, whether we do the program or not, whether we're the ones that are contracted for the show or not, and where they're not. And I can tell you firsthand, myself personally I've seen so much illegal product out there in the field, so much illegal product, not what we're talking about for this bill, the consumer fireworks that are ground based and sparkling devices. We're talking about three, four, five and six-inch devices that I shoot in programs that we have. And I believe passionately that a part of that is because here in Suffolk County and in other locations in New York State up until this bill was passed to allow consumer fireworks, when you have a zero tolerance or a zero
capability to have anything, people are going to get it. They're
going to go over the state line and they're going to purchase the
product, they're going to get the product.

What happens when they go across the line, they go to Pennsylvania
and other locations, Connecticut, where it's legal or where it's
illegal. If they're going to buy something illegal they're not going
to buy a sparkling device. They're going to buy something a
little bit bigger, get a little bit more punch and get a little bit
more power out of what they're seeing. So I believe that allowing
some quantity, some type of sparkling device, some type of
pyrotechnic that they can celebrate on New Year's Eve or on the
Fourth of July, is to the benefit of us from a safety perspective

--

(TM ar Sounded)

-- to allow the public to satisfy that need.

03:50PM
I urge you to -- obviously as I'm speaking you can sense that I'm
in favor of allowing some quantity in this bill addressing the
sparkling devices. There's been a lot of focus on sparklers. Yes,
the sparkler does burn 1,000, 1,500 degrees, but the sparkler, the
heat is actually from the retained heat that's on the wire. When
you watch a sparkler if you look at base of the beam of the sparks
it's red hot. Naturally if you touch that you're going to get
burned.

P.O. GREGORY:
Mr. Grucci, please wrap up.

03:51PM
MR. GRUCCI:
A model rocket that we can go to any hobby store, right now a model
rocket is made with black powder. A model rocket burns at around
900 degrees. For those of you that are in -- of my generation and
that have been through the Boy Scouts, you probably have handled a
model rocket and fired a model rocket.

P.O. GREGORY:
Mr. Grucci, please wrap up.

03:51PM
MR. GRUCCI:
Okay, sorry. So I'm asking that we look at the facts that we have
before us. It's not a disrespect to public safety, it's not a
disrespect to the fire service. It's something that's reasonable,
that should be allowed for the general public to make their own
decision on how they're going to handle an item like this and how
they're going to treat it in front of their children. Thank you
for your time.

03:51PM
P.O. GREGORY:
Thank you.

Applause
All right Springer, Ed Springer, Chief Springer, and then
Catharine Dolan.

MR. SPRINGER:
Good afternoon, members of the Legislature. My name is Ed
Springer. I've been in the fire service for 47 years, was the
Chief Fire Marshal of Suffolk County, retired two years ago. I
represent most of the Fire Marshal's Offices in Suffolk County who
do oppose this -- to have this bill -- we want it passed. Let's
put it that way.

For your information, a match ignites at about 450 degrees. The
sparkler you're talking about burns in excess of 800 degrees.
Depending on the products within them, magnesium, titanium, that
depends on how hot that product will burn. The metal sparklers
will burn in excess of 2500 degrees depending on the materials that
are used in that sparkler. Regardless, just as Rudy said before, you
look at the degrees, the temperature. You know, water boils at
212 degrees. You look at someone getting burned. I've been in the
burn center many, many times. A member of my department, Kevin
Peterson, is there on a regular basis with firemen getting burned.
We don't need children getting burned. It's a lasting burn. Just
as I said, whether it's -- once you go over that 200 degrees,
whether it's 450 lighting a match, 600 with that sparkler, 1,000
degrees to 1500, you are causing a permanent injury to that child.

Again, I would not let my children, they're fully grown now, or my
grandchildren handle one of them. I do have a concern and I hope
that you do pass this bill. Like I said, one burn, someone in a
burn unit for a week to a year, it's a terrible thing for a child
and I just hate to see it. And I can honestly say that every Fire
Marshal's Office here in Suffolk County opposes that bill or wants
that bill to pass, let's put it that way. That's all I have to
say.

P.O. GREGORY:
Thank you.

MR. SPRINGER:
You're welcome.

P.O. GREGORY:
All right. Mary Catherine Dolan, and then Lou DiBallo.

MS. DOLAN:
Good afternoon, Suffolk Legislators. My name is Mary Catherine
Dolan. I am the Vice-President of the Suffolk County Fire Safety
Educators Association and I'm glad to have a chance to be heard in
regard to IR 1190. Let's brave the sad topic of injury, death and
sparklers to our area. Last year alone, in one day it was reported
that three injuries from the time frame of 8:30 p.m. July 4th to
one AM July 5th. The first injury was a man holding a firework.
The firework backfired. Part of the firework hit him in the eye;
hospitalization. Then the second injury, not even an hour later,
at nine p.m. 911 received a phone call. Firework tripped over and
a seven-year old girl was the victim of that injury. She required
hospitalization. Lastly, only a couple of hours later, a little
after one a.m. a 15-year old boy suffered injuries to his hands
while a firework exploded. That's only five hours in one day.
Currently I'm an EMT at Bay Shore/Brightwaters Rescue Ambulance.
I've been an EMT in Suffolk County for 20-years. I've been an EMT
in New York City also for 20 years. I have seen devastation,
destruction, injury and death from legal and illegal fireworks.
The first one I've ever seen was a roman candle a guy decides he's
holding. Part of it becomes part of his chest; he died. It was
not a nice death because he died in front of us. The last incident
was only two weeks ago here in Suffolk County at a wedding I went
to. They were lighting those sparklers at one of the weddings and
one of the wait staff burnt his hand. Granted his burn was minor,
he did not require any form of hospitalization or a trip to the ER,
but it could have been a lot worse. The ceilings were low, the
sparklers are high.

Newsday article from last year. Suffolk County P.D has stated that
they offer one tip for residents here in Suffolk County, please
leave the fireworks to professionals. While in that same article
Newsday states Police Commissioner Timothy Sini states, "It is one
of the biggest dangers because there is a false sense of security.
You're simply taking unnecessary risks." The topic for discussion:
Sparklers. It's only 2,000 degrees. In the same article it's also
stated you're going to be much happier on the Fourth of July
weekend when it concludes if your arm is not blown off than if
you're able to set off a couple of fireworks. I thank you very
much for hearing what I have to say and, please, I hope you really
think of Suffolk County.

(Timer Sounded)

Thank you.

P.O. GREGORY:
Thank you. Lou DiBacco.

MR. DiBACCO:
Hi, how are you doing? My name is Lou DiBacco. I'm not
representing any group. I wasn't even going to speak, I was just
sitting in the audience. I can't believe we're at like an hour
into this. We're talking about sparklers. You know, I think our
money could be spent a lot better ways, you know, you shared
questions what it's made out of. Everybody's got a Smartphone,
calcium nitrate. I found that out in five seconds it's really hot,
12, 1500 degrees. So regardless of whether it's a wood stick, a
metal stick, it's hot. So for the 10 or 15 seconds your kid spins
it in the backyard it's not worth it. I happen to work for the New
York City Fire Department, it has nothing to do here or there.
Sparklers, they should be outlawed. I really don't think it's
something that the County really needs. Mr. Grucci, the guy does
professional things. Let's go to the beach, watch him, spend some
money and, you know, go down to the beach and have a little fun. I
just -- I can't believe that we spent that much time talking about
the sparklers. That's all I wanted to say.
LEG. SPENCER:
Thank you.

P. O. GREGORY:
Thank you for being here. That's all the cards I have for this Public Hearing. Anyone else like to speak on it, please come forward, who has not already spoken. You spoke already. Tony spoke already. Anyone else? Okay.

03:58PM

LEG. SUNDERMAN:
Motion to close.

P. O. GREGORY:
Motion to close by Legislator Sunderman. Second by Legislator Donnelly. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator Hahn).

P. O. GREGORY:
IR 1193 - Adopting Local Law No. -2018, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County contractors and public employee unions (Trotta).

I have several cards, first being, oh boy, Nancy Marr? Is that what it is?

MS. MARR:
Hi, I am Nancy Marr and I'm speaking for the League of Women Voters of Suffolk County. We commend Legislator Trotta for looking for a way to end the pay-to-play practice which involves many entities. Packs, lobbyists, unions, corporations, individuals often seek to obtain favors by making donations to public officials. The Federal pay-to-play law reads in part, "It shall be unlawful for any person who enters into any contract with the United States to make any such contribution to any political party, committee or candidate for public office or to any person for any political purpose or use." That's the Federal government speaking. Fifteen states now restrict campaign contributions from government contractors, not including New York. We believe that our County should have similar protections but are not clear that Resolution 1193 will be enough to prevent the awarding of contracts based on politics rather than merit.

04:00PM

We urge all Legislators to work together to create a law that would with transparency prohibit potential contractors with the County from making donations that might influence the results. In order to build confidence government by legitimate businesses and the public we need to be sure that our County government has safeguards against corruption.

04:00PM

And on the statement that I sent out there's a note at the bottom that Public Citizen has a really good article on this. They tell you which of the 15 states are and there's a link -- the link here you can get if you want to read it. Okay?
P.O. GREGORY:
Legislator Trotta has a question.

LEG. TROTTA:
Just a quick question. Nancy, are you saying that you prefer that it's no money should be given?

MS. MARR:
Well, no -- I'm not saying what I believe. I'm saying that the --

LEG. TROTTA:
Is it the position of the League of Women Voters?

MS. MARR:
You should have some limits. I don't know, I'm not saying what I think there should be. I'm not saying that nobody should ever do it. I'm saying that we should make sure it's not done for the wrong reasons. And that awards should not be made for that reason.

LEG. TROTTA:
Is it the position of the League of Women Voters that there should be -- you shouldn't be able to take any campaign contributions?

MS. MARR:
I don't have that --

LEG. TROTTA:
Okay. All right.

MS. MARR:
I'm saying that we think we need to work further to make sure that there is not -- there aren't donations that are made that then result in people getting favors.

LEG. TROTTA:
Okay, thank you.

MS. MARR:
I know you do have some limits.

P.O. GREGORY:
Legislator Calarco has a question for you.

D.P.O. CALARCO:
Nancy, I just wanted to say Happy Birthday.

MS. MARR:
Thank you.

LEG. TROTTA:
Applause

Suck up.

P.O. GREGORY:
I think that's the first time I've seen you blush. Kim Ravere.
General Meeting - March 20, 2018

MS. FARINO:
She had to leave.

P.O. GREGORY:
She had to leave. You're up, Pam. Excuse me, Ms. Farino.

MS. FARINO:
My mother calls me Pam, it's quite all right. Unless I'm in trouble, it's Pamela. So today I want to speak about campaign finance. I fully support Legislator Trotta's bill 1193, and part of it goes to a lot of things that are actually happening right now in the State of New York. We had Governor's Cuomo's best friend, Percoco, who was just tried and found guilty. We have situations going on in Nassau County. Many of the people did the pay-to-play. We even have a fund-raiser coming up by our own, according to Rick Brand who wrote this article, Steve Bellone to talk infrastructure at fund-raiser. My family is kind of in the contracting business. Please don't tell me that this fund-raiser is not a pay-to-play. I mean, come on. This is just so like in your face.

So that being said, nepotism; the practice among those with power and influence of favoring relatives and friends especially for giving them jobs. A very simple statement. We seem to do this a lot. We seem to want to spend a lot of time speaking about sparklers, but not about campaign finance. I'm sorry, that's one of our biggest problems. We have so many issues in New York State with corruption. We can only give $2700 to Senator Schumer, to Senator Gillibrand, to Congressmen Suozzi, during an election cycle. Why should there be no limits here for County people? For County Legislators? Twenty-seven hundred is all an individual can give to a Federal representative like Suozzi, like Gillibrand, like Schumer. Why are you guys not holding yourself to that standard or even as you said, at 2500.

So, I'm sorry. There is absolutely no reason you guys can't. And, again, this fund-raiser on the 28th, we all know who's going to it, I personally know who's going to it, and it is pay-to-play. Thank you.

Applause

P.O. GREGORY:
Pam, just to state, we do have limitations that we just passed through our public campaign financing which hasn't been implemented yet.

MS. FARINO:
Taxpayer money, though, right?

P.O. GREGORY:
Well, it's --

LEG. BERLAND:
We all have limits.
LEG. McCAFFREY:  
Twenty-four.

MS. FARINO:  
Are you discussing the public financing on campaigns with taxpayer money? So we have a $158 million deficit, we finally are getting extra revenue from something we weren't expecting, and you decide you want to give it to public financing of campaign. Wonderful. We don't have a deficit. It's great. So, yeah, no, I've read it. I'm well aware of it.

P.O. GREGORY:  
All right. I just wanted to make sure.

Applause

LEG. BERLAND:  
Mr. Presiding Officer, could I just make like a point of information? We all have limits in our Legislative District as to what we can take from individuals. Are we not acknowledging that? Because --

LEG. KENNEDY:  
We do.

LEG. BERLAND:  
Right, we all have limits in our districts. And I think mine is like about $2600 or something like that from -- right, from individuals.

UNKOWN AUDIENCE MEMBER:  
What about County contractors?

LEG. BERLAND:  
I just want to get that out.

P.O. GREGORY:  
All right. Rena Sylvester.

MS. SYLVESTER:  
I'm here. My 23-year old son is with me today and I'm hoping he comes in. Today I spent the day -- first of all, welcome -- thank you for having me. And I'm here to speak about the campaign finance limits. My 23-year old son, who has done everything right in the world, he's polite, he kind, he has an IQ lower than average. He works at Walgreens two days a week, makes $6,000. Works for St. James Lutheran Church, makes $2,000 a year. And he just signed up for another job working at Graywell Trucking. His yearly salary from three jobs combined and his Social Security pittance is going to be less than the amount of money an individual can give to the Suffolk County Executive this year. Of course it's Steve Bellone currently. So $48,000 is what you think is -- you've decided is an appropriate limit. Forty-eight thousand dollars. My son working three jobs makes less than half of that. Does that not sound like maybe $48,000 is a little high?
Now, that $48,000 can be donated by one individual and their spouse. So a couple can donate $100,000, while my son, who's working three jobs and living in my basement, we're contemplating moving. Willie, can you come up here for a minute? I just want you to say hello to everybody and tell them that every day what you do. Every day you have a job to do.

MR. SYLVESTER:
Hi. Every day I have a job to do.

MS. SYLVESTER:
And you work hard.

MR. SYLVESTER:
I work hard.

MS. SYLVESTER:
And when Mommy leaves and Mommy is dead, are you going to be able to live on your own? You're going to have to live with your brother, correct?

MR. SYLVESTER:
I hope.

MS. SYLVESTER:
I hope. Okay. So he really is hoping to be able to live on his own working three jobs, yet campaign finance has created this situation where they're telling us $48,000 is such a little bit amount of money that Steve Bellone can be given that from us. Any questions for my son and I? I think $48,000 is an awful lot of money for one person to give to our County Executive for his campaign. Thank you.

Applause

P.O. GREGORY:
All right, thank you. Okay, I don't have any more cards for IR 1193. Yes? Please state your name for the record.

MR. PICCIRILLO:
Anthony Piccirillo, Bohemia. I'm here in support of Legislator Trotta's campaign finance reform bill. The system is severely broken and this bill is a step in the right direction. The current campaign finance laws undermine the political process and have fostered what many believe is a pay-to-play system. As someone who has lived with this broken process firsthand, I have witnessed the unbelievable power special interest groups can wield against a candidate of their choosing, including intimidating their mother. And where I disagree with most of you is that you can get monies from a super PAC for powerful special interests and at the end of the day do what needs to be done for the middle class and working families here in Suffolk County.

Furthermore, as far as I am concerned, this bill does not go far enough. If you do business with this County or you are voting on a contract and have received monies directly or indirectly, you

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should have to immediately recuse yourself from voting on the said contract. You have the power to change this through the Legislative process and I hope you all choose to do so. Any questions?

LEG. TROTTA:
You are aware that super PAC monies is not affected by this.

MR. PICCIRILLO:
Unfortunately, I am aware. But we can have people recuse themselves. You can write that in legislation. It's been held constitutional before.

LEG. TROTTA:
Actually I think it's not, but I'll check.

MR. PICCIRILLO:
You can make that people can't vote on contracts if they receive monies from an individual company.

LEG. TROTTA:
Let's take one step at a time.

Applause

MR. PICCIRILLO:
Thank you, Legislator.

P.O. GREGORY:
Did I hear moderation from Trotta?

LEG. TROTTA:
I'm going soft.

P.O. GREGORY:
Wow. My neck hurts from that. Anyone else? Mr. Clampett.

MR. CLAMPETT:
My name is Charles Clampett, you know, the Beverly Hillbillies, you know when he becomes a millionaire. I'm not a millionaire and I don't think anybody should be paying a million dollars for anybody to run for office.

Another issue is special election. You know who you are. If you are going to run for higher office then don't run for the position that you're in now. That's wrong because it's going to cost us, the taxpayers, more money. As far as the raising or doing anything, you're screwing the people here in Suffolk County. We should not have to thank you for standing before you. You should be thanking us for standing before you. Thank you.

Applause

P.O. GREGORY:
MR. RUTH:
Good afternoon, Ladies and Gentlemen. I want to speak in support
of Robert Trotta's bill to limit the campaign finance and I do
agree with Anthony Piccirillo what he said with the companies or
unions doing business with the County. They should not be allowed
to give campaign contributions to Legislators that are deciding on
their contracts and so forth. I do have a question regarding the
red light camera investigation. I was wondering if I can ask that
question now?

04:12PM

P.O. GREGORY:
No, this is --

MR. RUTH:
Okay, thank you for allowing me to ask that question now. Being
that the company that was doing the -- they were issuing the annual
reports was Nelson & Pope, are they also the company that was
awarded the contract to do the investigatory study? Can we have
the information on what company was given the contract to do the
investigation into the Red Light Camera Program, because I don't
think it should have went to Nelson the wrongdoer and Pope, because
Nelson & Pope omitted information regarding pedestrian crash data
as well as bicyclist crash data, and we still had 500% increases in
crashes in specific intersections. So I would think that they
shouldn't be allowed to do the investigation. Is there any way we
can get that information on who was awarded that $250,000 contract?

04:12PM

P.O. GREGORY:
This is the public hearing about campaign finance reform. You are
certainly pleased to talk about that.

04:13PM

MR. RUTH:
All right. Well, can I ask again at the next opportunity regarding
the next --

P.O. GREGORY:
You're very well aware, you come to every meeting, you're very well
aware of what our rules are, Mr. Ruth.

04:13PM

MR. RUTH:
So does nobody have that information on who's doing the
investigation? Okay. Well, I think it's definitely a good
question. We have to find that out. All right. Thank you very
much, Ladies and Gentlemen.

P.O. GREGORY:
Okay, Legislator Trotta.

04:13PM

LEG. TROTTA:
Motion to recess.

04:13PM

P.O. GREGORY:
Motion to recess IR 1193. I'll second. All in favor? Opposed?
Abstentions?
General Meeting - March 20, 2018

MS. ELLIS:
Eighteen.

P.O. GREGORY:
IR 1196 - Adopting Local Law No. -2018, A Local Law requiring food establishments to provide mercury information to patrons (Kennedy).

I have several cards. Veronica Bencivenga.

MS. BENCIVENGA:
Hello. Thank you very much for your time today. My name is Veronica Bencivenga and I'm a resident of Nesconset and Suffolk County resident. I'm here in support of 1196 brought to you by Legislator Kennedy, thank you so much, a Local Law requiring food establishments to provide mercury information. Am I allowed to ask a question?

P.O. GREGORY:
Yep.

MS. BENCIVENGA:
Hurrah. Okay. So I just want you to think back to when you were younger, you know, I know you're all young, but a little younger than now, maybe when you were in high school or grade school, how many of you ate sushi on a regular basis when you were in grade school or high school? Anybody? No. No, me neither. So I didn't eat sushi, that was the kind of thing that happened on a real special occasion or because I grew up Catholic it was maybe a Friday night fish fry, you know, that's what we did. But nowadays sushi, sashimi and poke bowls and other types of fish are very commonly used by families to maintain a healthy diet and a healthy lifestyle, far more than they ever used to, and those types of foods are served to younger and younger children because of their accessibility. And I think that while many of us are somewhat aware of what significant consumption of seafood can lead to high mercury levels, I think that people don't think of that when they think of sushi and sashimi and those types of food products that they're consuming to try to be healthy. So ironically by trying to be healthy they can somehow thwart their effort by leading them down a path of mercury poisoning.

The reason I'm here to support that is because a very close family friend of ours actually became sick with mercury poisoning because as a teenager she was following that healthy lifestyle mantra and consuming sushi, which is a great go to for kids today, right, it's better than fried chicken and french fries, but by doing so she inadvertently and unwittingly led herself down a path to suffering from mercury poisoning. I think that requiring restaurants to post an awareness or a warning similar to what they do to like undercooked meat products can't hurt. I think it's just a thing that's come of age now and I think it would be very helpful to keep that in the forefront of people's minds as they try to live a healthy lifestyle, that maybe too much of a good thing is not really a good thing. And that's all I have to say. So thank you so much for your time. I appreciate it.
P.O. GREGORY:
Thank you. Oh, Legislator Lindsay has a question for you.

MS. BENCIVENGA:
Sure.

LEG. LINDSAY:
Hi. Good afternoon, ma'am. Thank you for coming in this afternoon and testifying. I'm sorry, I'm going off of memory, but I seem to recall that when you go to a sushi restaurant at the bottom of the menu there is a warning about mercury in fish.

MS. BENCIVENGA:
On the bottom at a sushi restaurant? Not all of them.

LEG. LINDSAY:
Okay.

MS. BENCIVENGA:
I don't --

LEG. LINDSAY:
So if they're doing it now it purely at their own -- okay, so if they're doing it now it's at their own discretion.

MS. BENCIVENGA:
I think so, yeah.

LEG. LINDSAY:
Okay.

MS. BENCIVENGA:
But think about all the places that you can get sushi these days. I mean, you can go to Uncle Giuseppe's right now, right now while it's fresh. You get it after six o'clock two for one. So I don't think they have warnings that are publicly posted that really just make people aware. That's it. And I think it's just a good time.

LEG. LINDSAY:
Okay, thank you.

MS. BENCIVENGA:
You're welcome. Any others? All right, thank you so much.

P.O. GREGORY:
Thank you. Alisa Azzarelli.

MISS ALISA AZZARELLI:
Hi. So I'm going to speak about why this cause is so important to me. So just to start I'm going to introduce myself. Hi, my name is Alisa Azzarelli. I'm 16 years old and I'm currently a junior at St. Anthony's High School. And last February of 2017 I was diagnosed with mercury poisoning. When I tell people this I usually get one of two responses. It's either how'd you get it or are you dying and, you know, that's good. But the specific type of mercury poisoning I was diagnosed with was ingested mercury.

* Index Included at End of Transcript
poisoning. This is most commonly associated with eating seafood. Hearing this most assume I have eaten bad fish or way too much, but in reality I did neither of these things. Just like many teens and adults, I’m a lover of seafood. I would have sushi cooked or raw about twice a week and then I’d maybe throw in a tuna sandwich here or there.

The popularity of sushi has grown throughout the past few years, especially through social media with sushi posts always trending on Instagram and artsy sushi pictures on Snapchat stories. Because of its growing popularity it's not uncommon to find sushi in various places that maybe you wouldn't expect, like a pub serving ahi tuna or new grocery stores that are complete with sushi bars.

This is all leading to what brought me here today. I was going out to eat with friends and family ordering my favorite seafood dishes without thinking anything of it. There's no warning on menus telling people to be careful about how much seafood they consume or which seafood is potentially dangerous. So, like most others, I had no idea. I began getting migraines and mood swings but shrugged them off as hormonal. I then began experiencing numbness in my toes and eventually had migraines so terrible that I had vision loss. My mom began taking me to see neurologists for MRIs, countless blood tests, nutritionists, anything she could think of to find a cause for my symptoms.

It wasn't until she thought back on a 20/20 episode from years ago about girls dying of mercury poisoning did she tell the doctor to test me for mercury just in case. Sure enough, the doctor called my mom in a panic screaming keep her away from the fish. At a mercury level of eight you are considered poisoned. I was at a level 16. If gone undiscovered, I would have most likely suffered permanent brain damage and/or organ failure if not death long after.

So this is why I'm here today working hard with Legislator Leslie Kennedy to get this resolution passed and make sure this doesn't happen to anyone else because it all could have been avoided if I was warned in the first place. Thank you.

04:19PM

P.O. GREGORY:
Thank you, Alisa. You did an excellent job.

MISS ALISA AZZARELLI:
Thank you.

P.O. GREGORY:
Thanks. Anyone? No. All right. Thank you. And Lisa Azzarelli. I like that, so Alisa and then Lisa. All right.

MS. AZZARELLI:
That was my daughter who just presented. So I just want to add that this was a difficult journey for us and the four months of trying to figure out what's wrong with your child is frightening. We go as a family to Hibachi and sushi places and often enjoy it from Whole Foods and just fresh seafood all the time. We know it
to be healthy. What I found more frightening in retrospect was the fact that had she remained somewhere at a level eight she would have continued to become damaged over time. This is a hidden type of disease, so to speak, that can do long-term damage if it remains undetected. I was speaking with a friend of mine who's a PA and shared my story with her. She was shocked. She enjoys sushi with her daughter quite often, and when she left me she was going to the pediatrician with her child because it could have been a level eight, it could be a level six, and this child would be living with undetected mercury poisoning.

I firmly believe that this bill needs to be passed just because it is such a popular thing now for us and a more healthy lifestyle to turn to seafood, which is great, but we need moderation, we need awareness. I'm very fortunate to have an outpouring from friends and community, in our community, who are accountants and educators and wonderful homemakers who all feel the same way I do. So I hope that you will see that this is a definite need in Suffolk County and protect consumers. Thank you.

P.O. GREGORY:

Thank you. All right, anyone? Okay, that's all the cards I have for IR 1196. Okay.

MR. CLAMPETT:

I must concur with these two -- few people here that spoke about the mercury poisoning. It's not a fun thing, because if somebody dies in your Legislative District, who do you think's going to vote for you? They're not going to do it. Listen loud and listen clearly. Don't listen with a deaf ear. Listen to what the people are saying each and every time they come up here to the podium. You work for us, we don't work for you.

P.O. GREGORY:

Anyone else want to add to the conversation? Okay.

LEG. KENNEDY:

Before I decide what I'm going to do with it, I just want to make a statement. Can I do that? Okay, we have adjusted this bill, what, 11 times?

MS. AZZARELLI:

A million.

LEG. KENNEDY:

And I just got a piece of paper handed to me by our attorney, so I want this on the record before I close this. In the bill it uses the term food establishment or food service establishment. Well, in Suffolk County Sanitary Code that includes nine million things. So, George, I can close the hearing and we can do a change in restaurant, tavern, we can add those words as opposed to food establishment and still vote on it?

MR. NOLAN:

Yeah. As we discussed, the tweak is going to make the definition of restaurant, food establishment. We can close the public hearing
and we won't have to reopen the public hearing after making those changes. They're not major enough.

LEG. KENNEDY:
Okay, excellent. So then motion to close.

P.O. GREGORY:
Second -- motion by Legislator Kennedy, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator Krupski).

P.O. GREGORY:
IR 1197 - Adopting Local Law No. -2018, A Local Law to amend the County Social Host Law to include illegal drug use (Cilmi). Ms. Farino.

MS. FARINO:
Hello again. I just want to basically say, and I know Kim Ravere as President of Kings Park In the kNOw also concurs with me. We are really thrilled that we are finally putting illegal drug use into our Social Host Law. Why we didn't do it initially, we should have, hindsight is 20/20. The only thing that I will ask is if this resolution does come to pass, that we really make sure that all of the social host cards that are currently out there in the public venue, we really make sure we gather the old ones up and we make sure that if we do make these changes the public is really getting the new information. We ran into that I think like two years ago when we tweaked it a little bit. So if this does pass, which I think it absolutely should, especially considering we're number one in Opioid overdoses, if we could just make sure that the public gets the updated information, because sometimes people forget to throw out the old stuff, so. Thank you very much.

P.O. GREGORY:
All right, thank you. Barbara Vouris.

MS. VOURIS:
Good afternoon. My name is Barbara Vouris. I'm a resident of the Hamlet of Islip. I'm also the Program Director for the Islip Drug Education Awareness Coalition. We are a community-based drug prevention and awareness coalition. We have a grant from the drug free communities, the Federal grant from Washington D.C. I just wanted to speak towards the expansion of the Social Host Law. We are thrilled. We're very happy that our Local Legislator, Tom Cilmi, brought this bill about initially and expanded it with stronger enforcement and in adding the illicit drugs that would probably really be total commitment to the bill.

P.O. GREGORY:
Second -- motion by Legislator Kennedy, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator Krupski).

P.O. GREGORY:
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My only concern for this bill, it mentions illicit drugs. I just wanted to make sure that it includes the fentanyl analogs, the designer drugs and the Opiate derivatives of fentanyl, because I do remember reading a case where there was a man from Mastic, I believe, that was arrested and all the procedures were followed and I think the case was thrown out because of the fentanyl analog,
because police said he was arrested for fentanyl. So I just -- I'm not a chemist by any means so, you know, I was just thinking because of that case maybe we should just make sure that it's very specific to the fentanyl derivatives. That's it. Thank you so much and thank you for all the hard work of all the Legislators that support this bill.

P.O. GREGORY:
Okay. Hold on, Legislator Lindsay has a question for you.

04:28PM
LEG. LINDSAY:
Hi ma'am, over here. Thanks for coming in today and testifying. I'm a proud father of a teenage daughter and with that comes a lot of scary moments and education from your kids. My my daughter has brought to my attention and showed me on social media how you'll see kids doing drugs, smoking marijuana and other things in their home, and their parents in the background of the pictures. In your opinion, if you made this change to the law, would that parent then be -- would they suffer the consequences of the law?

04:28PM
MS. VOURIS:
Yeah, I think as soon as we have the Social Host Law and tighter enforcement and the cooperation of the Suffolk County Police, once we had Commissioner Sini working with the police for the stronger enforcement, once he, you know, trained his officers how to enforce the law, I think we'll see the same positive changes. I think parents once they noticed or found out about the Social Host Law they were more respectful. This is one of the biggest issues that there are many parents that think with the alcohol that if they support a party in their household it's a good thing, that they're keeping kids safe, they're collecting car keys. There might be some residents that, you know, also grew up in the 60s that think, you know, drug use is fine, you know. That's, you know, a personal belief. But I do think that the Social Host Law would definitely maybe reduce the parties that are being held in homes even, you know, with -- I think once we make parents aware, you know, we can only get hopefully, you know, secure more places in our neighborhoods.

04:29PM
LEG. LINDSAY:
Okay, thank you very much.

04:29PM
MS. VOURIS:
You're welcome.

04:29PM
P.O. GREGORY:
All right, thank you. That's all the cards I have for IR 1197. Anyone else like to speak? Please come forward. Okay, Mr. Cilmi.

04:29PM
LEG. CILMI:
Motion to close, please.

04:29PM
P.O. GREGORY:
Motion to close IR 1197.
General Meeting - March 20, 2018

LEG. McCAFFREY:
Second.

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

MS. ELLIS:
Eighteen.

P.O. GREGORY:
Okay. IR 1236 - Adopting Local Law No. -2018, A Local Law to
ensure service-disabled veterans participate in County contracting
process (P.O. Gregory). I have a couple of cards. David Chiaro
and Chris Wyllie.

MR. CHIARO:
Good afternoon. My name is Dave Chiaro. I spoke in front of the
Veterans Committee on Friday, March 16th, in support of Resolution
No. 1236. I would like to enter into the record my oral
presentation as well as the supporting documentation presented at
that time as well as now. I've asked two service-disabled veteran
owned businesses here today to present their stories in favor of
the resolution, as well as my reading of a letter sent by a third
service-disabled veteran owned business, Nicholas Auletta.

I read, "Good afternoon, Honorable members of the Suffolk County
Legislature. My name is Nicholas Auletta and I am a Suffolk County
resident and a proud owner and operator of a Long Island
headquarters business, TruView BSI, specializing in background
screening and investigative services. I graduated from the United
States Military Academy at West Point, after which I became an
Infantry Officer in the U.S. Army earning Airborne and Ranger
credentials before being deployed to the Iraq combat zone.

I spent a total of 44 months over the course of six years. I was
awarded two Bronze Stars during my service. Due to the injuries
sustained during my service I received a service connected
disability. My business was originally formed and owned by a
different person and I was hired as an employee. However, in 2017
I had saved enough and garnered enough courage to purchase the
business from the previous owner. I was concerned what a change of
ownership might do to the relationship and contracts that had been
built over the years. These concerns were rendered moot when I
realized that my government clients, ranging from County to State
agencies, would get credit for maintaining contracts with my newly
formed New York State certified disabled veteran owned business.

We currently employ 40 staff members with -- we currently employ 40
full-time staff with 20 staff members employed here on Long Island
and the remainder in New Jersey, Texas and California. We
currently do work with the New York State Gaming Commission, MTA,
New York State Comptroller and New York Power Authority. Recently
we have added an additional 1.2 million in annual contracts,
necessitating the addition of three full-time employees with plans
to hire a fourth person this month.

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Statistics have shown that veteran owned businesses hire more local veterans than other businesses, keeping our returning veterans working here on Long Island. We're currently applying for U.S. Department of Labor program called HIRE Vets Medallion to maintain a veteran workforce of over seven percent. I am thankful to the Legislative body for considering a service-disabled veteran owned business procurement goal. Your decision should not be looked at as the charitable thing to do or even the right thing to do, but rather the smart thing to do for our County and to continue the support for service-disabled veteran owned businesses on Long Island. Thank you."

P. O. GREGORY:
All right, David. Legislator Lindsay has a question for you.

LEG. LINDSAY:
David, thanks for your testimony. Forgive me, because I'm a little naive to how the licensing requirements are accomplished. The designation comes from the State when you incorporate?

MR. CHIARO:
Yes. Service-disabled veterans owned businesses are certified at the State level. There is not a requirement. If this County adopted this to have any type of certification requirements, because that currently is already in place at the New York State Office of General Services service-disabled veteran owned business -- essentially their agency. So they do the actual certification and as I testified on Friday, approximately 90% of all the certified businesses in New York State are personally visited by the Director, Ken Williams, to ensure that not only do they have the capability, but legally they meet the requirements and they also when they say that they have a capability of let's say 100,000 or five million, they, in fact, can perform those requirements so they're ready to go.

LEG. LINDSAY:
What's the qualification to determine that they are -- forgive me, let me restate my question. When they're discharged by whatever branch in the armed services, it's a disability discharge and that's what would determine that they're a disabled veteran?

MR. CHIARO:
Well, essentially what happens is is that normally a veteran would be discharged. However, if there's a disability involved then the Veterans Administration will go ahead and vet that individual and then state by medical authority as to what percentage disability they have. Anywhere from zero percent which now is -- which is recognized at the Federal level, at 10% at the State level, that's where they start the actual certification process. So the VA does the disability rating and part and parcel of the State certification requires not only their DD 214 to show that they have done active duty, but also the EIN and also the VA Certificate of Disability and they're recertified every three years by the State.
LEG. LINDSAY:
Okay. And, again, forgive me, because I am naive to how this process works. So would the order in which you would follow would be the veteran would file for incorporation and then they would then apply for this disabled veteran designation or would they do that all at the same time?

MR. CHIARO:
Well, normally what happens is that the veteran will receive the disability, however, if we were to take the circumstance that we have somebody who's been out for a while and they have a business, and then all of a sudden something that was an occurrence, let's say during the Vietnam era or Korea, they now make application to the VA for a disability rating. They then can get it retroactive to become VA disabled and now go for their service-disabled veteran owned businesses. So it actually applies both with those that are initially transitioning or those that have been out for quite some time.

LEG. LINDSAY:
Okay. Thank you. The reason I'm asking is I have two veterans that are business owners and I don't believe they have this designation even though they are disabled, so I want to help point them in the right direction so they can get this designation.

MR. CHIARO:
That is are focus. We are attempting to get all service-disabled veteran owned businesses certified. They are certified at the Federal level, they are certified at the State level and all we're asking is for certification to be utilized at the County level. I would like to just -- if there's no other questions.

LEG. LINDSAY:
Thank you, sir. I appreciate it.

P.O. GREGORY:
All right. All right, Chris Wyllie. Thank you, David.

MR. CHIARO:
Thank you.

MR. WYLLIE:
Okay. Good afternoon. My name is Christopher Wyllie. I own a company that's local here in Hauppauge. We've been in business for just about 14 years now. We currently employ five people. We've been -- at one point we had ten but with the economy and different work schedules and loads we have gone up and down, but we're currently going into the public sector of bidding and looking forward to hiring more veterans and more employees that we can.

04:37PM

So let me give you a brief history. I'm not used to speaking in front of big audience here. So I served back in '94 through 2000. I was a Special Boat Unit Operator and then I went over to SEAL Team 2 as a Navy SEAL. I spent seven years active duty. I would have retired in the military but my injuries, pretty much in my mind and the way I'm going to say it, forced me out with a medical
discharge, honorable. I did a tour in the Persian Gulf and now
came home, lived the VA, you know, issues or VA scandal of
two-and-a-half years to get our benefits from when I got out of the
service.

I worked at KeySpan as mechanic while I put myself through my
Bachelor's and my Master's Degree. I worked as B mechanic welder,
and because I was the low man on the totem pole I went for
two-and-a-half years and got everybody's coffee order and
everybody's lunch. So I went from being a SEAL to getting coffee
every morning, but I went to night school, did that, and then
started my own business in 2004. And I left that job, started my
own career.

So to kind of answer your question also is that I incorporated back
in 2005 or six and started my business. I focused on residential
home automation and electronics, security systems, cameras, smart
homes, all of the fine home theatres and technology and things of
that nature. And then as I saw the residential market changing, a
couple of years ago I started the process of becoming a service
connected disabled veteran owned business. It took me all of last
year to get through that process. It is not an easy process, very
detailed oriented, paperwork heavy. I'm sure everybody here knows
about paperwork and all of the different processes of getting
through here to get certified, but went through that trying to
become more of an active role in the public sector.

So currently we won and were awarded a couple of SUNY Stony Brook
jobs that were due to the fact of having that service connected
disabled veteran owned status, where I believe that we would not
have been looked at if I did not have that check box in my
application or in my bid package.

(Timer Sounded)

So it is -- I'm here today to please, you know, stress to you that
this is not a charity. As David said prior, this is not a
charitable thing. It's more of giving us an opportunity for
someone to just look at that bid, because when you send in your
paperwork, a big stack of papers, and nobody has a personal
relationship or has a moment to have spoken with you or talked to
you or found out what you're offering, you're just a number, you're
a price. So having the service connected disabled veteran owned
law of being a part of a bid package where you could have veterans
who are hardworking, attention to detail, they want to be a part of
this working on your -- on Suffolk County projects, I think it
would be an asset to be able to have that, you know, in your bid
procurement.

P.O. GREGORY:
Thank you. And I think you're the perfect -- as a veteran
myself --

MR. WYLLIE:
Thank you.
P.O. GREGORY:
My wife beats me over the head about this issue and what is Suffolk County doing. You know, in my mind I think of service-disabled veteran because, you know, I have seen service-disabled veterans, you have an impression that it's someone who's severely physically disabled, in a wheelchair, and you're like the perfect example of there's a spectrum. You know, 10%, which, you know, I could possibly have a 10% disability all the way up to 100%. You're right, it's -- I know. I should ask a question. And it's not about charity, it's about -- to me it's about giving back to our veterans who, like yourself, done things that you can't even speak to us about. Has your -- to what degree do you see new opportunities have expanded to you and your business because of this designation?

MR. WYLLIE:
Now what we're having since we -- we got the Federal designation in June of last year. I submitted my paperwork in January of last year, so it took six months to get the Federal, and then I had to send all that paperwork to New York State and the Director had to, you know, vet that, come down. So after all of these processes and the time and getting your name out and it just takes time for people to know that I have this designation. Now I have people actively calling, asking me because they have this line item and things, you know, what are you offering, how can we work together, would you be, you know, interested in doing this job.

So I have that side and then I also have the side of I'm actively looking at being in -- and I don't know how many people understand all of the ins and outs of the procurement process, but there's a prime contractor and a sub-prime contractor. So the 6% is really just saying if you're the man that or woman or person or individual that is winning the main contract, you are having 70% of the contract you can do whatever you'd like with and then, you know, utilizing women-owned, minority-owned and then hopefully now a 6% or a certain percentage of a service connected disabled veteran owned business. So you're looking for people to partner with in that sense. So I've also had people and opportunity to bid as a prime where myself would have to go out and find a woman-owned business or a minority-owned business to work with me alongside to fulfill the contract. So it has opened a lot of doors and I see the potential, just it's new to me in the sense of, you know, it's just starting to go and I have won a couple of awards, so.

P.O. GREGORY:
But do you -- has it been in your experience yet that there are those people who just say, you know what, I have a certain job to do and I want to give business to a veteran, whether it's, you know, not necessarily a government related job or maybe, you know, because you do private stuff, too, if I understand what you had said, right?

MR. WYLLIE:
That is correct, it's just -- it's hard to gauge that right now of who wants to just -- you know, a lot of times I don't go in and market in the veteran way of, you know, please use me for work because I'm a veteran.
P.O. GREGORY:
Right.

MR. WYLLIE:
Most of us, as you know, don't want a charitable donation. I just think this is more of an opportunity for somebody to look at you, to say how can we utilize a veteran here instead of where you have nepotism and all of these other things where people won't even look at the contract because they already have somebody lined up for it. But if it's law where you have to utilize certain, you know, give certain types of people chances, then it opens up the door of getting new people in. You're not in that same -- that contractor knows every day that they're going to get the same job. They know the next contract that's coming, that's mine, I've had the last ten. So you're getting new blood, new people that are hungry, that want to work, want to perform. You know, you're giving them that opportunity to look at because if you're not the low bidder or whatever the stipulation is, you're still not going to get awarded, it doesn't matter if I'm service connected if I'm higher than somebody else in that sense.

04:45PM

P.O. GREGORY:
Okay. Thank you. Thank you for coming here today and we certainly thank you for your service to our country.

MR. WYLLIE:
Thank you. Thank you very much.

04:45PM

P.O. GREGORY:
Okay, I know I'm going to butcher your name up, Nicholas Tsismenakis?

MR. TSISMENAKIS:
Good afternoon and thank you for allowing me this opportunity to speak on Resolution 1236. My name is Nick Tsismenakis. I'm a CPA with a small practice in Nassau County. I just recently received a service-disabled certification from New York State. The way I came about to that was I was working in the industry for many years and then through the economy I was let go and had to start on my own. So as an older individual starting to open up my own practice, it was quite difficult. And then I found out that I was eligible to get the disabled rating and there was opportunities regarding contracting and I was able to grow my business with that opportunity, with the certification.

So I looked into it, got the rating, and from that rating right now it has opened up discussions with various other larger organizations, accounting firms that would never have joint ventured with me or even speak with me, into possibly working with contracts that they are the prime contractor in the government contracts, that they need service-disabled veterans to help them with whereas prior they wouldn't. There's many CPAs out there that could actually provide this kind of work. Here I am, I'm capable. I have a small staff, but as a smaller firm I would never be able to compete with a prime contractor because being a small company, you know, just by putting your paperwork they would realize well,
this guy we're not going to give him a chance. But as a service-disabled veteran status, having that certification, it gives me that chance to go in there and show them what a veteran can do, how we are trained and how we're mission ready and attention to detail and we always will complete whatever mission is handed to us. And that's all that we really ask. We're not asking for any kind of charity, just the opportunity to prove what, you know, we can give back to this country as well.

P.O. GREGORY:
Great. Thank you. Thank you so much. That's all the cards I have. Anyone else like to speak on IR 1236?

MR. CLAMPETT:
I just want to thank publicly Bill Lindsay and also DuWayne Gregory for asking the right questions because the veterans, they need jobs, they need places to go. When I was younger my father -- I have five brothers and five sisters, we all moved out of the house, got married and what have you. So my father had five bedrooms downstairs. What he did is he brought in five veterans from the VA hospital and had them live there and it was a home setting for them and they liked it so they got started getting jobs, too, as well. So I thank you guys for asking the right questions. Thank you.

P.O. GREGORY:
Okay. Anyone else? Okay, I'll make a motion to close IR 1236. Second by Legislator Berland. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Fourteen (Not Present: Legislators Krupski, Anker, Trotta and Kennedy).

P.O. GREGORY:
Okay. I'd like to make a motion setting the date for the following Public Hearings, April 24th, 2018 at 6:30 p.m. at the Rose Caracappa Auditorium, Hauppauge, New York. IR 1277 and the 2019-2021 Capital Program and Budget. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Fifteen (Not Present: Legislators Krupski, Anker and Kennedy).

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

P.O. GREGORY:
Okay, we are back to -- where did we get stuck at again?

LEG. CILMI:
1123.

P.O. GREGORY:
1123, page seven, and I still have a list. Legislator Hahn.
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LEG. HAHN:
So now I've got to remember where we left off. Okay.

LEG. FLEMING:
Feeling outraged.

LEG. HAHN:
(Laughter) I know, I was feeling a real sense of outrage at that moment.

I mean, I think there's been a lot said. I don't know if we feel -- how many people are left on the list?

P.O. GREGORY:
One.

LEG. HAHN:
Just one, one left? You know, I mean, there's been a lot of things said here that I could go back at, I could correct the record, because there was a lot of fake news going around, inaccuracies, outright lies. And -- but I don't -- I don't know that I need to go there. We had -- the one thing -- Commissioner? I just think that, you know, we want to make it clear that, you know, some of the delay in getting started did involve -- you know, there was -- how long do you expect -- how long do you expect the minimum for? Is there a way to say the minimum amount of time it'll take for this job to be done?

DEPUTY COMMISSIONER BERDOLT:
You mean from start to finish, how long?

LEG. HAHN:
Yeah.

DEPUTY COMMISSIONER BERDOLT:
Well, I'm hoping that if this company -- obviously, they're the ones responsible and they'll be taking the material out, so they'll be working as quick as possible. And if we're lucky and it's only the 450 truckloads, you know, as it says in their plea agreement, 60 to 90-days.

LEG. HAHN:
Right. So to the point about the plea deals were arranged the end of November, 60 to 90-days brings you into, you know, full Winter. We had a stretch in December of temperatures that were in negative -- in the, you know, two degrees to negative four or five degrees that went on for at least a week. It was really a -- it's been a difficult winter; in fact, we've had four NorEasters in the month of March if you count what's coming at us right now. You know, I think that clearly we want to get this done, the timing of the plea arrangement delayed it a little, obviously there have been reasonable delays. We had a full-time -- were they full-time on-site, the concessionaire that was --

DEPUTY COMMISSIONER BERDOLT:
You mean 24-hour on-site?
LEG. HAHN:
Yeah. Well, at least there was activity 24-hours because they boarded horses, correct?

DEPUTY COMMISSIONER BERDOLT:
Yeah, I don't know if they actually had somebody there overnight.

LEG. HAHN:
But it was a full-time during the day.

DEPUTY COMMISSIONER BERDOLT:
Correct.

LEG. HAHN:
Correct. It's a very different scenario than what we saw in the Town of Islip, Roberto Clemente Park, where we had, you know, a full-time concessionaire who was part of the scheme. You know, so the responsibility for oversight of that location, the person was, you know, part of what was going on somehow --

DEPUTY COMMISSIONER BERDOLT:
Right.

LEG. HAHN:
-- is what has been determined. So, you know, what went on in Islip was a completely different scenario.

I just -- I continue to struggle with the fight -- I continue to struggle with a fight over wanting to delay the removal of this material. We have residents in the Town of Huntington who love this park, who have come to us, and as I've said, you know, as I spoke about this before; this is where they go for peace and tranquility. This is where they go -- we have equestrian lovers who spend the time with their horses that are their pets and their family and have had to move for a very extended period of time, had to move off-site. We have neighbors who use the walking trails, children, you know, they walk their dogs, they walk their children, they walk their families through the trails in the woods here and that's why we have parks. I mean, that's what we love about Long Island, our beaches, our parks, our recreation.

It's critical to our quality of life. And to have it shut down for such a long period of time. Here we are, we have a plea -- you know, we have perpetrators of this crime who have pled, the plea deals involve removing the materials, and as we spoke of before, it doesn't matter, it doesn't matter what we think about the plea deals, they were made. We own the land, we are responsible for this land, and we are in a position now where we want to have it cleaned up and if we get started and don't have enough money to finish, it'll cost us even more money if we have to have them demobilize and then have to start back up at a separate time. It'll cost us even more money. So it's in the taxpayer's interest to hopefully have enough money available to the department to finish whatever could possibly come up for us. And I think it's really hard to start this conversation after being on such a long break from it.
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But, you know, as Chair of the Parks Committee, I just want to plead with everyone around the horseshoe who has a park in your district, who has a place where you love to bring your child or your grandchild or you love to walk yourself, who would not tolerate an extended -- you know, an extra period of time. Now this is, you know, an extra-long space between meetings just waiting, waiting for it to be cleaned up when we're ready. We want to be ready to go and we need this to be sure we can. So that's what I wanted to say.

04:56PM

P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
I have the agreement in front of me. It says they have to remove or pay to lawfully dispose of all material required to remove from the park. And it goes on to say the plan, this was signed on November 15th, we have $750,000 that we already gave to them to get it started.

04:56PM

LEG. KENNEDY:
Right.

04:56PM

LEG. TROTTA:
The question should be what the heck has been going on? Plain and simple. It doesn't get any easier than this; let's vote on it, it's done. They have the money, they haven't been doing it. You know, it's government incompetence, plain and simple. I will not be supporting any more taxpayer money to clean this up. It's there. And we shouldn't have to spend a dime because it says right in the plea agreement to pay for everything within one year. Very simple.

04:56PM

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Thank you. I would just like to add one other point that, again, I think highlights the absurdity of the notion that we wouldn't act on 15,000 cubic yards of poison that we know is in our park, and that is that it doesn't get less expensive as contaminants move into soil and sand and groundwater, it gets more expensive. And the costs that have been incurred at the Grumman plume or whatever plume you want to address, in my district now we've got the Perfluorinated compounds, we've got heavy metals like this and arsenic and sand mining operations. Which, by the way, at Sand Land it's 140 feet to groundwater, and those contaminants from the sand mining operation are in the groundwater as we speak. So we have to move on it quickly because it's going only going to get more expensive, and I think it's absurd to think otherwise. Thank you.

04:57PM

P.O. GREGORY:
Legislator Calarco.

04:58PM

* Index Included at End of Transcript
D.P.O. CALARCO:
Thank you, Mr. Presiding Officer. Phil, we have an issue in the
park, it's got to be cleaned up, right?

DEPUTY COMMISSIONER BERDOLT:
Correct.

D.P.O. CALARCO:
The culprits are going to be responsible for a certain amount of
that clean-up, we certainly want to oversee that so that we can be
assured that they're doing what they're supposed to do, right?

DEPUTY COMMISSIONER BERDOLT:
Correct.

D.P.O. CALARCO:
Okay. You don't know how much they're going to actually cover
which is why you come to us to ask for some funding so that
anything that's not accomplished by them we can make sure is
finished up so the park can be cleaned and be up and operating
again.

DEPUTY COMMISSIONER BERDOLT:
Yes.

D.P.O. CALARCO:
Okay, that's all I have for you.

Ms. Smith, can you come up, or somebody else from the Law
Department? So my understanding, listening to all this debate, is
that while there is a plea agreement that's been entered into, that
plea agreement in no way impacts our ability to bring a civil suit;
is that accurate?

MS. SMITH:
Yes, that's correct.

D.P.O. CALARCO:
Okay, we're going to, in all likelihood, bring a civil suit,
right?

LEG. TROTTA:
No.

MS. SMITH:
As far as I know, the County Attorney is exploring those options
and if there are damages sustained as a result of this, certainly
--

D.P.O. CALARCO:
If there's any cost to the County that's incurred to clean up this
park --

MS. SMITH:
Absolutely.
D.P.O. CALARCO:
-- we're going to pursue a civil case.

MS. SMITH:
Yes.

D.P.O. CALARCO:
Okay. So any money that we appropriate, whether it is the 750
that's already been appropriated, or the one-and-a-half million
that's being asked for right now, if we expend any of those dollars
we're going to seek compensation from the people who have already
acknowledged their fault in this action.

MS. SMITH:
Correct.

D.P.O. CALARCO:
I guess it's a pretty strong case, right?

MS. SMITH:
I don't know, I can't answer that.

D.P.O. CALARCO:
You can't give me an opinion of whether or not we --

MR. NOLAN:
It's a strong case.

D.P.O. CALARCO:
Counsel, does that give us a very strong case --

MR. NOLAN:
Yes.

D.P.O. CALARCO:
-- to bring an action against somebody who's already admitted fault
in the Criminal Court?

MR. NOLAN:
Off the top I would say we'd have a pretty strong claim.

D.P.O. CALARCO:
Okay.

MS. SMITH,
Can I add something?

D.P.O. CALARCO:
Sure, go ahead.

MS. SMITH:
I just heard that the County Attorney has drafted a complaint and
is going to file it in 60 days.

D.P.O. CALARCO:
So we are already putting them on notice, good. So do the
litigants have, to the best of your knowledge, capacity?

**MS. SMITH:**
I have no reason to believe that they don't.

**D.P.O. CALARCO:**
Okay. So considering that we have a pretty strong case and considering we're pretty sure that the litigants have capacity; in fact, I think it's the concern of my colleagues that they do have the capacity and that capacity wasn't sought in full from the District Attorney, we should be able to recoup any cost that we have to put out on this, correct?

**MS. SMITH:**
I would agree with that.

**D.P.O. CALARCO:**
And granted, if we issue bonds then that means we are, in essence, going to be borrowing those monies. So there's interest paid on that, but that interest would be counted as part of what we would seek compensation for, correct?

**MS. SMITH:**
Correct.

**D.P.O. CALARCO:**
So theoretically we have somebody who has admitted fault, who has capacity and who we're going to be bringing an action against who will make us whole on any efforts that we have to put forward, correct?

**MS. SMITH:**
Correct.

**D.P.O. CALARCO:**
Okay, so I don't understand the argument. We're asking the County to do its job, to put up the resources necessary to make sure this park is cleaned. And then at the end of that action, we will be seeking complete compensation from the people who are at fault of the action. And whether or not the District Attorney -- the prior District Attorney, because it's not the current one who made the plea deal -- could have done better or not in that plea action is irrelevant because we will still be seeking that compensation.

And furthermore, quite honestly, even if we are successful in recouping the full amount in that civil action, we still have to clean up the park because we can't leave it contaminated. So I really don't understand the concerns. I certainly appreciate the concern to try to limit the County's exposure, but I think in this particular instance we have a pretty strong case and we should be able to recoup any outlay that we have to make, including interest on those bonds which, of course, we also don't go out and actually borrow until we know that we actually need the money.

**DEPUTY COMMISSIONER BERDOLT:**
Yes.
D.P.O. CALARCO:  
Which Phil has said a number of times he's not going to spend any  
more money than he absolutely has to. So I think that we're making  
amountain out of a molehill on this one.

DEPUTY COMMISSIONER BERDOLT:  
Right. If I might add, that if we don't need that money and the  
750 will suffice, then obviously we're not going to draw down on it  
and we wouldn't need to incur any expense.

05:03PM

P.O. GREGORY:  
Okay, Legislator Trotta.

LEG. TROTTA:  
We're talking about something that shouldn't even -- there's no  
action here. It should have been done; on November 16th this  
should have been commenced, period. And there's no way the  
attorney can guarantee that they're going to pay because they're  
going to divest themselves of everything.

05:03PM

This is basically government incompetence that this wasn't done on  
the 16th. It's all laid out right here, it says we're going to do  
its everything. Go do it. The plan's in place, we already  
paid for it. What are we even talking about? We have $750,000  
that hasn't been used yet and you're asking for another million  
five? Oh, by the way in the bill it says it can be used at other  
parks? Forget it. Get the work done and then come back to us and  
let us know what happens, because this says they should do it. If  
they don't do it we'll throw them in jail. If they do it they get  
a conditional discharge, nothing, nothing comes off their record;  
some deal they cut there.

05:03PM

P.O. GREGORY:  
Legislator McCaffrey and then we're going to call the vote.

LEG. McCAFFREY:  
Okay. I want to get something clear from the County Attorney's  
Office. Because I think the way Legislator Trotta asked that  
question, he made it seem -- and it seemed the way you answered the  
question -- that you would guarantee that any money that we spend  
is going to be recouped by these defendants in a civil action; is  
that what you said?

05:04PM

MS. SMITH:  
I -- I obviously can't guarantee that.

LEG. McCAFFREY:  
I know that. And especially, as Legislator Trotta pointed out,  
you're in the process of already divesting themselves completely  
of any assets that we could be able to attach; would that be fair  
to say?

05:04PM

MS. SMITH:  
I know nothing about that, only that the County Attorney has  
drafted a complaint, it's being filed in 60 days.
LEG. McCAFFREY: Okay. When did we file -- when did he draft that complaint?

MS. SMITH: I don't know.

LEG. McCAFFREY: Today?

MS. SMITH: I doubt it, but I don't know.

LEG. McCAFFREY: Okay.

MS. SMITH: I just heard right now that --

LEG. McCAFFREY: Okay. All right.

MS. SMITH: -- it's been drafted and it's going to be filed in 60 days.

LEG. McCAFFREY: But we cannot guarantee that we're going to recoup the monies that we're spending, right?

MS. SMITH: Well, I can't guarantee it.

LEG. McCAFFREY: Okay. Thank you.

P.O. GREGORY: Legislator Flotteron.

LEG. FLOTTERON: A question to the County Attorney. So, again, I just want to clarify so I understand correctly. So when the plea deal was done since November, has your office sat down with the District Attorney's Office or the Parks to come up with a plan going forward what's going to be done here?

MS. SMITH: As far as the legal end of it?

LEG. FLOTTERON: Yes.

MS. SMITH: I'm sure the County Attorney has met with the D.A. I don't know the particulars of that meeting.
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(*The following was taken and transcribed by Lucia Braaten - Court Stenographer*).

**LEG. FLOTTERON:**
Okay. And I guess this is where my frustration is, because if there was a plea deal that could work or not work, we don't even know, because it's four months later. So, okay, that's my only question to you.

My second question to the Commissioner, how much is -- how much is the County estimate to truck and dispose per cubic yard for this material?

**COMMISSIONER BERDOLT:**
The estimate we got was 5.5 million.

**LEG. FLOTTERON:**
Five point --

**COMMISSIONER BERDOLT:**
For the entire -- for the entire job. And the estimate, I believe, I don't have it in front of me, was between 4 and 4.5 for the removal and disposal.

**LEG. FLOTTERON:**
Okay. Okay. Thank you.

**P.O. GREGORY:**
Legislator Berland.

**LEG. BERLAND:**
I just have one question on the plea deal, because it says that the defendants have to get the necessary permits before they could start. Has that been holding it up?

**COMMISSIONER BERDOLT:**
No, no. As Legislator Trotta was saying, that he thinks it was incompetence, which I disagree. We got the plea deal in November, and then the Branch Services, who was the person who was our requirements contractor, decided that they would no longer represent this end of the deal, because they were not the prime of it anymore. So then we had to go and get a waiver in order to get EnviroScience as our chief monitor and contractor on the site.

During that process, then the winter came. And, you know, as everybody knows, December was quite a cold month, the ground was frozen. Sure, there were times in between when they made -- it thawed out, but in order to mobilize and start and stop, it would have put a lot more expense on the entire project. And the consensus was to wait until the March time, until the ground's done, and we're hopefully out of that, but who could predict the weather. They're expecting 12 inches tomorrow. That would have been another thing that -- you know, when all these storms come through, you have to stop your process until the snow is gone.
LEG. BERLAND:
I didn't have a problem with any of that, but it says in the plea deal that the defendants have to get permits. Did --

COMMISSIONER BERDOLT:
Yes.

LEG. BERLAND:
Did they get them? Because maybe --

COMMISSIONER BERDOLT:
They have not.

LEG. BERLAND:
No?

COMMISSIONER BERDOLT:
No, they have not started that process yet.

LEG. BERLAND:
All right, because that can hold this up even more. I mean, I can understand why it didn't start, because permits take a long time to get, so we should be pushing them.

COMMISSIONER BERDOLT:
We are actively meeting with them and --

LEG. BERLAND:
Right.

COMMISSIONER BERDOLT:
-- working on that for them to get their remediation plan to us to submit to DEC for their approval, but it's in accordance with us. Basically, what they're going to have to do is really show where the disposal sites will be and get permits for that. So, I mean, as far as the removal, we already have a basic plan already established from EnviroScience, and then their end of it will be for their -- what they have to do for the asbestos, the abatement of the asbestos, and, you know --

LEG. BERLAND:
Right. So these things -- my point is that these things take time, so you might have signed the agreement on a day in November. You can't start the next day, because you have to have all the paperwork pursuant to the settlement in place. So it can't start the next day is my point.

COMMISSIONER BERDOLT:
Could not.

LEG. BERLAND:
Okay. Thank you.

P.O. GREGORY:
Legislator Trotta.
LEG. TROTTA: Yeah. Well, according to the plea deal, it says the plan, which was done by Environmental Science Consulting.

COMMISSIONER BERDOLT: Yes.

LEG. TROTTA: So the plan was done already.

COMMISSIONER BERDOLT: Correct, for the removal, and then the --

LEG. TROTTA: Exactly.

COMMISSIONER BERDOLT: In the plea agreement, it states that the defendants needs to submit their plan to us on how they are going to remove and dispose of the material, and it has to be approved by the DEC --

LEG. TROTTA: No. What it says is in accordance with the plan, which is Environmental Science's plan.

COMMISSIONER BERDOLT: Right. But according to DEC, they need to submit a plan to DEC.

LEG. TROTTA: You had the permits back in August from the DEC.

COMMISSIONER BERDOLT: Yes. We didn't have the plea agreement.

LEG. TROTTA: Yeah, let's just -- let's just vote on this. This is not going anywhere.

P.O. GREGORY: Okay. Thank you. Gees. All right. So I.R. 1123, we have a motion and a second. Roll call.

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

LEG. BERLAND: Yes.

LEG. KENNEDY: Yes.

LEG. KRUPSKI: Yes.

LEG. FLEMING: Yes.

* Index Included at End of Transcript
LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.

LEG. FLOTTERON:
No.

LEG. TROTTA:
No.

LEG. MC CAFFREY:
No.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

P.O. GREGORY:
Yes.

MR. RICHBERG:
Fourteen.

P.O. GREGORY:
Now I.R. 1123A, bond, the bond resolution, same motion, same second. Roll call.

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

LEG. BERLAND:
Yes.

LEG. KENNEDY:
No.
LEG. KRUPSKI: Yes.
LEG. FLEMING: Yes.
LEG. SUNDERMAN: No.
LEG. MURATORE: No.
LEG. HAHN: Yes.
LEG. ANKER: Yes.
LEG. LINDSAY: Yes.
LEG. MARTINEZ: Yes.
LEG. CILMI: No.
LEG. FLOTTERON: No.
LEG. TROTTA: No.
LEG. MC CAFFREY: No.
LEG. DONNELLY: Yes.
LEG. SPENCER: Yes.
D.P.O. CALARCO: Yes.
P.O. GREGORY: Yes.
MR. RICHBERG: Eleven.
P.O. GREGORY: Okay. I.R. 1153 - Authorizing use of Smith Point County Park property by Mastic Beach Fire Department, Inc. for Public Safety Services fund drive. (Sunderman) Hello. All right. Motion by Legislator Sundeman.
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LEG. MURATORE:
Second.

LEG. KENNEDY:
Second.

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

05:10PM

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1154 - Authorizing use of Smith Point Park property by Getco Company and Event Power, Long Island, for a Triathlon. (Sunderman)
Same motion, same second okay? All in favor? Opposed?
Abstentions?

05:11PM

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1170 - Authorizing use of Indian Island County Park in Riverhead by North Fork Environmental Council, Inc., for its Earth Day 5K Race. (Co. Exec.)

LEG. KRUPSKI:
Motion.

05:11PM

P.O. GREGORY:
Motion by Legislator Krupski.

LEG. CILMI:
Second.

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

05:11PM

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1209 - Approving a License Agreement for Omar J. Maranon to reside in West Hills County Park, Huntington, New York 11743. (Co. Exec.) Probably shouldn't allow them to go there since we allowed contamination there, obviously.

LEG. BERLAND:
Motion.

05:11PM

P.O. GREGORY:
Motion by Legislator Berland, I'll second. All in favor? Opposed?
Abstentions?
MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1214 - Amending the 2018 Capital Budget and Program and
appropriating funds in connection with Improvements to Campgrounds
(CP 7009). (Co. Exec.) I'll make a motion.

LEG. HAHN:
Second.

05:11PM

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1214A, bond resolution, same motion, same second. Roll call.
(Roll Call by Jason Richberg, Clerk of the Legislature)

05:11PM

P.O. GREGORY:
Yes.

LEG. HAHN:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
No.

LEG. MURATORE:
No.

05:12PM

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

05:12PM

LEG. CILMI:
No.

LEG. FLOTTERON:
No.
LEG. KENNEDY: No.

LEG. TROTTA: No.

LEG. MC CAFFREY: No.

LEG. BERLAND: Yes.

LEG. DONNELLY: Yes.

LEG. SPENCER: Yes.

D.P.O. CALARCO: Yes.

MR. RICHBERG: Eleven.

PUBLIC SAFETY

P.O. GREGORY: Okay. I.R. 1133 - A Local Law to further increase transparency of asset forfeiture funds. (Hahn)

LEG. HAHN: Motion.

P.O. GREGORY: Motion by Legislator Hahn, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG: Eighteen.

P.O. GREGORY: I.R. 1137 - A Local Law to improve the County Animal Abuse Offenders Registry. (Martinez)

LEG. MARTINEZ: Motion.

P.O. GREGORY: Motion by Legislator Martinez.

LEG. CILMI: Second.

P.O. GREGORY: Second by Legislator Cilmi. All in favor? Opposed? Abstentions?
MR. RICHBERG:
Eighteen.

LEG. SPENCER:
Make me a cosponsor on that one.

P.O. GREGORY:
Okay. I.R. 1216 - Appropriating funds in connection with
Renovations and Alterations to Probation Buildings (CP 3063).
(Co. Exec.) I'll make a motion, second by Legislator --

LEG. CILMI:
I'll second.

P.O. GREGORY:
Martinez?

LEG. MARTINEZ:
Sure.

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

MR. RICHBERG:
Seventeen. (Not Present: Legislator Hahn)

P.O. GREGORY:
Okay. I.R. 1216A, bond resolution, same motion, same second.
Roll call.

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

P.O. GREGORY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
(Not Present)

LEG. ANKER:
Yes.
LEG. LINDSAY:  
Yes.

LEG. CILMI:  
Yes.

LEG. FLOTTERON:  
Yes.

LEG. KENNEDY:  
Yes.

LEG. TROTIA:  
Yes.

LEG. MC CAFFREY:  
Yes.

LEG. BERLAND:  
Yes.

LEG. DONNELLY:  
Yes.

LEG. SPENCER:  
Yes.

D.P.O. CALARCO:  
Yes.

LEG. HAHN:  
Yes.

MR. RICHBERG:  
Eighteen.

P.O. GREGORY:  
Okay.  I.R. 1229 - Amending Resolution No. 861 of 1215 -- excuse me -- of 2015. (Co. Exec.) I'll make a motion to approve.

D.P.O. CALARCO:  
Second.

P.O. GREGORY:  
Second by Legislator Calarco. And what is this, Counsel?

MR. NOLAN:  
We're correcting or amending a resolution from 2019, which was a 100% grant of $900,000. And this is just changing some of the individual lines within the grant, small changes from line to line, but the amount of the grant remains the same, $900,000, and it's still a 100% grant.

P.O. GREGORY:  
Okay. All right. So we have a motion and a second. All in favor? Opposed? Abstentions?
MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1231 - Appropriating funds in connection with the Purchase of
Replacement Public Safety Vehicles (CP 3512). (Co. Exec.) Anyone
want to make a motion?

LEG. MARTINEZ:
Motion.

P.O. GREGORY:
Motion by Legislator Martinez.

D.P.O. CALARCO:
Second.

P.O. GREGORY:
Second by Legislator Calarco. On the motion, Legislator Cilmi.

LEG. CILMI:
Yes, thanks. Through the Chair, if I could ask for somebody from
either the Police Department -- oh, Lieutenant's here, good.

LIEUTENANT HOMAN:
Good afternoon, Legislators.

LEG. CILMI:
How are you, sir?

LIEUTENANT HOMAN:
Very well. How are you, sir?

LEG. CILMI:
Excellent, thanks. I just want to be sure. You know, the last
time we bought -- or it may not have been the last time, but in the
recent past, when we purchased police cars, we've gotten some
complaints from our officer that they're really tight when you add
the computer packages in there. I understand from the County
Executive's Office that that's no longer an issue; is that an
accurate representation?

COMMISSIONER ANDERSON:
Legislator, good afternoon. Yeah, we haven't -- we've -- the
number of complaints has basically dried up. We really didn't
change the vehicle in any way. The square -- the area of the front
seat is the same in the new vehicles, as well as the old LTDs.
They are also ordering more Interceptors, you know, the Ford
Explorers for the bigger room.

LEG. CILMI:
Okay. So these are the same cars that we've been using for the
past couple of years?

COMMISSIONER ANDERSON:
Couple of years now, yes, sir.
LEG. CILMI:
But you said the complaints have diminished?

COMMISSIONER ANDERSON:
Yes.

LEG. CILMI:
Or they're nonexistent?

05:17PM
COMMISSIONER ANDERSON:
Yeah, I don't -- we haven't had any in recent memory.

05:17PM
LEG. CILMI:
Okay. What's that? Did they -- did they -- did they change the computer setup, do you know?

COMMISSIONER ANDERSON:
I know when that first came up, we talked about, I guess, realigning the computer. To the best of my knowledge, I don't believe we did, but I'll check into it.

05:17PM
LEG. CILMI:
Maybe they've just gotten used to it?

COMMISSIONER ANDERSON:
I think so, I think so.

05:17PM
LEG. CILMI:
Okay. Thank you.

05:17PM
COMMISSIONER ANDERSON:
You're welcome.

P.O. GREGORY:
Okay. Anyone else? Okay. All right. Legislator Anker.

05:17PM
LEG. ANKER:
I just want to put on the record that, again, I also had comments that the cars are really just too small for the men and women, between equipment, between the computer laptop, if they're bringing someone in. They're very compact. And I know that we're looking at some of the SUVs, which might kind of be maybe too large. So I was wondering if there's something in between that would provide, you know, a better fit for our Police Officers?

05:17PM
COMMISSIONER ANDERSON:
As far as I know, no. Like I said, I haven't received any complaints since those initial complaints. You know, we've been -- we went out and bid for the sedans and these were the sedans that were awarded. We do have the option now of the Explorer, which I drive, and it is a -- it is a roomy vehicle. It's, you know --

05:17PM
LEG. ANKER:
Yeah. But you think all over the country this is happening, you know, that there would another -- they'd make specific models for law enforcements. You know, whether it's here or California or
Florida, that there would be a better vehicle that would fit the needs of our law enforcement. So no?

**COMMISSIONER ANDERSON:**
I believe the Police and the Sheriffs, most of, you know, the public safety are satisfied with the vehicle. I think the -- there -- I believe there is a Dodge model and a Chevy, which I think may be the Malibu, which is similar in size and configuration. So, again, you know, it's -- this is what was bid and awarded.

**LEG. ANKER:**
Thank you.

**COMMISSIONER ANDERSON:**
You're welcome.

**P.O. GREGORY:**
Isn't it true that they -- we got just smaller computers? It's my understanding.

**COMMISSIONER ANDERSON:**
It's the same configuration, I believe.

**P.O. GREGORY:**
Is it? Okay. Yeah, they got tablets.

**COMMISSIONER ANDERSON:**
I know at one time they were talking about tablets, but I think it's still the -- I don't know if that ---

**LIEUTENANT HOMAN:**
That's coming soon.

**P.O. GREGORY:**
Oh, okay. All right.

**COMMISSIONER ANDERSON:**
Oh, that's coming soon. Okay.

**P.O. GREGORY:**
Okay. All right. So we have a motion and a second on I.R. 1231. All in favor? Opposed? Abstentions?

**MR. RICHBERG:**
Eighteen.

**P.O. GREGORY:**
I.R. 1231A, bond resolution, same motion, same second. Roll call.

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

**LEG. MARTINEZ:**
Yes.

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D.P.O. CALARCO: Yes.

LEG. KRUPSKI: Yes.

LEG. FLEMING: Yes.

LEG. SUNDERMAN: Yes.

LEG. MURATORE: Yes.

LEG. HAHN: Yes.

LEG. ANKER: Yes.

LEG. LINDSAY: Yes.

LEG. CILMI: Yes.

LEG. FLOTTERON: Yes.

LEG. KENNEDY: Yes.

LEG. TROTTA: Yes.

LEG. MC CAFFREY: Yes.

LEG. BERLAND: Yes.

LEG. DONNELLY: Yes.

LEG. SPENCER: Yes.

P.O. GREGORY: Yes.

MR. RICHBERG: Eighteen.

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P. O. GREGORY:
I.R. 1166 - Authorizing execution of an agreement by the
Administrative Head of Suffolk County Sewer District No. 6 -
Kings Park with Flynn Plat (SM-1594.1). (Co. Exec.)

LEG. TROTTA:
Motion.

P. O. GREGORY:
Motion by Legislator Trotta.

LEG. KENNEDY:
Second.

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

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
I.R. 1179 - Authorizing the execution of an agreement between the
County and the New York State Department of Transportation for
Federal and State Aid funding for the continuation of the HOV Bus
Service on the Long Island Expressway. (Co. Exec.)

P. O. GREGORY:
Anyone?

LEG. TROTTA:
Motion.

P. O. GREGORY:
Motion by Legislator Trotta, I'll second. All in favor? Opposed?
Abstentions?

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
I.R. 1198 - Appropriating funds through the issuance of Sewer
District Serial Bonds for the increase, improvement and extension
to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP
8126). (Co. Exec.)

LEG. KENNEDY:
Motion.

P. O. GREGORY:
Motion by Legislator Kennedy.

LEG. CILMI:
Second.
P.O. GREGORY:
Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1198A, bond resolution, same motion, same second. Roll call.

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

05:20PM

LEG. KENNEDY:
Yes.

LEG. CILMI:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. FLOTTERON:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.

LEG. DONNELLY:
Yes.

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LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

P.O. GREGORY:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1199 - Amending the 2018 Capital Budget and Program and appropriating funds in connection with Strengthening and Improving County Roads (CP 5014). (Co. Exec.)

LEG. KRUPSKI:
Motion.

P.O. GREGORY:
Motion by Legislator Krupski, I'll second. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1199A, bond resolution, same motion, same second. Roll call.

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

LEG. KRUPSKI:
Yes.

P.O. GREGORY:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

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LEG. MARTINEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.

05:21PM

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.

D. P. O. CALARCO:
Yes.

05:21PM

MR. RICHBERG:
Eighteen.

P. O. GREGORY:

05:21PM

MR. RICHBERG:
Eighteen.

P. O. GREGORY:

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

05:21PM

LEG. KRUPSKI:
Yes.

05:21PM

P. O. GREGORY:
Yes.

LEG. FLEMING:
Yes.
LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1201 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 11 - Selden (CP 8117). (Co. Exec.)

LEG. MURATORE:
(Raised hand)
LEG. SUNDERMAN:
(Raised hand)

P.O. GREGORY:
Motion by Legislator Muratore, second by Legislator Sunderman.
All in favor?  Opposed?  Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
(Roll Call by Jason Richberg, Clerk of the Legislature)

LEG. MURATORE:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.
LEG. DONNELLY: Yes.

LEG. SPENCER: Yes.

D.P.O. CALARCO: Yes.

P.O. GREGORY: Yes.

MR. RICHBERG: Eighteen.

P.O. GREGORY: I.R. 1203 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 7 - Medford (CP 8150). (Co. Exec.) Motion by Legislator Calarco, I'll second.

05:23PM

LEG. SUNDERMAN: (Raised hand).

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

MR. RICHBERG: Eighteen.


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

D.P.O. CALARCO: Yes.

05:23PM

LEG. SUNDERMAN: Yes.

LEG. KRUPSKI: Yes.

LEG. FLEMING: Yes.

LEG. MURATORE: Yes.

05:23PM

LEG. HAHN: (Not Present)

LEG. ANKER: Yes.
LEG. LINDSAY:  Yes.

LEG. MARTINEZ:  Yes.

LEG. CILMI:  Yes.

LEG. FLOTTERON:  Yes.

LEG. KENNEDY:  Yes.

LEG. TROTTS:  Yes.

LEG. MC CAFFREY:  Yes.

LEG. BERLAND:  Yes.

LEG. DONNELLY:  Yes.

LEG. SPENCER:  Yes.

05:23PM

P.O. GREGORY:  Yes.

LEG. HAHN:  Yes.

MR. RICHBERG:  
_Eighteen._

P.O. GREGORY:  
_I.R. 1204 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 14 - Parkland (CP 8151). (Co. Exec._

LEG. LINDSAY:  
_Motion._

P.O. GREGORY:  
_Motion by Legislator Lindsay, I'll second. All in favor? Opposed? Abstentions?_ 

05:23PM

MR. RICHBERG:  
_Eighteen._

P.O. GREGORY:  
_I.R. 1204A, bond resolution, same motion, same second. Roll call._

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

05:24PM

LEG. LINDSAY:
  Yes.

P.O. GREGORY:
  Yes.

LEG. KRUPSKI:
  Yes.

05:24PM

LEG. FLEMING:
  Yes.

LEG. SUNDERMAN:
  Yes.

LEG. MURATORE:
  Yes.

05:24PM

LEG. HAHN:
  (Not Present)

LEG. ANKER:
  Yes.

LEG. MARTINEZ:
  Yes.

05:24PM

LEG. CILMI:
  Yes.

LEG. FLOTTERON:
  Yes.

LEG. KENNEDY:
  Yes.

LEG. TROTTA:
  Yes.

05:24PM

LEG. MC CAFFREY:
  Yes.

LEG. BERLAND:
  Yes.

LEG. DONNELLY:
  Yes.

05:24PM

LEG. SPENCER:
  Yes.

D.P.O. CALARCO:
  Yes.
LEG. HAHN:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1205 - Amending the 2018 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for a SCADA (Surveillance Control and Data Acquisition) System for sanitary facilities in Suffolk County Sewer Districts (CP 8165). (Co. Exec.) Motion by Legislator Krupski, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. I.R. 1207 - Appropriating funds through the issuance of Sewer District Serial Bonds for the planning improvements for Suffolk County Sewer District No. 1 - Port Jefferson (CP 8169). (Co. Exec.) Port Jeff sewers.

LEG. HAHN:
Yes -- I mean, motion.

P.O. GREGORY:
Motion by Legislator Hahn, I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1207A, bond resolution, same motion, same second. Roll call.

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

LEG. HAHN:
Yes.

P.O. GREGORY:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Pass.

LEG. MURATORE:
Yes.
LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

LEG. SUNDERMAN:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
No, Legislator Sunderman had said pass, right? We came back to him?

MS. ELLIS:
Yeah, we went back to him.

P.O. GREGORY:
Oh, okay. I'm sorry, I missed it. I.R. 1208 - Amending the 2018 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for Chemical Bulk Storage Facilities for Sanitary Facilities in Suffolk County Sewer Districts (CP 8178). (Co. Exec.) I'll make a motion.
LEG. KENNEDY:
Second.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1211 - Authorizing $1,750,635 in funds for the purchase of new hybrid-electric transit buses for Suffolk County Transit and accepting and appropriating Federal and State Aid and County Funds (CP 5658). (Co. Exec.)

LEG. FLEMING:
Motion.

P.O. GREGORY:
Motion by Legislator Fleming.

LEG. MURATORE:
(Raised hand).

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1211A, bond resolution, same motion, same second. Roll call.

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

LEG. FLEMING:
Yes.

LEG. MURATORE:
Yes.

LEG. KRUPSKI:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.
LEG. LINDSAY:  
Yes.

LEG. MARTINEZ:  
Yes.

LEG. CILMI:  
Yes.

05:26PM  
LEG. FLOTTERON:  
Yes.

LEG. KENNEDY:  
Yes.

LEG. TROTTA:  
Yes.

05:27PM  
LEG. MC CAFFREY:  
Yes.

LEG. BERLAND:  
Yes.

LEG. DONNELLY:  
Yes.

LEG. SPENCER:  
Yes.

05:27PM  
D.P.O. CALARCO:  
Yes.

P.O. GREGORY:  
Yes.

MR. RICHBERG:  
Eighteen.

05:27PM  
P.O. GREGORY:  
All right.  I.R. 1212 - Amending the 2018 Capital Budget and Program and appropriating funds in connection with Roof Replacement on Various County Buildings (CP 1623).  (Co. Exec.) I'll make a motion.  Do I have a second?

LEG. MARTINEZ:  
Second.

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

05:27PM  
MR. RICHBERG:  
Eighteen.
P.O. GREGORY:

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

P.O. GREGORY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. KRUSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDEMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. CILMI:
Yes.

LEG. FLORERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.
D.P.O. CALARCO:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. I.R. 1213 - Appropriating funds in connection with Removal of Toxic and Hazardous Materials and Components at various County facilities (CP 1732). (Co. Exec.)

05:28PM

LEG. HAHN:
Motion.

P.O. GREGORY:
Motion by Legislator Hahn. Who was that? Second by Legislator Trotta. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1213A, bond resolution, same motion, same second. Roll call.

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

LEG. HAHN:
Yes.

LEG. TROTTA:
No.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
No.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.

LEG. FLOTTERON:
No.

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LEG. KENNEDY: No.

LEG. MC CAFFREY: No.

LEG. BERLAND: Yes.

LEG. DONNELLY: Yes.

LEG. SPENCER: Yes.

D.P.O. CALARCO: Yes.

P.O. GREGORY: Yes.

MR. RICHBERG: Eleven.

LEG. MURATORE: Excuse me.

P.O. GREGORY: I.R. 1220 - Accepting a United States Environmental Protection Agency Grant and amending the 2018 Capital Budget and program and appropriating funds in connection with Construction of Suffolk County Sewer District No. 3 - Southwest, Outfall Replacement Project (CP 8108). (Co. Exec.) You're going to vote against your own project, Kevin?

P.O. GREGORY: Oh, I'm sorry, I wasn't paying attention. I'll make a motion.
General Meeting - March 20, 2018

**P.O. GREGORY:** (Laughter) Motion by Legislator McCaffrey, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

**MR. RICHBERG:**
Eighteen.

**P.O. GREGORY:**
I.R. 1230 - Authorizing the Commissioner of Public Works to enter into a Property Access Agreement with the United States Golf Association (USGA) for the purpose of installing and using a temporary pedestrian bridge. (Co. Exec.)

**LEG. FLEMING:** Motion.

**LEG. KRUPSKI:** (Raised hand).

05:30PM
**P.O. GREGORY:** Motion by Legislator Fleming, second by Legislator Krupski. All in favor? Opposed? Abstentions?

**MR. RICHBERG:**
Eighteen.

05:30PM
**P.O. GREGORY:**
I.R. 1233 - Amending the Capital Budget and appropriating funds through the issuance --

**LEG. CILMI:**
DuWayne, DuWayne.

05:30PM
**P.O. GREGORY:**
Oh, okay.

05:30PM
**LEG. SPENCER:** On the motion. On the previous -- well, I guess it's already passed, but I did have a question on the --

**P.O. GREGORY:**
Mic.

05:30PM
**LEG. SPENCER:** I'm sorry. On the previous motion, the pedestrian bridge, I know we were discussing it a little bit. I did have a question for the Public Works Commissioner and I wanted to get on the record. Although we've passed it, we don't have to reconsider it, but I would just like to ask the question, if I could.

05:30PM
I mean, obviously, Gil, in light of what we've seen in the news, and understanding the awareness with the pedestrian bridges, I just wanted to see if -- the fact that we're installing a temporary
pedestrian bridge, is there increased awareness on your part and with regards to just making sure that, you know, something like this wouldn't happen, that there are safety protocols in place?

**COMMISSIONER ANDERSON:**
Absolutely. My staff is on this, both my Traffic Safety, as well as our Bridges section. You know, we've reviewed the plans and are making sure that nothing like what happened in Florida would ever happen here.

**LEG. SPENCER:**
I would imagine that because it's a temporary kind of install, that there would be perhaps some heightened concern, because it -- you know, we're not dealing with a permanent structure, and depending on how it -- I'm sure this must happen. It might be less of an issue, depending on the engineering of this particular item. But this is something that we've done before and hasn't been an issue?

**COMMISSIONER ANDERSON:**
Correct. The reason the whole issue of a new temporary bridge came up was not only because of the reconfiguration of County Road 39, but also because the guidelines and requirements of bridge design have strengthened. So we weren't just able to take the one that was already constructed and reuse it. It had to be stiffened and strengthened, and meet wind loads and other requirements that have, you know, increased since the previous time we had the U.S. Open.

**LEG. SPENCER:**
Thank you.

**COMMISSIONER ANDERSON:**
You're welcome.

**LEG. SPENCER:**
Thank you very much for indulging me here.

**P.O. GREGORY:**
Legislator Lindsay.

**LEG. LINDSAY:**
Gil, can I just ask a -- can I just ask you a quick question?

**COMMISSIONER ANDERSON:**
Of course.

**LEG. LINDSAY:**
So how is this going to work? It's going to be constructed and then deconstructed? Is it something they're renting, is it something that they're purchasing?

**COMMISSIONER ANDERSON:**
I believe it's something they're actually renting. There's a company that, you know, has prefabricated temporary bridges that can be brought in, constructed based on the need, the width, the height. And then once the event is finished, it will be deconstructed and removed, and go back to, you know, whoever the
contract or is that owns it.

LEG. LINDSAY:
Do you have any idea what the cost is? I know we're not bearing the burden of the cost, but what the cost is to them?

COMMISSIONER ANDERSON:
No, I don't know. I can get that for you.

LEG. LINDSAY:
If you don't mind. Just the reason I'm asking is for the marathon. I have the community of Oakdale, which is landlocked, and to have something like this would be very helpful.

COMMISSIONER ANDERSON:
All right.

LEG. LINDSAY:
Thank you.

P.O. GREGORY:
All right.

LEG. CILMI:
I have a question.

P.O. GREGORY:
Yes, Legislator Cilmi.

LEG. CILMI:
I just have a very quick question. Heaven forbid something, anything should happen, maybe somebody trips, or whatever, we're listed as a -- as a -- what's the -- Bill, what's the -- we're indemnified?

COMMISSIONER ANDERSON:
Yes.

LEG. CILMI:
Okay.

LEG. MC CAFFREY:
I have just one.

P.O. GREGORY:
Legislator McCaffrey.

LEG. MC CAFFREY:
Yes. I know you thought this was going to be easy, but we don't -- we're not -- we don't own that bridge, right, we're just borrowing it?

COMMISSIONER ANDERSON:
Correct. It's a -- we're leasing it, renting it, but it's a -- the USGA is going to hire somebody, a contractor who has these types of bridges. They'll bring them in, they'll construct it. When we're
finished, they'll deconstruct.

LEG. MC CAFFREY:
Right. And do you think Tiger Woods is going to be competitive in the U.S. Open, in that we're asking all these question?

COMMISSIONER ANDERSON:
I'm a Giants fan, so don't ask me anything.

LEG. HAHN:
Go Mets.

("Laughter")

P.O. GREGORY:
Okay. All right. So we have a motion and a second -- oh, we did it already, I'm sorry. yeah.

All right. I.R. 1233 - Amending the Capital Budget and appropriating funds through the issuance of Sewer District Serial Bonds for the Planning and Constructing Improvements --

MR. RICHBERG:
Mr. Presiding Officer, 1230.

LEG. CILMI:
We approved that already.

MR. NOLAN:
We did 1230, we called it already.

D.P.O. CALARCO:
We called it.

P.O. GREGORY:
We called it.

MR. RICHBERG:
We don't have 1230.

P.O. GREGORY:
All right. We have a motion and a second on I.R. 1230. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. I.R. 1233 - Amending the Capital Budget and appropriating funds through the issuance of Sewer District Serial Bonds for the Planning and Constructing Improvements to Suffolk County Sewer District No. 6 - Kings Park (CP 8144). (Co. Exec.)

LEG. TROTTA:
Motion.

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LEG. KENNEDY:
Second.

P.O. GREGORY:
Motion by Legislator Trotta, second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I.R. 1233A, bond resolution, same motion, same second. Roll call.

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

LEG. TROTTA:
Yes.

LEG. KENNEDY:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. MC CAFFREY:
Yes.

LEG. BERLAND:
Yes.
LEG. DONNELLY:
Yes.

LEG. SPENCER:
No.

D.P.O. CALARCO:
Yes.

P.O. GREGORY:
Yes.

MR. RICHBERG:
Seventeen.

WAYS & MEANS

P.O. GREGORY:
I.R. 1128 - Amending the rules of the Legislature to ensure efficient transition. (Sunderman) Motion by Legislator Sunderman, second by Legislator Muratore.

LEG. FLEMING:
On the motion.

P.O. GREGORY:
On the -- who was that?

LEG. CILMI:
Bridget.

P.O. GREGORY:
Oh, Legislator Fleming.

LEG. FLEMING:
Thank you, Mr. Presiding Officer. I just want to commend Legislator Sunderman for this, this movement towards civility in our interactions. And there was a number of -- there was quite a bit of discussion at committee. A number of folks in our caucus wanted to see some changes. We compromised and moved forward, and I think it's a very healthy thing, considering the level of rancor and political discourse these days, and how terribly divided we as a community are becoming nationwide. And I would just -- I would hope that we as a Legislature would be able to move in this direction.

Sorry, Rudy, to make a speech on your bill, but, particularly, I have to say, with regard to this oil drilling that was -- that has been proposed by the Secretary of the Interior, as soon as we heard about it, I drafted a letter in opposition, and I circulated it, and every single member of our caucus signed it, and every single member of the Republican caucus did not sign it. And I was actually told by the majority -- the Minority Leader that although they agreed with the substance, they did not want to join in the letter.
And then, when we went to a hearing, New York State Joint Committee hearing, a member of the Republican caucus sat -- stood right next to me and used the same talking points, and voiced her opposition, and then when we went to another that Congressman Zeldin put together, another member of the caucus stood and voiced the exact same opposition, and, yet, there was a commitment not to join with us in this statement to the Federal Government that our beaches are pristine and should not be messed with.

And so I just -- I'm glad. I would love to see for us -- I would love for us to look for more opportunities to join together and to act in the best interest of Suffolk County. I'm so disheartened by the earlier vote to leave poison in our parks. That was also along partisan lines. And I would just hope that we could use this model as one that would allow us to move together in the best interest of the County, as opposed to continuing to divide along partisan lines.

So thank you, Legislator Sunderman, and I am a wholehearted supporter of this particular bill. Thank you, Mr. Presiding Officer.

P.O. GREGORY:
Legislator Cilmi.

LEG. CILMI:
Yes. So, Legislator Fleming, we agree that this is a good thing. And we're happy that Legislator Sunderman and Legislator Donnelly were able to work together, to coalesce members from both parties, and to cooperate and compromise with both parties to get this done, and we hope that that continues. Unfortunately, in the past we've not seen that level of cooperation from the majority of this body on many major issues, many issues that we consider to be important to this County. And so I hope -- I hope that -- you know, you're right, I hope there is a continued level of cooperation from both sides.

With respect to your remarks about signing an all-18 letter, a member of the Democrat Caucus last year took a stand, which I thought and other members of the caucus thought was a bold stand, that was generally speaking against signing all-18 letters because of the pressure that's exerted on other members, potentially, to sign those letters. And so while we may have, and I certainly don't speak for every member of the caucus with respect to that particular issue that you were speaking of, while we may have agreed with that issue, we disagree with the concept of putting it into an all-18 letter, where there may have been, you know, things in that letter that specifically members didn't agree with. So that's all I have to say about that matter. I was happy to stand with you --

LEG. FLEMING:
Well, we can agree --

LEG. CILMI:
I was happy to stand with you at the -- at the meeting that
Congressman Zeldin organized at the Town of Brookhaven in opposition to offshore drilling on Long Island.

P.O. GREGORY:
Legislator Sunderman.

LEG. FLEMING:
Sorry.

LEG. SUNDERMAN:
No. Thank you for the comments. I look forward to moving forward with this legislation, and let’s move forward.

P.O. GREGORY:
I will disagree, I think, you know, with some of Legislator Cilmi's comments. I think, although we don’t always agree, and we certainly do have our partisan flair-ups, I do think for the most part we do agree, we do get things done. You know, I don't like some of the stuff I saw today. I think it's going in the wrong direction with some of the earlier votes, but I think, as a body, we're certainly nowhere nears the level of dysfunction, if you will, or partisanship that we see to some of our neighbors. And I think that's a credit to each and every one of us who value the work that we do and see where we can reach compromise. This is a bipartisan bill.

But I do have to state that a former colleague of ours reached out to me last night. She was very upset that she saw a video that she felt was a direct attack against her, and I guess you could imagine who that was. She felt that, you know, the transition process is not a, I guess, set-in-stone process. My office makes itself available to help folks, and, you know, I was kind of an intermediary in some of these things, and by far was not a partisan venue -- venture. There was some Republicans transitioning to Republicans and it wasn't such an easy process, trust me. So it's by far not a partisan thing. But, you know, she wanted to have it stated on the record, and I told her I would do that, that, you know, that there were opportunities available to do the transition in her office. They were not taken advantage of. And the active files were provided to the appropriate parties, and those where files were inactive, they were disposed of or filed away, or whatever. And I told her I would state that.

And I think this bill does really go a long way in establishing some type of protocol. And I would hope that in future elections, that there is some level of civility. We understand that it can be a very emotional process, and with personalities being involved, it's not always an easy transition, and I think that this will certainly set some protocols, if you will, to help that transition. So I'm in favor of it.

I want to thank both sponsors, cosponsors for putting this forward. So with that said, I -- there's a -- oh, I'm sorry, Legislator Donnelly.
LEG. DONELLY:
Thank you, Mr. Presiding Officer. So I was honored to cosponsor this piece of legislation with Rudy. I do believe it's in the best interest of government. And so I'm here a short time, and thus far I think I've shown to be as bipartisan as anybody. So I'm just going to put this on the floor in the form of a statement.

Resolution 1123 is going to come back here again, and I really believe that we abdicated our responsibility as local government officials to remediate a problem. I get all the issues that go with this. However, our most basic responsibility is to protect the environment, and I hope that my colleagues around the horseshoe will reconsider this issue. Thank you.

P.O. GREGORY:
All right. So we have a motion and a second on I.R. -- oh, I'm sorry, Legislator Anker.

LEG. ANKER:
So I have a question. What is the penalty of this, of this law?

MR. NOLAN:
Well, these are our rules, you know, and our rules don't contain penalties, but it establishes a framework for how the Legislature functions, and to some limited degree how Legislators conduct themselves. So there's no penalties, but we're setting a standard for how people should conduct themselves during a transition period.

LEG. ANKER:
And how will this be enforced?

MR. NOLAN:
Well, I may have to -- yes, I may have to intervene at the appropriate time. But, you know, look, with all of our rules, we are relying on the people around this horseshoe to conduct themselves in accordance with our rules, and it's -- and I guess it's almost a peer-enforced type of situation where all the Legislators are saying this is the way you're going to conduct yourself going forward, and if you are in this position for it in the future, you're going to conduct yourself thusly.

As I said at committee, you know, it seems strange to me that we have to pass a rule like this to tell people how to behave during a transition, but we had a couple of rough transitions, and so we -- you know, Legislator Sunderman and Legislator Donnelly felt it was necessary and appropriate, and that's why we're here.

LEG. ANKER:
And on the record, I also had to go through a very rough transition. I had absolutely zero documents, either paper documents or even on the -- even on the computer. I had nothing to go on when I first started, and I believe it was March 2011. So, you know, it was very, very frustrating. And, in fact, there's a law, there's a New York State Law, it looks like it's Section 175.20, and 175.25, and it addresses tampering of public records in

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the Second and First Degrees. And it's a -- either a Class A Misdemeanor or a Class D Felony. So, again, I believe this is State. But, Legal Counsel, I was wondering, does this also refer to County, County Law?

MR. NOLAN:
Does the sub rule apply -- refer to County Law?

LEG. ANKER:
(Nodded yes).

MR. NOLAN:
No, there's no -- this is strictly our internal -- our internal rules and how Legislators are supposed to conduct themselves. It doesn't reference any other law, it's just internal.

LEG. ANKER:
Okay. And, again, I want to thank Legislator Sunderman for proposing this legislation. I hope this will help the Legislators in the future to be more -- you know, more available to their constituents, considering, you know, the loss of constituent records is really a violation of our American Constitution. Thank you.

P.O. GREGORY:
Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen -- 17 (Not Present: Legislator Martinez)

P.O. GREGORY:
All right. I.R. 1165 - Appropriating funds in connection with Installing Lactation Stations in County Facilities (CP 4092). (Pres. Off.)

LEG. BERLAND:
Motion.

P.O. GREGORY:
Motion by Legislator Berland.

LEG. SPENCER:
Second.

LEG. MURATORE:
Second.

P.O. GREGORY:
Second by Legislator Muratore.

LEG. CILMI:
On the motion.

P.O. GREGORY:
On the motion.
LEG. CILMI:
I just it -- there's a -- listed on the agenda is a pending bond resolution, but it's incorrect, there's no bond, correct?

MR. NOLAN:
Correct.

LEG. CILMI:
Okay. Thank you.

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

MR. RICHBERG:
Eighteen -- 17. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1167 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joann Mullane, (SCTM No. 0200-051.00-08.00-025.000). (Co. Exec.) I'll make a motion. Do I have a second?

D.P.O. CALARCO:
Second.

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

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1177 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Pervez Iqbal (SCTM No. 0209-021.00-04.00-045.000). (Co. Exec.) Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1178 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jane Terrenzi-Spring (SCTM No. 0404-009.00-01.00-040.000). (Co. Exec.) Same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1180 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Tonia Jones f/k/a Tonia McLamb (SCTM No. 0100-058.00-03.00-071.000). (Co. Exec.) Same motion, same second. All in favor? Opposed? Abstentions?
General Meeting - March 20, 2018

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1191 - Amending the 2018 Rules of the County Legislature to change the time of Public Hearings. (Calarco) Motion by Legislator Calarco.

D.P.O. CALARCO:
(Nodded yes)

LEG. CILMI:
Second.

P.O. GREGORY:
Second by Legislator Cilmi. All right. Has everyone looked at this? This means no more 2:30 public hearings, the public hearings will start at 2 p.m. okay. All right. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
All right. In the manila folder, we have I.R. 1261 - Accepting and appropriating a grant in the amount of $171,912 from the New York State Division of Criminal Justice Services for the Video Recording of Statements Equipment Program with 100% support.

LEG. TROTTA:
Motion.

P.O. GREGORY:
Motion by Legislator Trotta, second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
I.R. 1262 - Accepting and appropriating 100% federal pass-through grant funds in the amount of $27,856 from the New York State Division of Criminal Justice Services utilizing Federal Fiscal Year (FFY) 2016 Byrne JAG funding for the Sheriff’s Video Recording of Statements Equipment Program.

LEG. FLEMING:
Motion.

P.O. GREGORY:
Motion by Legislator Fleming. I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)
P.O. GREGORY:

I.R. 1286 - Accepting and appropriating 100% state grant funds from the New York State Environmental Facilities Corporation in the amount of $10,025,000 for the State Septic System Replacement Program administered by the Suffolk County Department of Health Services, Division of Environmental Quality and to execute grant related agreements.

LEG. FLEMING:
Motion.

P.O. GREGORY:
Motion by Legislator Fleming, second by Legislator Krupski. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
Okay. We have in the red folder I.R. 1292 - Amending the 2018 Adopted Operating Budget and transferring funds to Jazz Loft. Who's this?

LEG. HAHN:
Motion.

P.O. GREGORY:
Motion by Legislator Hahn.

LEG. TROTTA:
Second.

P.O. GREGORY:
Second by Legislator Trotta, in the spirit of bipartisanship. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
Okay. I'd like to waive the rules and lay the following resolutions on the table: I.R. 1289 to Ways and Means; I.R. 1290 to Ways and Means; I.R. 1291 to Public Works; I.R. 1293 to EPA; I.R. 1294 to EPA; I.R. 1295 to Parks; I.R. 1296 to Gov Ops; second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen. (Not Present: Legislator Martinez)

P.O. GREGORY:
Okay. That is our agenda, and we stand adjourned. Have a good night and get home safe.

(*The meeting was adjourned at 5:52 p.m.*)
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