SUFFOLK COUNTY LEGISLATURE

ORGANIZATIONAL MEETING

FIRST DAY

January 2, 2018

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

Minutes Taken By:
Alison Mahoney & Lucia Braaten - Court Stenographers

Minutes Transcribed by:
Alison Mahoney, Lucia Braaten & Kim Castiglione - Legislative Secretary
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("The meeting was called to order at 11:20 a.m.*)

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

ACTING P.O. GREGORY:
Good morning, everyone. Mr. Clerk, please do the roll call.

11:20AM

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11:20AM

MR. RICHBERG:
Happy New Year, Mr. Presiding Officer.

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

LEG. KRUPSKI:
(Not Present)

LEG. FLEMING:
Present.

LEG. SUNDERMAN:
Here.

LEG. MURATORE:
Here.

LEG. HAHN:
Present.

LEG. ANKER:
Here.

LEG. CALARCO:
Present.

LEG. LINDSAY:
Here.

LEG. MARTINEZ:
Here.

LEG. CILMI:
Here.

LEG. FLOTTERON:
Here.

LEG. KENNEDY:
Here.

LEG. TROTTA:
Here.

LEG. McCAFFREY:
Here.

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ACTING P.O. GREGORY:
Here.

LEG. BERLAND:
Here.

LEG. DONNELLY:
Here.

LEG. SPENCER:
Here.

LEG. KRUPSKI:
Here.

MR. RICHBERG:
Eighteen.

ACTING P.O. GREGORY:
Thank you and Happy New Year to everyone. Thank you for being here. The temporary Chair will recognize Legislator Rob Calarco.

LEG. CALARCO:
Thank you, Mr. Chair. And what I would like to do at this time is to invite the Patchogue VFW Post in to present the colors.

ACTING P.O. GREGORY:
Please rise.

(*Presentation of the Colors*)

ACTING P.O. GREGORY:
Next, our Salute to the Flag to be led by Legislator Rob Calarco.

(*Salutation*)

LEG. CALARCO:
And at this time, what I'd like to do is invite the Patchogue-Medford High School Chorus to come and present to us with the Star Spangled Banner. I think we have the whole chorus with us today.

(*Performance by the Patchogue-Medford High School Chorus*)

LEG. CALARCO:
That was beautiful. Thank you very much.

ACTING P.O. GREGORY:
Colors dismissed.

*Applause*

I'll recognize Legislator Calarco again for purposes of introduction.
LEG. CALARCO:
Thank you, again, Mr. Chair. And what I'd like to do now is introduce Father Steven Hannafin, who was born and raised in Valley Stream, one of seven children. I'm one of five, so we have something in common there. He studied at the Seminary of the Immaculate Conception in Huntington, New York, and was ordained a priest in New York in June of 2001. He served as Associate Pastor of St. Frances De Chantal in Wantagh and in Notre Dame in New Hyde Park before coming to Patchogue to serve as our Pastor at St. Francis de Sales in June of 2016. And St. Francis is a wonderful asset in our community.

And as you know, we have a very diverse community in Patchogue and St. Francis in addition to having their normal English language masses, has one Spanish language mass that is always full to the gills where they have literally the doors open to get everybody in. And we are appreciative of their being an asset in our community serving everyone in our community. And volunteers actually join me every year in out Play for Peace Soccer Tournament that we host every year. So, Father, would you please come forward and give us our invocation.

REVEREND HANNAFIN:
Thank you. And I would like to thank Legislator Calarco for inviting me. I won't disagree with anything he just said about our parish, and let us bow our heads in prayer.

Oh God, who arrange all things according to a wonderful design, graciously receive the prayers we pour out to you for our County, that through the wisdom of its leaders and the integrity of its citizens, harmony and justice may be assured and lasting prosperity come with peace. Almighty ever living God, in whose hand lies every human heart and the rights of people, look with favor we pray on those who govern with authority over us, that throughout the whole world the prosperity of peoples be assurance of peace and freedom of religion, may through your gift be made secure.

Oh God, who arrange all things in wondrous order and govern in marvelous ways, look with favor on the assembled for whom we now pray and mercifully pour out upon them the spirit of your wisdom, that they may decide everything for the well-being and peace of all, and may never turn aside from your will.

Oh God, to whom every human power is subject, grant to your servants success in the exercise of their office so that always revering you and striving to please you they may constantly secure and preserve for the people entrusted to their care, the freedom that comes from civil peace.

All mighty and eternal God, you have revealed your glory to all nations, God of power and might, wisdom and justice, through you authority is rightly administered, laws are enacted and judgment is decreed. We pray for the members of this Legislature, for judges, for all elected civil officials and for all others who are entrusted to guard our political welfare. May they be enabled by your powerful protection to discharge their duties with honesty and
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ability. We likewise commend your unbounded mercy, all citizens of the United States, that we be blessed in the knowledge and sanctified in the observance of your holy law. May we be preserved in union and that peace, which the world cannot give, and after enjoying the blessings of this life be admitted to those which are eternal. We pray to you, our Lord and God, forever and ever.

("Amen Said in Unison")

11:30AM

LEG. CALARCO:
Thank you, Father.

11:30AM

ACTING P.O. GREGORY:
Please remain standing for a moment of silence. As always, let us remember all those men and women who have lost their lives in service to our country and our military serving in areas throughout the world who continue to sacrifice to ensure our freedoms. As we celebrate the holidays and a new year, may we be inspired by the spirit of the season and may our generosity extend to those less fortunate, those who have endured personal health issues or the loss of a family member or friend, and those who struggle to provide for their loved ones. May we find peace in the New Year, encourage kindness and respect, and embrace diversity to build a more accepting world.

("Moment of Silence Observed")

11:31AM

ACTING P.O. GREGORY:
Again, thank you all for joining us today as we swear in our members to the Legislature. It's always a very happy experience, a delightful experience, but it's always a little bit much -- a little bit much better. Oh boy, my English teacher would be very upset with me. It's always a pleasure to have the presence of our County-wide elected officials as well as our Federal elected officials. Our Minority Leader in the U.S. Senate, our Senior U.S. Senator, Chuck Schumer, has made it his priority to join us here for the past several years. And he is here today. He's going to be joining us in a few minutes. As I understand, we have our County Executive is going to be joining us for a few remarks as well. So we will - is the County Executive here?

11:32AM

MS. GELLERSTEIN:
No.

MS. HORST:
He's coming.

ACTING P.O. GREGORY:
He's coming. The Senator is here. I'm delaying -- he needs a few minutes. He's on an important call. So but -- again, I want to thank you all for being here today, glad to see you all happy and healthy. I want to welcome my colleagues to the Legislature, our new colleagues, Legislator Sunderman and Flotteron and Susan Berland and Tom Donnelly. I want to welcome you guys. I look forward to seeing you sworn in.
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Applause

Okay. So we're going to proceed. As I said, the Senator is here but he's unfortunately detained with a very important matter at the moment, but he'll join us in a second. So we're going to go into the swearing in of our -- of the Legislature. With us today we have our Chief Administrative Judge, Judge Hinrichs, always a pleasure to be here. I'd ask him to do your part. You're up. Thank you.

JUDGE HINRICHS:

Okay. Thank you. Good morning, and thank you very much for asking me to be here to preside over the swearing in. I'd ask if you could all please rise and raise your right hand, please. And if you could please all repeat after me.

(*Oath of Office administered to all Legislators)

Applause

Congratulations to all of you and the best of luck. I salute your commitment to public service. Thank you very much.

ACTING P.O. GREGORY:

Okay, now I've been told that Senator Chuck Schumer, Charles Schumer, is ready to join us. Please welcome our Senior Senator for the State of New York.

Applause

ACTING P.O. GREGORY:

All right, Judy, we're ready for you. I'm sorry. Oh, nope, maybe not.

Applause

SENATOR SCHUMER:

Thank you, everybody. Please be seated. I apologize, my father was just brought to the emergency room at North Shore Hospital, and so say a prayer. So I'm going to be very brief because I have to get over there. I have been on the phone with various doctors. But I don't want to take away from this wonderful day for all of you. Let me just say a couple of things here about how important this installation of all of you is. It's important for every one of you. I know most of you. Almost no one here was born with a silver spoon in their mouth. No one was plucked out by some powerful person and said you're in this position. Just about every one of you, I think every one of you, worked hard to get here and that's a real accomplishment that you and all your families should be proud of. And so congratulations on that.

Second, I do want to say hello to the families, particularly the families of the new Legislators, because it's the first time for them, to Legislator Sunderman, Berland and Donnelly. Our families always have our backs. I like to tell the sorry that I was talking to some gentleman, I didn't really know who he was, he was vaguely
familiar. My wife's pulling on my suit jacket and I said to her, "What are you doing, I'm talking to the man." She said, "You don't remember him?" I said, "No." She said, "He insulted you ten years ago."

(*Laughter*)

So it's a good day for our families. They're going to have to put up with your schedules and all the community meetings, but they will always be there for you.

It's a great day for Suffolk County. This is one of the premier Legislators in the country. The kinds of new ideas, the kind of innovative thinking, the kind of creativity in a broad, diverse and fundamentally middle class County has not come out of many other Legislatures like this one. It's a great tradition. Many fine people have served here before, I've known many of them, and so are you. And so to have the high quality on both sides of the aisle that are here today is very, very important.

And finally, and this is a point I'd like to make -- oh, okay, there's a fourth -- thank you very much.

(*Laughter*)

I followed his race. Where is Steve? I left him out. Steve Flotteron, congratulations to you as a newly elected Legislator as well.

Applause

I just, you know, first, think about this. In these tumultuous and difficult and very fractious times, there are young men and women, many from this County, overseas risking their lives right now, just so this can happen. And in America it's a beautiful thing; on cold November nights, election night, people line-up at the polling place. They wait in quiet dignity. They want to get home, put dinner on the table for the kids, sit in your favorite chair, watch your favorite TV show. They want to get home. They wait in quiet dignity on line. They go to the polling place, the polling spot -- I usually say the booth; we don't have any booths anymore. Well, they do actually, you put the thing in afterwards. But they do their duty. The next morning, whether we like the decision or not, we abide by it. There are no tanks in the streets, there's no shooting or violence. Of course there are demonstrations and things, that's part of America, but it's a beautiful thing, a beautiful thing.

And I'll conclude. There's a story I always like to tell at these swearings in, and then I'll turn it back to the -- and Steve Bellone is on his way here. We were both at Tim Sini's installation. They asked Benjamin Franklin, Benjamin Franklin just came out of Constitution Hall. It was a day later and he was sitting at a coffeehouse in Philadelphia. That's the 1700's version of Starbucks. And they went to him and one of the leading matrons of Philadelphia said, "Dr. Franklin, what have you created
in there? What have you and you gentlemen created in there?" In those days there were no women, now there are, very good.

Applause

But she said, "What have you gentlemen created in there?" And he said, "A republic, Madam, if you can keep it." Well, what did he mean by that? Here's what the historians tell us. It wasn't what you think. It wasn't well, should the President have term limits or should there be a House and a Senate or should there be a Supreme Court with nine people with life terms. No. The two things the Founding Fathers were most worried about were these. First, would people participate? They knew human nature. They knew everyone was busy with their families, their jobs, with the vicissitudes of life that God visits on every one of us. Would people participate? And second, who would run for office? They were worried the people who would put themselves forward for office would be motivated only by themselves, for money, for power, for ego. In those days they called them scoundrels. So do we call them that today.

Well, if we look at what's happening this morning, look, first we had great participation in this election. Every one of you had so many people of so many walks of life volunteering and knocking on doors and doing everything that a democracy is all about. And second, who have we put in office? Not scoundrels at all, but very fine people, who really put their communities first. So if Benjamin Franklin were looking down at this little room here today, he'd smile. He'd say this is the democracy that we wanted.

So in conclusion, let me say God bless each and every one of you. God bless your families, God bless this great County of Suffolk and its Legislature, and God bless America. I'm sorry I have to go, everybody.

Applause

ACTING P.O. GREGORY:
Thank you, Senator. It's always a pleasure to have you and we'll all keep your father in our prayers. Now we'll have our County Clerk, Judy Pascale, issue the official oaths and have each member sign the card in the book to make it official.

MS. PASCALE:
Before I ask you to stand, I just would like to thank each of the returning Legislators for the support that they've given the Suffolk County Clerk's Office in the past. Your consistent support along with the Executive has enabled my office to receive numerous awards for the use of innovative technology and efficiency, and none of that would have been possible without your support. So I just want to thank you again. And I'd also like to officially welcome the four new Legislators to Suffolk County government, and I wish you all a very happy, healthy and successful new year. With that, I'd ask you to please rise and raise your right hand.
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(*Oath of Office Administered to All Legislators by Judy Pascale, County Clerk*)

MS. PASCALE:
Congratulations. I'd like you to come up one by one and sign the official book.

(*All Legislators signed the Official Oath Book*)

11:56AM

ACTING P.O. GREGORY:
Thank you, Madam Clerk. Okay. If I can have everyone's attention. Do we have all Legislators in the horseshoe?
Okay, next on our agenda is the election of the Presiding Officer. And for purposes of a nomination, I will recognize Legislator Rob Calarco.

LEG. CALARCO:
Thank you, Mr. Chair. And at this time I would like to nominate DuWayne Gregory to continue as our Presiding Officer. DuWayne has been our Presiding Officer for the last four years and he has done what I think is a fantastic job in guiding this body in a way that has got both integrity and fairness. He has put keeping this County Legislature's integrity as an independent branch of government at the forefront of his mind. Always first and foremost I think one of his concerns as the Presiding Officer is to make sure that we continue to have that integrity and he has done, I think, a very fair job with each and every one of us. It is something that I actually hold to be a very -- proud that I am a member of a Legislative body where every Legislator has the same access to resources that the Legislature has.

There are no, you know, staff being given out based on your seniority or which party you belong to, and I think a large part of that is due to the fact that our Presiding Officer intends to make sure that there is fairness here at this body, and everybody knows that if you're going to Counsel or if you're going to BRO or wherever you're going, you're going to get the same level of service and respect, and that you can file resolutions. This Presiding Officer has never tried to create a Rules Committee that would bottle up legislation, and I think that is something that is really admirable.

And I think he has done a great job for us and I consider him a friend and it's with a lot of pride that I nominate him to continue as our Presiding Officer.

ACTING P.O. GREGORY:
Thank you, Rob. I appreciate that. And for purposes of a second of the nomination I'll recognize Legislator Tom Donnelly.

LEG. DONNELLY:
I'll second the nomination.

ACTING P.O. GREGORY:
Just like I wrote it.

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("Laughter")

Thank you, Tom. And for purposes -- I will ask are there any other nominations?

LEG. TROTTA:
Yes.

ACTING P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
I would like to nominate Legislator Tom Cilmi. DuWayne, I truly like you and I consider you a friend, and a lot of what Legislator Calarco said is absolutely 100% true. I mean, there are some very fair things with Budget Review and Counsel, but the reality is the definition of insanity is doing the same thing over and over again and getting a different result. During my four years here, I have seen the debt increase dramatically. I have seen the bond rating drop three times, and it takes a person who's serious about changing this to do it.

We have created fees that have made it unbearable for people to live here. I can go through them; car registration, mortgage, alarm fee, tax map verification, cremation fee. These fees our own Counsel has told us are probably not a good idea, and as we see, we're being sued. So there's a fiscal cliff that we are heading towards, and it's not a pretty picture. DuWayne, you are my friend, I consider you a friend, but we need to take drastic action in order to save this County. You know, these fees are the equivalent of 100% tax increase every year and it's driving our citizens out of here.

Just last session, in the dark of the night, we put in CNs that cost the taxpayers $22 million, which are borrowing, that we cannot afford to pay. And the reason is while the claim is partisanship, you knew that we probably wouldn't approve these without great debate now that we have seven Legislators. Leadership shows that we talk this out, we get to the bottom of it and we don't spend $22 million for buildings we don't have the design for, we don't have a plan for, we don't have anything for.

Tom Cilmi has been a voice, a strong voice, of bipartisanship, fiscal conservative and long-term budget planning. This is what we need. We need this now more than ever because it's all nice and fancy and we do this and it's all pleasant, but the reality is we owe it to our children to make strong, strong, hard choices. Otherwise, it's not unreasonable to think that this County will go into fiscal ruins because that's the way we're headed right now.

So it's for those reasons I would like to nominate Tom Cilmi for our leader.

ACTING P.O. GREGORY:
Okay. Is there a second?
LEG. McCAFFREY:
Yes, I would like to second the nomination of Legislator Cilmi for
Presiding Officer. Legislator Cilmi has been, in his eight years
of government, has been a model of open government, fairness and
transparency. He consistently fights for and continues to fight
for open government, transparency in government. I believe that he
will treat much the same way Legislator Gregory has been fair to
everybody that's on this Legislature, regardless of what the letter
is after your name. So it is with great pleasure that I second the
nomination of Legislator Tom Cilmi for Office of Presiding Officer.

ACTING P.O. GREGORY:
Okay. Are there any other nominations? Okay. I'll make a motion
to close nominations.

LEG. MARTINEZ:
Second.

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

MR. RICHBERG:
Eighteen.

ACTING P.O. GREGORY:
Okay. I'll make a vote on the first nomination. I guess roll call
for my nomination as Presiding Officer.

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

LEG. CALARCO:
Yes.

LEG. DONNELLY:
Yes.

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. KENNEDY: No.

LEG. TROTTA: No.

LEG. McCAFFREY: No.

ACTING P.O. GREGORY: Yes.

LEG. BERLAND: Yes.

LEG. SPENCER: Yes.

MR. RICHBERG:

Eleven.

Applause

(*Presiding Officer Gregory was sworn in by Judy Pascale, County Clerk, and signed the Official Oath Book*)

Applause

P.O. GREGORY:
Okay, next will be Introductory Resolution No. 1 -2018, Appointing the Deputy Presiding Officer of the County Legislature. And at this point I will recognize Legislator Bridget Fleming for the purposes of making a nomination for Deputy Presiding Officer.

LEG. FLEMING:
Thank you, Mr. Presiding Officer and congratulations. Thank you for your leadership. I'm pleased, Mr. Presiding Officer, to offer into nomination for the position of Deputy Presiding Officer our friend and colleague from the Seventh Legislative District, Legislator Rob Calarco. Rob has served ably as our Deputy Presiding Officer since 2016, and as Majority Leader since 2014. Having been raised in a family committed to public service, Rob clearly learned early the values of hard work and respect for all people.
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A committed family man himself, Rob brings a clear mindfulness of the human impacts of the Legislature's actions, while tackling the intellectual rigors of legislation in a uniquely disciplined and insightful way.

Rob has delivered for his district in Southeastern Brookhaven working to close illegal massage parlors, generating overcrowded and unsafe homes, securing funding for arts and cultural programs, expanding sewage treatment in Patchogue Village and eradicating invasive species and improving water quality in Canaan Lake, Patchogue Lake and Mud Creek, and finding a new home for the historic Carnegie Library without using tax dollars.

At the same time as a leader in the Legislature for the County as a whole, Rob has been a true leader on the big issues, focusing on fiscal responsibility and a sustainable future for our families and making Suffolk County more affordable and preserving the quality of life, improving water quality and making our County such a special place to live.

Having been a freshman last term, I can personally attest to the skill Rob brings to the job, offering guidance and insight. Like a real team leader, Rob allows or helps each of us, each Legislator, do his or her job to the best of our abilities and I'm very grateful for that.

Senator Schumer mentioned the high level of professionalism that's often noted with regard to this body. I think it's leaders like Rob Calarco who are largely responsible for that high quality level of professionalism and I'm very proud to serve with him. So, Mr. Presiding Officer, I offer into nomination as Deputy Presiding Officer, Legislator Rob Calarco.

Applause

P.O. GREGORY:
For the purposes of a second nomination, I recognize Legislator Bill Lindsay.

LEG. LINDSAY:
Thank you, Mr. Presiding Officer. Let me just be the second person to congratulate you on your re-election as the Presiding Officer. I look forward to working with you for the next two years, continuing to work with you for the next two years.

I would like to second the nomination of Rob Calarco. I've had the pleasure of working with Rob for the last four years as the neighboring district to my east. I've had many opportunities to work in tandem with Rob as we share a couple of different communities and different lines that cross, and Rob has always -- I've always watched Rob and how he conducts himself within his community and within his district. He does so professionally, he does so respectfully, even when people disagree. We're at a time in a place in history when unfortunately disagreement usually turns into discourse, and we've almost lost the ability to disagree respectfully and it makes it much more difficult to have the
exchange of different ideas and debate when those debates
disintegrate into name calling and disintegrate into pointing
fingers and making false accusations, rather than discussing the
actual topics that are important to the people of the communities
that we serve. And I've watched Rob avoid all of that and I've
watched him do it so respectfully to the people or the adversaries
that he's debating against and he's always maintained that level of
integrity here not only within his district and his community that
he serves, but also within this body.

12:11PM
We need more leadership like that. Whether you agree or disagree
with the person's politics, you have to respect their ability to
conduct themselves in a professional manner and Rob has always done
that well. So it's my pleasure to second the nomination of Rob
Calarco for the Deputy Presiding Officer. I consider him a friend
and he's a great leader and I look forward to continuing to work
with him for the next two years.

Applause

12:11PM
P.O. GREGORY:
Okay. Are there any other nominations? Yes, I'll recognize
Legislator Kennedy.

12:12PM
LEG. KENNEDY:
Thank you, Mr. Presiding Officer and congratulations. I'd like to
make a motion to nominate a Legislator who has been a clear voice
for his constituents and all County residents who have been
overwhelmed by the increasing tendency to take from our citizens
unreasonably and with little regard for consequence. I nominate a
Legislator who has shown no fear concerning special interest, large
profit centers nor the implied retribution associated with
illuminating the overreaching tendency of this government. I
nominate Legislator Robert Trotta for Deputy Presiding Officer to
serve as a sentinel of truth, clarity and a constant.

12:12PM
P.O. GREGORY:
Are there any other -- I'll recognize Legislator Muratore.

12:12PM
LEG. MURATORE:
Thank you, Mr. P.O. And, again, congratulations. I'm looking
forward to working another term with you. I would like to second
the motion for Rob Trotta. I first met Rob I guess over 30 years
ago when he was a young recruit in the Police Academy, full of
enthusiasm, and telling me, I was an instructor at the time, he was
going to make some changes in Suffolk County. He was going to work
with the police laws and make some changes here. And he's shown
that to me over these past 30 years. I know he has the heart of a
lion, I know that, he's very enthusiastic. He's forever working
for the people of his district and for the people of Suffolk
County. He's a fiscal conservative at a time where we need to
examine our spending. He's not afraid to take the hard steps and
to maybe say no to our spending. And I really feel in my heart of
hearts that he could bring a balance to this Legislature.
Therefore, I nominate -- oh, I second the nomination of Rob Trotta
for Deputy Presiding Officer. Thank you.
P.O. GREGORY:
Okay. Any other nominations? Okay, I'll make a motion to close
nominations. Second by Legislator Martinez. All in favor?
Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay, the nomination of Rob Calarco will go first. Roll call.

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

LEG. FLEMING:
Yes.

LEG. LINDSAY:
Yes.

LEG. KRUPSKI:
Yes.

LEG. SUNDERMAN:
No.

LEG. MURATORE:
No.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. CALARCO:
Yes.

LEG. MARTINEZ:
Yes.

LEG. CILMI:
No.

LEG. FLOTTERON:
No.

LEG. KENNEDY:
No.

LEG. TROTTA:
No.

LEG. McCAFFREY:
No.
LEG. BERLAND:
Yes.

LEG. DONNELLEY:
Yes.

LEG. SPENCER:
Yes.

P.O. GREGORY:
Yes.

MR. RICHBERG:
Eleven.

Applause

D.P.O. CALARCO:
Thank you, everyone.

Applause & Standing Ovation

(*Deputy Presiding Officer Robert Calarco was sworn in by Judy Pascale, County Clerk, and signed the Official Oath Book*)

P.O. GREGORY:
Okay, I see that our County Executive has joined us. We're going to allow him an opportunity to speak and then I'll give some remarks and then Deputy Presiding Officer Rob Calarco.

Applause

COUNTY EXECUTIVE BELLONE:
Thank you very much, Mr. Presiding Officer. It is an honor to be here with you once again for the Organizational ceremony, excuse me, and I want to wish everyone a very Happy New Year. It is a great start to the new year where we always come together in this environment where really the only time we have the Executive Branch, the Legislative Branch and the Judiciary come together at the start of a new year. Judge Heinrichs, thank you for your great work. And on behalf of the Executive Branch, if I may, our County Clerk, Judy Pascale, our County Comptroller, John Kennedy, District Attorney Tim Sini, Sheriff Errol Toulon. It is a pleasure to be here with all of you.

I congratulate our Presiding Officer on his election and look forward to our continued partnership and working together and to move our County forward. And to our Deputy Presiding Officer, Rob Calarco, congratulations. And to everyone in the Legislature I look forward to the partnership. I particularly want to congratulate our new Legislators and it's very helpful you all have your names up here. So thank you.

(*Laughter*)
But of course our new Legislator, Rudy Sunderland, it's good to see you, Chief. Steve Flotteron and I've worked together over the years and of course my dear friend Sue Berland. It's great to have you, and of course a man I worked with for a long time and have continued to work with, Tom Donnelly from Babylon.

So it is a good time at the start of the year for us all to recommit ourselves, and I certainly will do that, to working together. To communicating with one another, speaking to one another. You know, we're not dealing with war and peace here. These are important issues we're dealing with. No doubt we've made incredible progress in working to make our government more efficient, advancing water quality, attacking zombie homes. I see Supervisor Romaine is here. We've partnered with the Town of Brookhaven on those efforts and others. We've worked together to adopt legislation that makes this County more friendly to veterans than any other County in the State of New York. We have done good things together.

The things that we deal with, they are not ideological. Everything we deal with overwhelmingly is about solving problems. It's about coming together, developing solutions and advancing them in a way that is going to help all of our residents in this County. And when we do that together, I think we do it best, and so I recommit myself to working with everyone in this body, Democrats and Republicans alike, on anything that will help the residents of our County. My congratulations to all of you on your elections and resigning office here and I look forward to a great 2018. Congratulations. Thank you.

Applause

P.O. GREGORY:
Thank you, County Executive, for taking time to be out here with us today.

I want to welcome you to the 2018 Organizational Meeting. As I mentioned before, I hope you all had a very special holiday season with family and friends and wish you a happy, healthy and prosperous new year. This year, as in years past, we look forward to continuing the work in a bipartisan fashion to accomplish our goals and create a solid foundation on which Suffolk County residents can be confident in building a future. It has been a great honor for me to serve as Presiding Officer of a County I consider to be among the best in this country.

While other governments frequently seem paralyzed with partisan squabbling, we at the Suffolk County Legislature work together for the good of all County residents. While there are certainly times in which we disagree, more often than not we can find a common ground on which to build consensus. The camaraderie that exists driven by the good intent of those serving can be at least in part attributed to four Legislators who have worked tirelessly for their constituents and who, because of term limits, will no longer be serving. I would like to publicly thank Legislator Steve Stern, Lou D'Amaro, Kate Browning and Tom Barraga for their dedication.
during their years on the Legislature, their distinguished years as
County Legislators and their exemplary work are a testament to
their commitment and desire to do the best for the people of
Suffolk County and I thank them.

Applause

I would also like to recognize the newly elected Legislators who
are joining us today for the first time, Rudy Sunderman, Steve
Flotteron, Tom Donnelly and Susan Berland. Welcome aboard.

Applause

Briefly, I'll give an outline of my top priorities for the coming
year, priorities I share with many of my fellow Legislators. First
and foremost is to ensure public safety. This past year we have
seen the Suffolk County Police Department make significant strides
in identifying and combating gang violence through community
programs, education and outreach. We need to expand on these
measures by getting the information into the hands of these young
individuals, while ensuring that the resources that are in place
are utilized to the fullest and before young people are
incentivized to join gangs.

In addition, my colleagues and I have introduced initiatives to
tackle the drug crisis that has claimed so many lives in Suffolk,
including legislation to initiate a lawsuit against opioid
manufacturers for fraudulent marketing, establishing a permanent
Heroin and Opioid Epidemic Advisory Panel, expanding the
life-saving Narcan Pilot Program, securing funding for a recovery
coach to intervene in cases of overdose, and creating a mobile app
that provides information for those seeking assistance. These are
all important pieces in dealing with the drug crisis, but I intend
to put the mobile app into the hands of those who have direct
contact with these young adults that are using Opioids, such as
school districts, community groups and others with direct access to
these children. We will continue to provide support through the
Suffolk County Police Department to continue this fine work in the
coming year and to offer education about these resources to all of
our community partners.

Utilizing information culled from the Budget and Ad Hoc Group I
formed last year, they extended our budget season by starting an
analysis and discussions early. As a result, we have streamlined
our procedures and will be conducting our budget review early to
ensure a more thorough analysis. We will also revisit economic
studies to report more thoroughly -- to report to more thoroughly
review recommendations about our real estate holdings, historic
structures and cost saving measures. Soliciting detailed
information, unique solutions and innovative ideas from employees,
Commissioners, and business leaders to find efficiencies, rooting
out fraud and identifying savings within departments and contract
agencies will be imperative in finding savings in 2018.
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My request that long-term visioning plans be developed for County departments thereby decreasing the likelihood of duplicative services and allowing for better budgeting will be instituted thanks to the agreement of my colleagues on the Legislature.

We will continue to battle homelessness, especially for our returning veterans, and provide services and resources they need to continue to contribute -- to be contributing members of society.

12:26PM

With STEM skills so vital in today's world, we will need to be at the forefront in engaging students in STEM education and uniting government with the technology sector in fertile young minds so that Suffolk can become a breeding ground for innovation. Excuse me. Our Charting the Course Program, which intersects these interests, will play a vital role in the development of this initiative. Our Next Generation Advisory Council, which indoctrinates young adults into the world of government, will continue to expand in 2018, offering insight and education to those seeking involvement in civic activity.

12:26PM

We will continue to make Suffolk County more transparent by expanding our live coverage on the Internet of our General Meetings, both here and in Riverhead, and assuring the accessibility of the open data website, which makes a vast amount of County data available quickly and easily to all residents.

As in past years, the centerpiece of my priorities for the coming year is to continue to do all that we can to bolster the middle class in Suffolk County by providing opportunities for a good education, business, housing and jobs to support our strong economy.

12:27PM

We also need to explore opportunities for more transit-oriented projects that are regionally significant, like Wyandanch Rising and the Ronkonkoma Hub. Those two projects will create housing for our young people and their location in transit hubs will free those young people from the necessity of buying a vehicle. And those projects will create hundreds of construction jobs and more than a hundred permanent jobs when completed.

12:27PM

With each new year comes opportunity, a chance to inspire change, a promise for a better tomorrow and a willingness to remain open to new ideas. The future looks bright for Suffolk County as we prepare to move into the new year. I am excited for the journey as I am at each new beginning and for the prospect of making a difference. I am honored to have your support and encouraged by your confidence. Thank you.

Applause

12:28PM

Now, for purposes of remarks, I'll recognize our Deputy Presiding Officer, Rob Calarco, as well.

D.P.O. CALARCO:
Thank you, Mr. Presiding Officer. First, I'd like to thank Legislator Fleming and Legislator Lindsay for those very kind words
and nomination. And all of my colleagues who voted for me and those who didn't, you know, I look to continue to work with all of you and your support. And I think that we can continue to move our body forward in a progressive and positive fashion. And I would also like to a moment to recognize my family, to whom I wouldn't be sitting here, my wife, Laura, and my daughter, Alma Rosa, who's at school, and my two little guys, Patrick and Bodhi.

12:29PM

You know, in the past I spoke about how I saw my role as the Deputy Presiding Officer. You know, I actually feel pretty heartened because some of the goals I had were laid out by Legislator Fleming in her remarks. And, you know, I see it as being a resource to all of you or to help you all succeed in what you are trying to do for your individual districts and what you're trying to do here in the County.

But, you know, I thought given today in the times that we have and the fact that we have four new members, though all of you have your experience in government, either in the town or in a fire district, you know, we have real challenges to meet and we all know that Suffolk, like all of the counties in New York State, are facing fiscal challenges and we all know that the public continues to lose more and more faith in government every day unfortunately.

And lastly, you know, given the national environment we all know that much of what's going to affect us in the next year are things that are both out of our control and very unpredictable. But, you know, we were all elected to serve the residents of our County and to ensure that we still meet their needs and their expectations.

12:30PM

We were elected to represent our respective constituencies, and in doing so to make the best decisions for them. And I think that each and every one of us will do that and have done that over the years. And we all know from our experience here at other levels of government, governing is not easy. We have to make very difficult decisions and many of those are not necessarily popular, but they're needed nonetheless, because the services we provide cost money and we need to be honest about that. And we need to be honest with the public and our workforce and everyone else that if we want to continue to provide the services that we provide, the level that we provide them, we have to figure out how we're going to pay for them. And if not, we're going to have to figure out where we're going to cut and what does that mean. And these are real debates that we're going to have in the coming year and we should have. And if the cuts are needed then we have to choose what services are going to be discontinued and what impact does that mean to our workers.

12:30PM

If we're going to continue to whittle down the Capital Program we have to decide what infrastructure programs and projects are going to be left aside, and what does that mean in a County of one and a half million people, 911 square miles, three major campuses and all the roadways and bridges we have to maintain. And if we're planning to cut planning costs in those capital projects, are we going to be willing to put up the operating expense to hire those engineers that are needed to do that work in-house. Lastly, you know, if the economy falter and sales tax dip like they did in
2009, we're going to have to really figure out what our strategy is to deal with those.

These are not easy questions but I'm confident that this body will be able to meet those challenges. We have for the last 12 years, but only when we chose to work together, when we choose not to make the political calculus more important than the governmental one, when we choose to once again work as a body that makes running this County efficiently, effectively and honestly a priority. And I look forward to working with all of you toward that in the coming year. And, you know, thank you for letting me having this little diatribe and thank you all again and I look forward to working with all of you this year.

Applause

P.O. GREGORY:
Okay. Next we have to get to some business, and for purposes of a discussion I will recognize Legislator Monica Martinez.

LEG. MARTINEZ:
Thank you, Presiding Officer. All right. You should have been handed a piece of paper which includes proposed changes, but before we continue I would like to turn it over to our Counsel who will describe the process.

MR. NOLAN:
Right. We're at that point where we adopt the rules for 2018. You should have received from my office on Friday the proposed Rules of 2018. In there was one minor technical change which the Clerk's Office had requested, that when a Legislator or the County Executive proposes legislation and files backup, that the backup will be filed electronically with the Clerk. So that's in the proposed rules.

Before we vote on the proposed rules, a couple of Legislators have expressed that they want to propose amendments to those proposed rules on the floor, which is permissible. So Legislator Martinez has prepared, I believe, three separate proposed changes to what we're going to ultimately vote on, as has Legislator Cilmi. And they've both been good enough to commit it to writing so everybody can see what they're going to be proposing. So I just intervene there. So we'll be voting on those proposed changes when the motions are made by the respective Legislators.

LEG. MARTINEZ:
Thank you, Counsel. First, I would like to make the following proposed changes in our rules. The first one is to amend Rule 2(A)(5) of the proposed rules to read as follows. "Number 5. Statements and Presentations by Legislators. Legislators shall notify the Presiding Officer no later than 12 noon of the day immediately preceding any legislative meeting or any such presentations to be made. However, no Legislator shall make more than one presentation at a meeting unless the Presiding Officer allows an additional presentation under special circumstances."
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P.O. GREGORY:
Okay. Legislator Martinez makes a motion, Legislator Lindsay makes a second. Any discussion?

LEG. LINDSAY:
On the motion.

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

12:35PM

LEG. LINDSAY:
Thank you, Mr. Presiding Officer. In regards to so many things that we do here, I know the ceremonial part of our jobs is a very important role that we play within our communities, and recognizing people of distinction for many different reasons throughout our districts is very important that that recognition take place. Unfortunately, we need to lead by example in regards to our fiscal issues that we're having, and I know it might be considered a drop in the bucket, but for every penny -- the best way to save dollars is to start with pennies. And for us to belabor or lengthen the time that we're in session, there is an hourly expense that's associated with it. And I think for us to really seriously look at the financial challenges that we're facing, we need to not only look outside the Legislature, but we also need to look at what's right in front of us. And we need to change the mentality of everything that we do and looking at doing it in a more cost effective way. And for us to be in session sometimes beyond midnight till two in the morning because we've spent hours in the beginning of the morning handing out proclamations, although they're very warranted, we need to look at alternative ways of doing that.

So it's -- I believe this is a rule change that we need to make. I believe we need to be more efficient with our time here and the expenses that we incur as part of our Legislative body, and I applaud Legislator Martinez for putting it forward.

P.O. GREGORY:
Okay. Anyone else? Legislator Cilmi.

12:36PM

LEG. CILMI:
Yeah, I would just offer that I'm fully in support of this proposal. I think there are ample opportunities to recognize the great things that our residents do within our communities. Legislator Lindsay and I have had the great pleasure of recognizing the Connetquot High School Volleyball team over the past couple of years in their success and they have a school board meeting where they do that, so we're happy to participate in that. There are those special circumstances that warrant the full recognition of this Legislature and that's totally appropriate, but I think limiting those to one per Legislator a meeting I think is a great idea and I think it does add to our efficiency as a body and I fully support it.

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

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

P.O. GREGORY:
Okay.

LEG. MARTINEZ:
Thank you. I would like to make the next amendment and that is to amend Rule 3(A)(7) of the proposed rule to read as follows. "The Presiding Officer shall possess the following powers and perform the following duties. Seven. To declare a recess for lunch for a period not to exceed 90 minutes." Can I get a second?

P.O. GREGORY:
Okay. Motion by Legislator Martinez. Second by Legislator Lindsay.

On the motion. Just so that people are clear. So in our agenda we break for lunch generally from 12:30. We come back at 2:30 to begin public hearings. This amendment would be we would still break at 12:30 but we will come back at two and public hearings would begin at two o'clock. Okay, just so that -- Legislator Cilmi.

LEG. CILMI:
Here again I think it's a great opportunity for us to show some leadership. Many of our staffs work through their lunches every single day. I know we rarely have time off as members and many of the residents that we represent who work in businesses and some in the public sector are, again, working through their own lunches to try and get things done. So I think this sends a great message. We certainly don't need to sit around for two hours over lunch. An hour-and-a-half is fine.

P.O. GREGORY:
Okay. Legislator Krupski.

LEG. KRUPSKI:
Thank you, Legislator Martinez.

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

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

LEG. MARTINEZ:
Thank you once again. And I have my third proposed change and that is to make a motion to amend Rule 14 by adding new Section F, which would read, "Appointment resolutions would be considered prior to all other legislation assigned to a committee."
LEG. KENNEDY:
Second that.

P.O. GREGORY:
Second by Legislator Kennedy. So this would be on our -- I guess
it would be committee and General Meeting agendas. It would add a
section if it were for appointments and appointments being given
priority. The concern being because of the agenda and the
resolutions are done in numerical order someone could be here who
is a volunteer, take time off work, and could be in the middle of
debate for various extended times. We're trying to get people out
very quickly and that's the purpose. Legislator Hahn.

LEG. HAHN:
Yes, I made this recommendation. I have for a number of years now
and I think it's important to respect the individuals who will be
volunteering on various committees before us, and it certainly has
been the prerogative of the Chair to pull these appointments
forward, but sometimes because of the passion and interest in
other agenda items it gets missed. And I think this just will
facilitate that and show respect to the individuals being appointed
to various boards and commissions.

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

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

P.O. GREGORY:
Okay. I will recognize Legislator Cilmi. I understand he has some
recommendations as well or amendments.

LEG. CILMI:
Yes. Thank you very much, Mr. Chair. I appreciate the
opportunity. It's good to see the spirit of bipartisanship has
already begun and I certainly hope that that continues. The rules
changes that we will be proposing, that I will be proposing today,
are aimed largely at improving public participation and
transparency. You know, we -- this Legislature has gone a long way
towards trying to improve the transparency of our government and I
think these measures will add to that effort.

So first of all, under Rule 5, Introduction of Legislation, Section
C, we propose to add the following. "To be considered, a
Certificate of Necessity must be issued by 5 PM on the day
preceding the General Meeting."

LEG. KENNEDY:
Second.

LEG. TROTTA:
Second, I'm sorry.
P.O. GREGORY:
Okay. Legislator Cilmi makes a motion and Legislator Trotta seconds the motion. I'm sorry, I was reading some of the other changes so it's to --

LEG. CILMI:
Yeah, it's to require that Certificates of Necessity be presented publicly to us and to the public no later than 5 PM the day preceding our General Meeting so that we have an opportunity to read those resolutions. It's rare where we would imagine something happening the morning of a meeting that would require a Certificate of Necessity to kind of pop up out of thin air at that time. So I believe that requiring that those Certificates of Necessity be presented to us the evening before a meeting adds to transparency, adds to our ability to do our jobs effectively without taking away from, you know, the rights and privileges of the County Executive.

P.O. GREGORY:
Legislator Cilmi -- Spencer, wants to be recognized, I'm sorry.

LEG. SPENCER:
I mean, it sounds reasonable. I think that sometimes proving a necessity is important and you mentioned that it was rare. Would it be acceptable if by definition of necessity that if there was something that came up that was truly a -- necessitated our attention, is there any way that there could be -- unless it could be demonstrated that there is true necessity? I mean --

LEG. CILMI:
I think Counsel can speak to this, but in general I believe unless expressly indicated otherwise in our rules, our rules may be waived by a majority of members of this Legislature at any time. So I believe that there would be the ability to do that under exceptional circumstances. Is that correct, George?

MR. NOLAN:
That's correct. All -- with certain limited exceptions, all of our rules can be waived by a majority vote of the Legislature.

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Yes. Thank you, Mr. Presiding Officer. I have to agree with Legislator Spencer that not only, you know, the procedure whereby we could waive the rule, but also the protections that are built into the Certificate of Necessity process are there in order to ensure that the CN process isn't abused. So we can't pass them unless there is a super majority. If it does get ten votes its referred to committee, it doesn't die. So there are under Rule 7J and, you know, sections under Rule -- Section J -- there are clear provisions that would ensure that the CN process not be abused.

At the same time, government, County government, is a behemoth. There's lots of things happening, lots of things can be an emergency, and in order to keep government working sometimes we do
have to do things quickly. So considering the amount of protection
that's in there against abuse and the necessities that do arise
when you have, you know, a big government you're running, I think
that what's there is good and important and we should preserve it
as is. So I think that although there's -- I don't question the
underlying motivation, I think we've got the protections we need.
Thank you.

P.O. GREGORY:
Legislator Krupski.

LEG. KRUPSKI:
(Shook head no.)

P.O. GREGORY:
Oh, okay. I tend to agree with Legislator Fleming. I think given,
you know, unlike other bodies, Legislative bodies where they meet
more regularly like on a daily and weekly basis, we only meet once
a month, sometimes twice a month. Particularly that could be very
problematic if there is a change or something that comes up that
the CN process allows us to introduce a resolution. If not for
that process it may be a couple of months or certainly a period of
time that wouldn't allow us the ability to conduct the business
that we have to get done.

I think there are built-in measures that you had mentioned, that
you alluded to with 12 votes. I think that give it the extra
weight that it needs and consideration that it needs, and if it
comes to the floor and if people aren't satisfied with the process
by which -- or not satisfied that it's a need, which we have done
on several occasions is we can recommit a bill to committee to be
reviewed. But I think to restrict ourselves to -- for in those
times where there is a real need, you know, I've seen, you know, a
lot of people here have a bill that there's a last minute change or
something like that and to have to wait possibly six weeks to
change some language in the bill that's important I think is a
little too restrictive. But Legislator Anker.

LEG. ANKER:
I also agree. I mean, there's times where we're able to acquire a
great deal of funding and because a minor change needs to be made
at the last minute we could lose that, you know, millions of
dollars. There could be an issue with the, you know, someone's
health or a crime issue. So I think the flexibility of being able
to submit a Certificate of Necessity is really important and
that's, you know, that's why we have these types of last minute
changes. But, again, I just think it's very important that we
leave what we have in place.

P.O. GREGORY:
Okay. Legislator Berland.

LEG. BERLAND:
I guess I just have a question because when you look at Rule 5C it
says that -- hold it. Okay. How's that? Can you hear me?
Because Rule 5C says that upon filing everybody gets a copy. So is
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that -- so if you get a copy as soon as somebody has filed it, what is the lag time between that? Why does it need to be before, you know, the specific meeting if you get it as soon as it's filed.

LEG. CILMI:
So if I may --

P.O. GREGORY:
Yeah.

12:49PM

LEG. CILMI:
-- Mr. Chair. What I find myself struggling with sometimes is we'll get these Certificate of Necessity sometime in the middle of a General Meeting when we're voting on a bunch of other things. So as a member you're faced with concentrating on what we're voting on, debating what we're voting on and, you know, taking your attention away to read a Certificate of Necessity that has literally just been presented to you --

12:49PM

LEG. KENNEDY:
Twenty pages.

LEG. CILMI:
-- in the middle of a meeting. Sometimes long resolutions. Now as has been mentioned, sometimes they're amendments to local laws that have been presented by a member and they didn't make the deadline for filing and there's an interest in getting them done quickly, so the County Executive provides us with a CN to allow for a vote on that resolution despite the change. But in those cases there are changes to bills that have been subjected to public hearings usually and you're basically, you know, preventing the public from coming to speak then about those changes.

LEG. BERLAND:
Are those substantive changes or are those?

LEG. CILMI:
They could be. They could be.

12:50PM

LEG. BERLAND:
Is there a legal determination as to whether the change is considered substantive or not?

LEG. CILMI:
There are some language in our laws, I think, that speaks to that, but I think more often than not we rely on the counsel of our Counsel.

LEG. BERLAND:
I guess my question is are they -- if they're -- if you're getting them in the middle of the meeting and they're legally changing the substance of the resolution, how can you then vote on it at that moment if it's changing the substance, the legal substance?
LEG. CILMI:
That's a good question and one of the reasons, not exclusively the reason, but one of the reasons that I've put this forward. To be honest with you, more so than that is literally the inability to read and fully comprehend, you know, a multiple page document that's been put in front of you while you're -- while we're doing our business here. Sometimes they could be for spending millions of dollars and now you have to understand why are we getting a Certificate of Necessity in the middle of a meeting when we've had a committee process that has gone on prior. Why all of a sudden the rush to spend -- was somebody, you know, was somebody not doing their job, was all of a sudden did something become available and sometimes there's good reason. Sometimes funding just becomes available and we have to adopt the funding before a certain deadline and this would provide for that, but other times it's something else.

I just don't think it's fair to us to have to read and understand and digest bills that have been proposed to us literally while we're voting on other bills.

LEG. BERLAND:
Is there a way this could be limited to just funding?

LEG. CILMI:
I'm sorry. I wouldn't want it to be limited to just funding because it's literally you could have any type of bill that comes to us as a Certificate of Necessity that we're asked to understand and vote on.

LEG. BERLAND:
I mean the other way around.

LEG. CILMI:
Oh, that we're allowed to do it with funding?

LEG. BERLAND:
Funding, and if it's just, you know, monies become available and the committee process has gone through, that's one thing.

LEG. CILMI:
So let me reiterate.

LEG. BERLAND:
I know I'm new, so.

LEG. CILMI:
And I really do appreciate the questions, Susan. So the -- I'll reiterate what I said before, is that I believe that putting a constraint into our rules that requires that those resolutions be brought to us by 5 PM, literally the end of the business day prior to our General Meeting, I think that's a fair amount of time. I think that's a fair constraint to place on the Administration. I think if the Administration is doing its due diligence -- in fact, there was a time early in the year, and we haven't seen this recently, but there was a time early in the year or perhaps last
year where we actually used to get a summary of Certificates of Necessity that would be coming to us in advance. We would get a full summary of every Certificate of Necessity that was going to be presented to us with a description of why it's a Certificate of Necessity and exactly what it is. That stopped happening for some reason, I don't know why. But five o'clock I don't think is too much of a constraint to live within.

And in those very rare instances where something gets dropped on somebody's desk at the very last moment during the day of a General Meeting, we have the ability with a simple ten vote vote to waive the rules and act on that resolution. So this doesn't preclude us at all. It just sets a -- sort of a standard, which I think is a wise standard. I think you would agree that giving Legislators time to read a resolution and fully understand it while they're not distracted by the day's business I think is a wise thing to do.

LEG. BERLAND:
If these amendments don't get voted on today, can they get voted on anytime else throughout the year or is this a one-time --

LEG. CILMI:
The rules amendments that you're talking about?

LEG. BERLAND:
Yes.

LEG. CILMI:
If I'm not mistaken, George, correct me if I'm wrong, but I think we can amend the rules at any time during the year.

MR. NOLAN:
That's correct. We can amend the rules, but after this point it's normally done by a resolution, a procedural resolution. We wouldn't do it this way, we would do it by a resolution form, but we can change the rules at any point during the year.

P.O. GREGORY:
Okay. Okay, Legislator -- Deputy Presiding Officer Calarco.

D.P.O. CALARCO:
Thank you, Mr. Presiding Officer. And I can understand where the sponsor of this amendment is coming from, but I think it does critically hinder us. And I can recall instances, I mean, I remember, this was before I was a Legislator, but we were out in Riverhead for a meeting where the Riverhead auditorium was still under reconstruction and we were meeting at the college campus out there, and the sales tax extension was up. And the State of New York in its infinite wisdom at the time was holding it hostage for a number of other things, and while we had passed prior Home Rule Resolutions and prior resolutions to be able to make sure that we can take advantage of that, and the State ultimately in passing their budget passed the version of the sales tax extension that was different from ours in terms of length of time that we could -- that we would be eligible for that before it needed to be renewed.
And as a result, I think we actually on that day passed two different versions of that resolution, which was an actual Local Law because it was extending the sales tax, and had to rush it up to Albany to get filed in time so that we can continue to have that sales tax extension. And that's, you know, pretty critical. I mean, that's a substantial -- one point in sales tax is a substantial amount of money, and had we failed to pass that resolution that day we would have gone at least several months without that extension because that was in June and we weren't coming back again and it was important to be able to get it done and be able to do that on the day of.

We have from time to time other instances where it really is critical and I understand saying that we can waive the rules and not necessarily abide by the rule, but why are we going to create a rule that we're just going to waive every time that we have a critical need, while the purpose of the CN in the first place is to address critical needs. And we have, I think, Legislator Fleming pointed out very well, you know, CNs require a 12 vote. They require a super majority. They're not just simple, you know, get it in and file it and be done with it. And if the members of the Minority Caucus feel that we are -- have abused that power in the past you have seven votes now and certainly I'm sure you will put a check on that. But I can also remember many times where the County Executive brought over resolutions that this body decided were not critical and did not get the 12 vote and recommitted them and sent them to committee to be vetted out through the committee process, and I'm sure we'll do that again in the future should we choose the need to. But at this point in time I don't see the need to create further hinders or obstructions to our ability to deal with last minute critical things that need to be dealt with, oftentimes things that are out of our control and are a result of Federal and State actions.

P.O. GREGORY:
Okay. Anyone else? Okay, so we have a motion and a second on one of several rule changes, Rule 5, Section C. Roll call.

(*Roll Called by Ms. Ellis - Chief Deputy Clerk*)

LEG. CILMI:
Yes.

LEG. TROTTA:
Yes.

LEG. KRUPSKI:
No.

LEG. FLEMING:
No.

LEG. SUnderman:
Yes.
LEG. MURATORE: Yes.

LEG. HAHN: No.

LEG. ANKER: No.

LEG. LINDSAY: No.

LEG. MARTINEZ: No.

LEG. FLOTTERON: Yes.

LEG. KENNEDY: Yes.

LEG. McCAFFREY: (Not Present)

LEG. BERLAND: Abstain.

LEG. DONNELLY: No.

LEG. SPENCER: No.

D.P.O. CALARCO: No.

P.O. GREGORY: No.

MS. ELLIS: Six.

P.O. GREGORY: Okay, I will recognize Legislator Cilmi again for purposes of an amendment.

LEG. CILMI: Thank you. That went well. So let me try this next amendment, also under Rule 5, Section C, propose to add a line that says the following: "Under no circumstances shall a Charter Law or a Local Law requiring a public hearing be introduced as a Certificate of Necessity." I need a second.

LEG. TROTTA: I second.
LEG. CILMI:
And the reason for this is very simply when there are changes to
local laws and to Charter Laws they require a public hearing, and
while it doesn't happen frequently, there have been occasions where
we post an eight and a half by 11 sheet of paper on the front door
of the Legislature and call that notice for the purpose of the
legal notice that's required when we're having a public hearing. I
just think that's so offensive to our residents. So this would
change that practice.

P.O. GREGORY:
Okay. Legislator Fleming.

LEG. FLEMING:
Oh, is there --

P.O. GREGORY:
Oh, I thought you wanted to be recognized.

LEG. FLEMING:
We have a motion and a second?

P.O. GREGORY:
Yes, we have a motion and a second.

LEG. FLEMING:
So on the motion. Thank you, Mr. Presiding Officer. I would just
note, again, the protections that are built in in almost every
parliamentary body in a democracy, protection such as the
protections that were laid out in Section 7 are in place for a
reason. If you have the votes to ensure that this system is not --
this procedure is not abused, then that's exactly how parliamentary
procedure is meant to work. I think it's a mistake to handcuff
government with a broad rule when it's not being abused, when the
protections are already in place.

So, again, although I understand the motivation, I know sometimes
it's difficult to read everything we have to read when we're
sitting here at the horseshoe, that's our job, it's our
responsibility, and I think that we're all up to snuff as far as
that goes.

So from my perspective the County Executive introduces Certificates
of Necessity on behalf of Legislators as well, not just on behalf
of the Executive, and that's a procedure that really needs to be
protected. The protections not to abuse it also have to be
protected, but the ability of government to govern in tough
circumstances needs to be protected and for that reason I would
oppose this as well.

P.O. GREGORY:
Okay. Counsel? Is this, as far as a public hearing, that process,
do you have anything to say?
Organizational Meeting - January 2, 2018

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

**MR. NOLAN:**
The only thing I would say, you know, I haven't seen these proposed changes until today, is that, you know, the Municipal Home Rule Law, which is a State law, and the Suffolk County Charter and the Suffolk County Administrative Code all contemplate the County Executive having the ability to file bills with a Certificate of Necessity. So it to me it's just questionable whether or not we can say that the County Executive cannot file a Local Law as a Certificate of Necessity, since it's basically authorized already that he can do that under State Law and County Charter and County Administrative Code.

Legislator Cilmi is correct, that the Administrative Code provides a mechanism to deal with Local Laws that come in with a Certificate of Necessity, and it is a posting of a public hearing on the door at least, you know, one hour or two hours before the actual public hearing occurs. And that's not ideal typically, but it is contemplated under State and Local Law.

**P.O. GREGORY:**
Yes, Legislator Cilmi.

**LEG. CILMI:**
If I could through the Chair to Counsel. The objective here is to do away with that practice, basically the one that you described, that I described, placing a piece of paper on the door and calling it a public notice, because it's a farce to think that it's public notice.

And we just approved at our last meeting of the year a change in our Charter Law, Local Law, that allowed our District Attorney Elect at the time to hire folks from beyond the borders of the County. And I think that some of our residents might have wanted to -- might have wanted to talk about that. And posting of a piece of paper on the door does nothing to alert our residents to the fact that we're having a public hearing. So is there some other way, perhaps, to deal with that? I'd be open to suggestions.

**MR. NOLAN:**
Yeah. It's a -- it's a tough --

**LEG. CILMI:**
Unless the rest of this body thinks it's just -- that's fair.

**MR. NOLAN:**
The problem would be the State Municipal Home Rule Law, which governs how Local Laws are adopted, specifically authorizes -- you know, typically, it says it has to age for seven days, has to be in final form for seven days before being adopted, unless the County Executive certifies there's an emergency and has to be adopted immediately. So that's in the State Law, and I think that it would be problematic for us to pass a law that limits that ability, to be honest with you.
And I think what we did many, many years ago in the Legislature was we devised the public hearing mechanism we have now to deal with that situation, where a Local Law comes in as a C of N. And so I don't know that we can really, in all honesty, take away the authority of the County Executive to bring over a Local Law as a C of N, since the State Law gives him the authority to do that.

LEG. CILMI:
Well, if we devise some mechanism within the Legislature to deal with that, then why can't we change that mechanism?

MR. NOLAN:
Only because it's a State Law.

LEG. CILMI:
But if we devise the mechanism in the first place -- you just said that we can devise the mechanism to deal with it.

MR. NOLAN:
Because it happens where they bring over a law on the day of a meeting. So what -- what is your alternative?

LEG. CILMI:
But if the law -- if a law requires a public hearing -- listen, you all -- you all can vote against public participation and against, you know, transparency, but for me, posting a piece of paper on a wall literally hours before a public hearing flies in the face of transparency, and flies in the face of public participation. And, you know, I don't think we should stand for it, quite honestly, and I think we should do everything we can to change that.

P.O. GREGORY:
Legislator Calarco.

D.P.O. CALARCO:
So the example that I gave prior about that sales tax extension applies to this one as well, because had we not been able to do that Local Law through the process that we are using now, we would have lost out on that sales tax extension. And no, it was not any result of our own making, it was literally the State and their agenda and their infinite wisdom at the time to not give us the extension, because they were holding that up in return for something like the City folks probably wanted. But we need to have these emergency mechanisms to handle these. And given the -- some of the rule changes you're going to propose to come, it's almost contradictory to what you're arguing now about having public participation in the process.

If you wanted to try to find a way to make sure that these postings are done in a more open process, especially given today's modern technologies, I'm all for it. You want to say that when we do these things we need to post them on the website, we need to post them on our social media sites, that we need to make every effort to get the public informed that these public hearings are going to be held on these emergency basis, I'm open to that. I think that's a good way to spread the word. And people are certainly following

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their Facebook page. I don't know how many people follow ours, but hopefully more than not. It will give us a way of continuing--of putting it out there in a better fashion than just a piece of paper on the wall, which, you're right, is not going to tell people in Islip or Patchogue that there's a public hearing being held. But certainly, with modern technology, we can post it on our website and our Facebook page, and what have you, and you can ask the County Executive to paste it on his so that the information gets out there.

01:07PM

LEG. CILMI:
I would hope that we do that. I still think it's wrong, but I think, I think you're right. Perhaps the Clerk of the Legislature can make sure that that happens. I don't understand why that wouldn't have already happened, but be that--be the case as it may, it's still wrong to expect that the public would, you know, log into their social media in the middle of the day, see a public hearing has been advertised for an hour later, and ask their bosses for time off so that they could come to the Legislature to speak on that public hearing. It's just--it's not realistic.

01:07PM

P.O. GREGORY:
And if I may.

LEG. CILMI:
Let's vote.

P.O. GREGORY:
But if I may, too, let us not forget that as a part of the process for Local Laws, we are scheduled to have a public hearing, but the County Executive also has a public hearing, which is advertised in the papers, is done usually a week or two weeks in advance. So it's not that the public will be excluded from the public hearing process. The County Executive will have a fully published public hearing process where people, you know, can participate. So Legislator Anker.

01:08PM

LEG. ANKER:
I just wanted to also, you know, mention that I agree that with new technology, we should be able to see what happens as it's happening, and we are seeing it, because we are taped live, you're watching this live, for the most part. So that's something I'm very interested in working with Tom. Perhaps we can look at that into the future. But, again, you know, say we want to change this particular law right now. Is it possible to do a Certificate of Necessity to change this, if we want to change Legislator Cilmi's--amend his law?

01:08PM

P.O. GREGORY:
Unless you're, you know, being sarcastic, since--

LEG. ANKER:
No.

(Laughter)
The point I'm trying to make is we have the ability to make change very quickly through the Certificate of the Necessity, and that just is a way of government to move faster than the bureaucracy that seems to happen. But, again, I appreciate your concern, and I will be more than happy to work with you with Information Technology to get the information out of the meetings to come.

P.O. GREGORY:
Legislator Lindsay.

LEG. LINDSAY:
Yeah. I appreciate Legislator Cilmi's perspective on this, and I appreciate the spirit of this rule change. But, also, in the spirit of the rule change, we just got the rule change. So I'm trying to go through the gyrations in my mind of what effect and what negative impact or unintended consequences we could have from this. So I would rather not make this rule change about Certificates of Necessity as a Certificate of Necessity, so to speak, since this was just put in front of us not more than ten minutes ago, and maybe consider it at a later date, and this way we can look at all of the intended and nonintended consequences that this rule change could have.

LEG. CILMI:
But none of us, none of us, not one of us, including yourself, had any problem with just seeing the rules changes that Legislator Martinez put forth moments ago.

LEG. LINDSAY:
I had --

LEG. CILMI:
Maybe you had seen them before.

LEG. LINDSAY:
I had helped author them, so I saw them.

LEG. CILMI:
Okay, that's great. Well, we -- I didn't see them until minutes before Monica and I were sitting next to each other, we shared each other's rule changes. But that was the soonest that I saw them, so -- and we all thought about them, and we made decisions that we thought were in the best interest of this body and the public that we serve, so let's do that now.

LEG. LINDSAY:
But with all due respect, those changes did not have the same applications that these changes did, they were minor changes, so.

P.O. GREGORY:
Okay.

D.P.O. CALARCO:
Al.
Organizational Meeting - January 2, 2018

P.O. GREGORY:
Oh, I'm sorry, Legislator Krupski.

LEG. KRUPSKI:
So just a brief comment. And if you had proposed maybe making the
lunch shorter, maybe we wouldn't have had this long debate also.
But I think that the spirit of what you're asking is appropriate,
and I think when we get that red CN folder every meeting, I think
it is our responsibilities to say should this go to the public,
properly go to the public, or is that hour posted somewhere on an
auditorium door in isolation adequate. So, I think that's all of
our responsibilities, to really look at that, and not just as, "Oh,
gees, it's 11 o'clock at night, let's vote on this and go home",
so.

LEG. CILMI:
I'm sure we'll all be asking ourselves that question.

P.O. GREGORY:
Okay. So we have a motion and a second. Roll call.

(*Roll Call by Mr. Richberg*)

LEG. CILMI:
Yes.

LEG. TROTTA:
Yes.

LEG. KRUPSKI:
No.

LEG. FLEMING:
No.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
No.

LEG. ANKER:
No.

LEG. LINDSAY:
No.

LEG. MARTINEZ:
Yes.

LEG. FLOTTERON:
Yes.
ORGANIZATIONAL MEETING - JANUARY 2, 2018

LEG. KENNEDY:
Yes.

LEG. MC CAFFREY:
(Not Present)

LEG. BERLAND:
No.

LEG. DONNELLY:
No.

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
No.

P.O. GREGORY:
No.

01:12PM

MR. RICHBERG:
Eight.

P.O. GREGORY:
Okay. I recognize Legislator Cilmi for purposes of an amendment.

LEG. CILMI:
Let's see. Up to No. 3. Under Rule 6-C, you'll see I noted that the capitalized text is what's being changed. But the rule currently says that legislation may be discharged from an assigned committee by a written petition to discharge being presented to the Clerk of the Legislature and signed by at least ten members of the Legislature. Here's where the change comes in. We propose to add, "Additionally, should a motion be made and seconded, resolutions which may have been tabled, or tabled subject to call, or defeated in committee may be discharged by an affirmative vote of ten members of the Legislature."

P.O. GREGORY:
Second. A second, I guess, and on the motion.

LEG. CILMI:
So, basically, what this would allow us to do is when there's a resolution that's in committee, it would allow us basically to discharge that resolution to the floor with a simple voice vote, rather than getting the signatures in advance, which is sometimes impractical.

P.O. GREGORY:
Legislator Calarco.

D.P.O. CALARCO:
So I want to understand this right. We're going -- you want to -- the ability to bring CNs the day of a meeting, limit the ability to have CNs that are Local Laws the day of the meeting, but we want to

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make it easier to call for legislation that's not on the agenda on the day of the meeting, because that's giving the public the same level of notice?

**LEG. CILMI:**

Yes. This is -- it would be legislation that's been tabled or tabled subject to call, which is to say that it's been debated in that committee.

**D.P.O. CALARCO:**

Sure. But the public who would not know that that -- that it's going to be called forward, just like they don't know the CNs are going to be called forward, which often CNs are legislation that had been filed and just amended in some fashion, or brought forward because of a late need of them, so -- but to me, these are -- these are at odds with each other. I mean, we -- either you want to not let things come forward earlier without -- you know, at the last minute, or you do. I mean, to me, this is easing the rules, not making it subject to the 12 vote that a CN has that makes it have to rise to that level of us saying this is expediency, and it just is complete contradictory to each other.

**P.O. GREGORY:**

Okay. Legislator Trotta.

**LEG. TROTTA:**

I see it as the exact opposite. I mean, I can't tell you how many bills I've put in that are killed in committee by design of the Presiding Officer, who just gave a speech, a rah-rah speech on how we're going to stick together and do the right thing, and this gives the ability to make everyone vote for it, or to at least give the public, the public who we respond to, the choice to see how you would have voted on campaign finance reform when you stack a certain committee where people don't have to vote on it. Let the people know how everyone stands on these issues, that's all it's about.

You know, we just heard the speech on bipartisan, working together, and we did. Monica put three things in, we took care of it right away, no problem. Now it's just one after another and another. I just say, you know something? Vote no on all of them and we'll go home now and it will continue the way it is.

**P.O. GREGORY:**

Well, I take a little offense to the I'm -- by design that I'm targeting your legislation. I think I disagree, vehemently disagree. You know, if the committee votes on a bill and they decide not to move forward with it, that's the committee's decision. Sometimes I'm a deciding vote, sometimes I'm not even at the committee. So to say that I could smash the plan to, you know, stifle your legislation I think is ridiculous, because if I wanted to stifle legislation, I could do what the Nassau County Legislature does, is put in a rules committee, and where any legislation from the minority goes to die. But we choose not to do that. We have actually a discharge petition process, which you have to work. You have to, you know, get signatures of your
colleagues to be able to, you know, move something forward. We had this before. This is actually going back. And the Legislature decided that this was not to the benefit of this body, so we eliminated this rule. So now we want to go back to rules in the past that we found that weren't efficient and effective for us.

Okay. So we have a motion, a second. Roll call.

(*Roll Call by Mr. Richberg*)

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01:16PM
LEG. CILMI:
  Yes.

LEG. KENNEDY:
  Yes.

LEG. KRUPSKI:
  Yes.

LEG. FLEMING:
  Yes.

LEG. SUNDERMAN:
  Yes.

LEG. MURATORE:
  Yes.

LEG. HAHN:
  No. I said no.

LEG. FLEMING:
  I'm sorry, change my vote. I don't know what the procedure is.

MR. RICHBERG:
  Anker. Anker.

LEG. ANKER:
  No.

LEG. LINDSAY:
  No.

LEG. MARTINEZ:
  No.

LEG. FLOTTERON:
  Yes.

LEG. TROTTA:
  Yes.

LEG. MC CAFFREY:
  (Not Present)
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**Organizational Meeting - January 2, 2018**

1. **LEG. BERLAND:**
   No.

2. **LEG. DONNELLY:**
   No.

3. **LEG. SPENCER:**
   Yes.

4. **D.P.O. CALARCO:**
   No.

5. **P.O. GREGORY:**
   No.

6. **LEG. FLEMING:**
   Mr. Presiding Officer, if I may, I cast a mistaken vote. I'd like to change my vote.

7. **P.O. GREGORY:**
   Okay.

8. **MR. NOLAN:**
   To what?

9. **LEG. FLEMING:**
   So I'm voting no on the legislation. Thank you.

10. **MR. RICHBERG:**
    Eight.

11. **P.O. GREGORY:**
    Okay. I'll recognize Legislator Cilmi.

12. **LEG. CILMI:**
    On Item No. 4, under Rule 8, add a Section H, and under Rule 9, add a Section G that says, "At the request of any member of the Legislature, the Clerk of the Legislature shall administer an oath to the speaker." And this is designed basically to hold speakers accountable. We have many folks who come to the Legislature who are from government and say things, you know, that we rely on as being factual. We have folks who represent themselves as experts in certain realms that -- and we find their testimony to, or we rely on their testimony to be factual. So this would add basically a layer of surety to hold those speakers to a higher level of accountability.

13. **I'm told by our Counsel that this may be in conflict with our Charter, because our Charter requires that all 18 members approve of circumstances where we have subpoenaed witnesses to testify on various different things. But here again, you know, our Counsel has counseled against legislation before that we've gone ahead and approved. So I would -- I would put this forth and ask our colleagues to support it.
P.O. GREGORY:
Second?

LEG. MURATORE:
Second.

P.O. GREGORY:
Okay. I would just state, you know, having been here during the
Levy years, very frustrated. And, actually, this body had voted
for subpoena power. We, you know, got documents, we -- I believe
we swore some folks in, but we certainly got -- received documents
from outside counsel. I think, unfortunately, I understand the
sentiment, but I think this could very well lead us down to the
road of like a kangaroo court.

We have seen that those people who come to that microphone and
speak, they are held to a high standard. We had an individual that
came before this body a few years ago. It was determined that he
did not speak truthfully and was prosecuted for that without being
sworn in. So the ability to hold people accountable who come
before this body is -- you know, is already -- already exists. I
mean, he may not have been prosecuted for that, but he certainly
was charged for making a false statement before this body, and that
was a very, I think, eye opening experience, and I think -- and I
think has sent a message that those who come before this body have
to speak truthfully, or they can be held accountable in a criminal
context. Legislator Lindsay, and then Legislator Cilmi.

LEG. LINDSAY:
My question would be to the sponsor and maybe to Counsel. What
would -- if this did -- were to pass and you were to swear in
someone and found them or proved them to be lying, after being
sworn in, what would the penalty be?

LEG. CILMI:
I believe, I believe when you lie under oath, it's perjury, but --

LEG. LINDSAY:
But what's the penalty? It is -- I'm naive to this, because
I've -- I'm not an attorney, I've never had to deal with this issue
before. So what would the penalty be?

LEG. CILMI:
Counsel?

MR. NOLAN:
It's a criminal penalty. I don't know offhand what the penalty
would be for perjury, but it's a -- it would be a criminal matter.

LEG. LINDSAY:
But is it at the level of -- that would be the same as if you were
to perjure yourself in a court of law?

LEG. KENNEDY:
Yes.
MR. NOLAN:
I think so.

LEG. LINDSAY:
Just asking the question. Thank you.

P.O. GREGORY:
Legislator Fleming.

01:22PM

LEG. FLEMING:
Thank you, Mr. Presiding Officer. I'm just a little concerned at
this suite of proposed changes really kind of attacking some of the
basic underpinnings of what we do. And I can say, having been --
served, you know, just one term now, I've seen a couple of times in
committee members of this Legislature treat speakers with less than
the full civility that I think they necessarily deserve. And I
would say actually, Mr. Cilmi, yourself, I -- just very recently
questioned the integrity of a speaker who I felt was very
professional and responsible, because she had written an answer to
questions she anticipated, and she read that answer to Mr. Cilmi's
question and he attacked her. You attacked her for having been
prepared.

So I am just concerned, as another speaker said, about devolving
into a kangaroo court. I don't -- I think that many of these rules
are tried and true. As the Presiding Officer pointed out, some of
these were in place and were found to be subject to abuse. I think
it's critically important in our current tenure in government and
public discourse that we keep the level as high as possible, rather
than, you know, weaponizing questions from folks who, especially
from our districts, come an hour-and-a-half to speak at a podium
for three minutes. So I would really oppose, strongly oppose this,
as a former criminal prosecutor. I don't think we need to
weaponize our ability to question speakers.

And I disagree with the idea that this is minority versus majority
with regard to Mr. Trotta's point about, you know, let's just move
through them without debate because they're going to be the way
they're going to be. I think, in fact, some of these are being --
this whole suite of changes is being proposed in order to promote
the -- you know, to change the rules to allow the minority to have
some powers that, you know, the electorate doesn't think they
should have at this point. So I would strongly oppose this one as
well. Thank you, Mr. Presiding Officer.

P.O. GREGORY:
Okay. Legislator Berland.

01:24PM

LEG. BERLAND:
I'm a little concerned about this, because it's -- if you read it
really with the words, it says, "At the request of any member
of the Legislature." So does that mean -- the way it's written, it
could be used as a weapon. Anybody who gets up there, anybody who
doesn't like the person who's standing there is going to ask them
to take an oath, and that -- that concerns me, because then it
becomes a -- you know, a political sling and arrow to throw at
somebody who you don't necessarily like, or you don't trust, and
you want to, you know, challenge their voracity. Why would you
not -- if there were three speakers before them that nobody asked
for their oath, and one guy gets up and you're going to ask for
his, then maybe his voracity is being challenged. And I -- you
know, I don't -- I don't like the use of that. If you want to
swear every single speaker in that's going to speak, then -- then
that should be across the board, every single speaker. I don't
think you should -- it should be at the whim of the 18 of us as to, 
you know, who you want to throw that at.

01:25PM

P.O. GREGORY:
I got Trotta, Legislator Trotta.

LEG. TROTTA:
I don't think this is for, you know, every speaker. I think what I
know personally, I've sat over there and I watched a police
official lie to us, lie to us. I sat there and I watched a vendor
of this County lie to us, definitely lie to us, 1,000 percent lie,
so -- and we're making decisions on lies, and there's no recourse,
none. You've got to be sworn, and the law is clear. It's 210.10,
Perjury in the Second Degree, you lie to a public official after
being sworn in. Why wouldn't we do this? They're lying to us and
we're making decisions based on lies. You're okay with that?

When you swear someone in, it now brings them to a different level.
They know they have to tell the truth, and we want to hear the
truth. It would be like naive of us to think that people aren't
going to come here and lie to us. I watched probably ten people
lie to us in my four years here, outright lies, documented lies,
that I'm waiting to bring them back, swear them in, and have them
arrested. So it's happening. And I know you don't want to do it,
and I know that this partisanship doesn't mean anything, but guess
what, this one's going to get killed, too.

P.O. GREGORY:
But there's a simple solution to that. You can go right across the
street to the District Attorney's Office with your proof and say,
"I have proof that this person lied."

LEG. TROTTA:
It's not a crime to lie to someone unless you're sworn in.

P.O. GREGORY:
Ask Don Rogers if he wasn't charged for lying to this body.

LEG. TROTTA:
I think it was something else.

P.O. GREGORY:
That was just three years ago.

LEG. TROTTA:
No. I think it was something else.
P.O. GREGORY:
No, he -- there were other charges, but that was one of the
charges.

LEG. TROTTA:
I do not believe it was the -- that charge.

P.O. GREGORY:
Okay. All right.

LEG. TROTTA:
I'll tell you in a second.

P.O. GREGORY:
All right. Legislator Lindsay, and then I have two more.

LEG. LINDSAY:
Again, my question would be to the sponsor, and probably to Counsel
as well. The selective nature of this is my only reason for
objecting to it. I think everybody that comes here and speaks, not
only as speakers, but amongst this body, should be -- have a level
of trust and what they're putting out there is factual to the best
of their knowledge. We have -- every speaker has to fill out a
comment card. Can we put a disclosure notice on the comment card
that would basically enact this same responsibility to everyone
that fills out a comment card?

LEG. CILMI:
That's a good question. Can we, George? Can we put in -- can we
effectively put an oath on the comment card that holds everybody to
the same standard? And if we can, I'll gladly change my proposal
to that.

MR. NOLAN:
And my opinion is, right now, the -- every time we want to put
somebody under oath or issue a subpoena, the Legislative body has
to do that. You're talking about -- you're talking about in the
Public Portion, the yellow cards, we're going to --

LEG. LINDSAY:
Yeah, either the Public Portion, or even during a public hearing,
that they -- when they fill out the card, there's a disclosure
statement at the bottom that the statements that they make have to
be truthful to the best of their knowledge. Otherwise, they could
be found in perjury.

MR. NOLAN:
I don't know the answer to that question. I don't know if that's
going to be sufficient. I could certainly research it, but
nobody's asked me that question to this point. I don't know.

LEG. LINDSAY:
Through the Chair, Legislator Cilmi, would you consider putting
this aside until we had a little time to research that?
LEG. CILMI:
I think we should vote on this now and then if you want to, you and I can do that in the future.

LEG. HAHN:
Okay. Vote now, good.

01:29PM

P.O. GREGORY:
Okay. Legislator Berland.

01:29PM

LEG. BERLAND:
I was just going to say that when you have constituents who are coming here to testify, they may very well believe what they're saying and they make, you know, allegations that, you know, we might know are not true, you know. And to swear in every constituent that comes here, you know, I haven't been confronted with any yet, but in Town Hall for the last 16 years there are lots of people I would love to swear in because the things that they're saying clearly are not true. But I think it hurts the First Amendment rights of your constituents if you're requiring them to take some kind of oath, because they're not here to testify under oath to what they believe is true. They're here to sway us with their version of the truth. So that's why I have a problem with this and can't support it.

01:30PM

LEG. CILMI:
I definitely see your point and this was drafted with particularly with government officials and with folks from different agencies who, again, hold themselves out as experts on something, or who are speaking about funding that they may be receiving, to hold those people to that higher standard. I did not want to sit here and physically swear in every member of the public that wants to come and speak to us about something, because we recognize that they're speaking about their opinion. And -- but when we have a government official or somebody who's coming to this podium to talk to us about, you know, money that they'll be receiving as part of a project or some other proposal that's government driven, we expect that those representatives are speaking factually and not based on opinion.

01:30PM

LEG. BERLAND:
But they -- I believe each of us, and I assume all the employees as well, are under a Code of Ethics, and they have to accept that Code of Ethics and sign off on that Code of Ethics. So when they're standing before us it would be an ethical violation of them to just come up here and lie. So the common law expectation is that they're going to be speaking the truth to the best of their ability and that they're going to comply with the Code of Ethics. And if we find out that someone has said something that is contrary to that, then I think that's the time to go after that individual for, you know, speaking something that is untrue.

01:31PM
If it's proved that, you know, that their version of that was clearly untrue and a lie as opposed to, you know, it could have been a miscommunication or a misunderstanding, and that's where that person I believe has to be singled out and an investigation has to go forward to find out really, you know, what those facts were and limit it that way, as opposed to, you know, stifling everybody else's First Amendment rights.

01:32PM

P.O. GREGORY:
And if I may add, too, that this rule change comes under the Public Portion, which a majority of the time is members of the public, and I don't see how you can treat a certain section of the public differently than another section when they come to speak under the Public Portion of our meeting. So we'll be asking -- the message will be Suffolk County Legislature seeks to intimidate the public from speaking about issues before them. That's what the -- because you have to swear everyone in.

LEG. TROTTA:
I would say the Suffolk County Legislature wants to hear the truth. And it's funny because --

01:32PM

P.O. GREGORY:
Because of Mrs. Jones who comes here and wants to talk about her traffic ticket or some issue in her community, you want her to be sworn in and be intimidated? I mean, that's --

LEG. TROTTA:
No. It's at the discretion of the -- we're not going to swear people in who are coming to talk about a dog or something, but when we're having people -- you know, I've got to tell you. Someone just text me, "How is this even a discussion? Of course you want to hear the truth." And, you know, take the vote.

01:33PM

P.O. GREGORY:
Legislator Spencer.

LEG. SPENCER:
Asked and answered.

01:33PM

P.O. GREGORY:
Okay. All right. So we have -- we have a motion and a second. Roll call.

(*Roll Call by Mr. Richberg*)

01:33PM

LEG. CILMI:
Yes.

01:33PM

LEG. MURATORE:
Yes.

01:33PM

LEG. KRUPSKI:
No.
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<td>LEG. SUNDERMAN</td>
<td>Yes</td>
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<td>01:33PM</td>
<td>LEG. HAHN</td>
<td>No</td>
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<td>01:33PM</td>
<td>LEG. ANKER</td>
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<td>01:33PM</td>
<td>LEG. MARTINEZ</td>
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<td>01:33PM</td>
<td>LEG. FLOTTERON</td>
<td>Yes</td>
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<td>01:33PM</td>
<td>LEG. KENNEDY</td>
<td>Yes</td>
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<td>01:33PM</td>
<td>LEG. TROTTA</td>
<td>Of course.</td>
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<td>01:33PM</td>
<td>LEG. MC CAFFREY</td>
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<td>01:33PM</td>
<td>LEG. BERLAND</td>
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<td>LEG. DONNELLY</td>
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<td>MR. RICHBERG</td>
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<td>01:33PM</td>
<td>P.O. GREGORY</td>
<td>Okay. Next, Legislator Cilmi.</td>
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**LEG. CILMI:**

Last, but not least, the following proposal is an attempt, again, to give the public more of an opportunity to see what the business is that we'll be doing on any given -- at any given meeting, and so under Rule Number 14, Committees, proposed to add Section F that
says, "Agendas for all meetings of standing committees shall be posted on the Legislature's website and distributed no later than four days prior to the scheduled date of the meeting." And also under Rule 15, Meetings of the Legislature, add Section E that says, "Agendas for all meetings of the Legislature shall be posted on the Legislature's website and distributed no later than four days prior to the scheduled date of the meeting."

LEG. FLOTTERON:
I'll second that.

LEG. HAHN:
Second.

P.O. GREGORY:
Okay. On the motion, Legislator Lindsay.

LEG. LINDSAY:
I would be in favor of this. Legislator Cilmi, and through the Chair, my question would be can we just make an amendment to it that presentations and speakers could be changed, because sometimes schedules change at the last minute and sometimes they're a little bit more difficult to lock down. I'm only thinking of the committees that I serve on. It might be different on other committees.

LEG. CILMI:
I don't have a problem.

LEG. LINDSAY:
So it would only apply to any legislation that was being proposed as opposed to speakers or presentations.

LEG. CILMI:
Yeah, I don't have any problem with making changes after it's been published. As long as, you know, the general sense of thing didn't change.

LEG. LINDSAY:
Sure. Okay.

P.O. GREGORY:
Legislator Martinez.

LEG. MARTINEZ:
Thank you. And through the Chair to the sponsor, kind of a similar question. What happens if an amendment has been made to the agenda? What happens then?

LEG. CILMI:
It just gets -- it gets amended and reposted.

LEG. MARTINEZ:
Is there a time frame for the reposting?
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LEG. CILMI:
No. As long as the initial agenda is posted four days prior to the meeting.

LEG. MARTINEZ:
Thank you.

LEG. FLEMING:
Can I just ask a question?

P.O. GREGORY:
I got Flotteron and then you, Legislator. Legislator Flotteron.

LEG. FLOTTERON:
Yes. I'm the one who basically suggested this amendment. This was to foster more open and transparent government, something I did in the Town of Islip Town about ten years ago. For example, residents and community leaders will be able to have enough time to learn about the bills that are going to be voted on. This will give our residents enough time to review and to reach out to us about the -- their concerns, which will enable us as Legislators to be well informed of all sides of an issue before voting on it.

P.O. GREGORY:
Okay. Legislator -- oh, I'm sorry. One concern I have is we -- if we have committees on Thursday, the General Meeting will be the next Tuesday, so by Friday the meeting agendas would have to be posted. I'm just not sure, so I would ask the Clerk to comment on this, because it would certainly impact your office, so we have a better understanding of it.

MR. RICHBERG:
With all due respect, it would be extremely difficult for us to get everything finalized on the Friday because of discharge petitions or anything else that has to be finished, because it has to be posted. We have to make sure that everything is correct before we put it online. We try and get everything done by Friday, but, you know, if there's any changes to anything, that makes it a little bit difficult. It's a very, very heavy load, especially if a committee like Health ends after 5:00 on Friday -- on Thursday, or if there's a change in committees because of a holiday or what have you. It would be a very, very heavy load for our office, very, very heavy and tight.

LEG. CILMI:
So it's one extra day is what we're talking about, right, or one day less that you might have or that you might need. So we can just schedule -- I know the schedule for our General Meetings has already been proposed although not adopted yet, but the schedule for our committee meetings hasn't been put out there. So we could always just change our committee schedule so that it gives you that extra day. Rather than having our committees end on Thursday, we can begin our committees on the Friday prior to the week that we normally have committees and then have our committees end Friday -- rather, on Wednesday.
MR. RICHBERG:
But then you're also -- you'd have to change the other deadlines
that would coincide with that.

D. P. O. CALARCO:
You're going to -- not only are you going to affect your filing
deadlines that are associated with when you have to file bills by
and have amended versions by, but then it would create the same
problem with a conflict to your rule because there are quite a few
meetings that we have that are back-to-back sessions. So if we're
meeting on Tuesday and we have to come back on Friday for committee
meetings because of the cycle, you know, you're going to not be
able to put a -- publish your agenda until Wednesday, and you're
not going to have four days from Wednesday to Friday in order to
get your agenda in and post it four days ahead of time.

I'm all for putting the agendas online, I think the Clerk's Office
already does that. I just think your four days -- your four days
doesn't work even, you know, if you move committees to Friday four
days isn't going to work when you have a back-to-back cycle.

P. O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
You know, I wanted to ask the impact on the Clerk's Office and I
hear it's considerable. What about the impact on Counsel's Office?
Would that -- is there any effect that you can see, Mr. Nolan?

MR. NOLAN:
No, there would be no impact on me. It would be in the Clerk's
Office, and people of who have chaired committees, they have to
decide is that a thing that's doable for them.

LEG. FLEMING:
Thank you, Mr. Presiding Officer. I do think we just need to be
mindful of the realistic sort of staffing impacts that this would
affect, but thank you.

P. O. GREGORY:
Legislator Martinez.

LEG. MARTINEZ:
Thank you. Again, to the sponsor, through the Chair. Would you be
willing to consider just committee agendas to allow the Clerk that
extra time for the General agenda? Just to allow our Clerk that
extra time that they need.

LEG. CILMI:
Legislator -- I hope I'm not speaking out of turn here, Legislator
Calarco, but Legislator Calarco asked me if it could be by
5:00 p.m. on Friday, and I certainly -- 5:00 p.m. is fine on
Friday.

* Index Included at End of Transcript 51
D.P.O. CALARCO:
I guess with a clarification that the Clerk can amend if necessary, because the deadline right now for discharge petitions, we moved it a few years back to give it a better ability for Legislators to get them, to Monday's at noon the day before. It used to be a Friday by five, but now it's the day before. So if you want to say it is -- if you work something in there with the understanding that whatever he posts may not be in its final form, because if a Legislator gets that discharge petition by Monday at noon, he's going to have to make that amendment accordingly.

LEG. CILMI:
Yeah, that's fine.

D.P.O. CALARCO:
Okay. So what's the actual amendment then? Can you work that up with George?

LEG. CILMI:
George, can you?

LEG. HAHN:
It could be a draft.

LEG. KENNEDY:
Right.

D.P.O. CALARCO:
A draft, there you go, and then I can say --

LEG. CILMI:
We could do a draft agenda. I'm happy with that.

P.O. GREGORY:
That works?

MR. NOLAN:
Is that for both committee and General Meetings?

LEG. CILMI:
Yes.

LEG. KENNEDY:
Yes.

P.O. GREGORY:
You guys can do that, the Clerk?

MR. RICHBERG:
Yeah.

P.O. GREGORY:
I just want to make sure you guys are able to do that.

LEG. CILMI:
I'm happy with a morsel.
MR. NOLAN:
So the amendment will just add the term draft before the word agendas for both the General and the committee meetings.

LEG. HAHN:
And that will make it clear that it's subject to change.

LEG. CILMI:
Right.

01:43PM
P. O. GREGORY:
Does everyone got that? All right. So we have a motion and a second with all the amendments, amendments of this amendment. All in -- I'm going to do all in favor? All opposed? Abstentions?

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

01:44PM
P. O. GREGORY:
Okay. Now I'm going to make a motion to vote on the rules as amended.

LEG. BERLAND:
Can you just read it one more time?

P. O. GREGORY:
Read what?

LEG. BERLAND:
The motion -- the whole thing as amended?

P. O. GREGORY:
Now we're voting on the whole rules with the -- those were just amendments that we voted on.

LEG. BERLAND:
Oh, I'm sorry.

MR. NOLAN:
Did you want to read back the last change, Legislator Berland?

LEG. BERLAND:
Did we vote on it? Okay. Sorry.

MR. NOLAN:
Okay.

P. O. GREGORY:
Okay. So I make a motion to approve the rules as amended.

01:44PM
LEG. LINDSAY:
Second.

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

MR. RICHBERG:
Sixteen (Opposed: Legislator Trotta; Not Present: Legislator McCaffrey).

P.O. GREGORY:
Okay. Where is our Clerk? Okay. All right. So Introductory Resolution No. 2 (Adopting the Rules of the Legislature of the County of Suffolk) we just did.

Introductory Resolution No. 3-2018 - Appointing the Clerk of the County Legislature. I'll to make a motion --

LEG. CILMI:
Second.

P.O. GREGORY:
-- to appoint Jason Richberg as the Clerk of the Legislature.

LEG. CILMI:
Second.

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

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

P.O. GREGORY:
Okay. Introductory Resolution No. 4-2018 - Appointing Chief Deputy Clerk of the County Legislature, Amy Ellis.

LEG. ANKER:
Motion.

P.O. GREGORY:
Motion by Legislator Anker.

LEG. KENNEDY:
Second.

LEG. CILMI:
Second.

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

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

P.O. GREGORY:
Introductory Resolution No. 5-2018 - Appointing a Counsel to the Legislature, George Nolan. I'll make a motion.
LEG. SPENCER:
Second.

LEG. CILMI:
Second.

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

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

P.O. GREGORY:
Introductory Resolution No. 6-2018 - Fixing Time of Meetings of the County Legislature. I'll make a motion.

LEG. KRUPSKI:
Second.

P.O. GREGORY:
Second by Legislator Krupski. Did everyone have an opportunity to review it? Okay.

LEG. CILMI:
On the motion.

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

LEG. CILMI:
Are we continuing our practice of holding committee meetings -- that was in the rules. I think, right, committee meetings out in Riverhead and a couple of different times? Twice -- two cycles of committees?

MR. NOLAN:
It's noted on the calendar that's in front of you, yes.

LEG. CILMI:
Okay. Thanks.

LEG. KRUPSKI:
And I have to say that was greatly appreciated by the residents out there who could -- it's about, you know, making your government more accessible and it was a big -- it was a big success and everyone really appreciated the effort that everyone has to make going to Riverhead for the committee meetings. Thank you.

P.O. GREGORY:
Okay. So we have a motion and a second on Introductory Resolution No. 6. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator McCaffrey)
P.O. GREGORY:
Introductory Resolution No. 7-2018 - Designating Depositories Pursuant to Section 2112 of the County Law. I'll make a motion to approve.

D.P.O. CALARCO:
Second.

LEG. SPENCER:
Second.

01:47PM

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

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

P.O. GREGORY:
Introductory Resolution No. 8-2018 - Designating Newspaper as an Official Newspaper of the County of Suffolk. Motion?

D.P.O. CALARCO:
Motion.

01:47PM

P.O. GREGORY:
Motion by Legislator Calarco. I'll second. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
Introductory Resolution No. 10 --

MR. NOLAN:
Nine.

P.O. GREGORY:
I'm sorry, No. 9-2018 - Designating two (2) alternating newspapers as official newspapers of the County of Suffolk. I'll make a motion to approve. Oh, I'm sorry, Legislator Cilmi.

LEG. CILMI:
Yeah, motion to approve.

P.O. GREGORY:
Motion to approve by Legislator Cilmi. Second by -- second by Legislator Flotteron. All in favor? Opposed? Abstentions?

01:47PM

MR. RICHBERG:
Seventeen (Amended to 16 - Not Present: Legislators Hahn and McCaffrey).
P.O. GREGORY:
Introductory Resolution No. 10-2018 - To designate local newspapers in which County notices may be published. I'll make a motion to table. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Sixteen (Not Present: Legislators Hahn and McCaffrey).

P.O. GREGORY:
Okay. I make a motion to waive the rules and lay the following resolutions on the table. We have I.R. -- Procedural Motion No. 1, assigned to Vets. We have I.R. 1007 -- I'm sorry 27 -- 1027, excuse me, to Government Ops; I.R. 1028 to Parks; I.R. 1029 to EPA; I.R. 1030 to EPA; I.R. 1031 to Budget and Finance; I.R. 1032 to Budget and Finance. Do I have a second?

D.P.O. CALARCO:
Second.

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

MR. RICHBERG:
Sixteen.

P.O. GREGORY:
Okay. We don't have any other business.

MR. RICHBERG:
Fifteen (Not Present: Legislators Hahn, Spencer and McCaffrey)

P.O. GREGORY:
We stand adjourned. Oh, hold on.

D.P.O. CALARCO:
We've got a CN. Just a joke.

(Laughter)

P.O. GREGORY:
I'm sorry. And for I.R. 1029, we set the Public Hearing for the first General Meeting in February of this year.

MR. NOLAN:
Now call the vote.

P.O. GREGORY:
Okay. Now all in favor? Opposed? Abstentions?

MR. RICHBERG:
Fifteen (Not Present: Legislators Hahn, Spencer and McCaffrey)

P.O. GREGORY:
All right. We stand adjourned. Thank you. Get home safely.
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(*The meeting was adjourned at 1:48 p.m.*).
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