SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
ELEVENTH DAY
September 4, 2019

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

Taken By
Alison Mahoney & Lucia Braaten, Court Stenographers

Transcribed By
Alison Mahoney, Lucia Braaten & Kim Castiglione, Legislative Secretary

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

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

P.O. GREGORY:
All Legislators to the horseshoe. Mr. Clerk, do the roll call.

(Roll Call by Jason Richberg, Clerk of the Legislature)

09:33AM
LEG. KRUPSKI:
Here.

LEG. FLEMING:
(Not Present)

LEG. SUNDERMAN:
Here.

LEG. MURATORE:
Here.

LEG. HAHN:
(Not Present)

LEG. ANKER:
Here.

LEG. LINDSAY:
(Not Present)

LEG. GONZALEZ:
Here.

LEG. CILMI:
Here.

LEG. FLOTTERON:
(Not Present)

LEG. KENNEDY:
Here.

LEG. TROTTA:
Here.

LEG. MC CAFFREY:
Here.

LEG. BERLAND:
Here.

LEG. DONNELLY:
Here.

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LEG. SPENCER:
(Not Present)

D.P.O. CALARCO:
Present.

P.O. GREGORY:
Here.

MR. RICHBERG:
Thirteen. (Not Present: Legislators Fleming, Hahn, Lindsay, Flotteron and Spencer)

P.O. GREGORY:
Okay. If you'll all please rise for the salute to the flag, to be led by Legislator Sarah Anker.

(*Salutation*)

09:34AM
Okay. Legislator Anker, she will introduce our singers for the National Anthem.

LEG. ANKER:
I'd like to introduce the Antiquity Barbershop Quartet. They are an amazing group that I have in my district. We have some amazing folks, again, that provide this beautiful anthem, and I'm very proud to have them. I just wanted to mention, also, 125 years of combined barbershop singing experience. The Antiquity --

09:35AM
MR. CONWAY:
Antiquity.

LEG. ANKER:
Antiquity. It's going to -- it's starting out to be an interesting day. Quartet. They're from the Harbormen Chorus of Stony Brook. And, again, they've been around for quite a while, close to 50 years. And we have David Lance, the Tenor; Victor Fiorillo, Baritone; Gary Wilson, the Bass, and former Chorus -- and former Chorus Director. You know, and, of course, Fred Conway, the Lead Melody. So, again, can we give them a round of applause for this beautiful performance.

(*Applause*)

(*Performance by the Antiquity Barbershop Quartet*)

(*Applause*)

09:37AM
Thank you. Please remain standing. We have our Pastor Bill. He has been the Pastor for 31 years here today. He and his wife have been part of a program called Victorious Overcomers. Okay. They grew up in the South Bronx, and Pastor Bill and Gina have been pastoring the Temple Ministries C.F.C., located in Middle Island, for seven years. Temple Ministries, they have a dedicated -- they have a dedicated food pantry. And, again, I encourage folks here, you know, those that have, we need to provide to those that need.
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So you have been wonderful in what you've been doing with your ministry.

Scott Salimando also is here, and he is -- also, we are very happy to have you here.

It's going to be a very challenging day today, as we know, so let's provide in our thoughts and prayers that we will get through this day, we will all find the right decisions for our public safety and our best wellbeing. And, again, I present to you Pastor Bill.

PASTOR NIEVES:
First of all, I hope that you all have a very successful day today.

Dear Lord, we just thank you for this opportunity to come to you, and your presence is needed, Lord, as always. And, Lord, I just ask that you give all those that are here, Lord God, those with authority and servitude, Lord God, that they will have wisdom, so that they can complete what they started out to do. And, Lord, that you give them strength and peace, so that they can face any storm that comes their way, Lord. Bless them and bless their family, Lord, and that today would be a day of success. And I ask this in Jesus' name. Amen.

(Amen Said in Unison)

P.O. GREGORY:
Thank you, Pastor. Please remain standing for a moment of silence.

As another anniversary of 9/11 approaches, I ask that you join me in remembering the souls who perished and the First Responders who lost their lives that day, and those who continue to lose their lives in the aftermath of this devastating tragedy. Eighteen years have passed since the day terrorism struck at the heart of our democracy, time has not dimmed its memory, nor have we as Americans lost our resolve to continue to honor the victims whose fate was determined by the most horrific incident in our country's history, and to remain dedicated to the principles of freedom that are inherent in our constitution.

I'll also ask you to remember our former Presiding Officer, Bill Lindsay, who passed away on 9/11 six years ago. Please continue to keep his family and friends in your thoughts and prayers, as he was a beloved leader of our County, and certainly dearly miss him.

I also ask that you remember Joan Johnson, who became the first African-American official in Islip Town history, serving as Islip Town Clerk for 16 years. She won re-election three times, and was the first black Congressional candidate. She also served as Executive Director and Board Chairman of the Suffolk's Head Start Program, and as Islip Deputy Commissioner of Human Services.

Also, please remember Margaret Nolan, mother of former Counsel George Nolan, and Phil Nolan, President of OTB, and former Islip Town Supervisor. We send our deepest sympathy and prayers to their family.
And, as always, let us remember all those men and women who have lost their lives in service to our country and those who continue to sacrifice to ensure our freedoms.

(*Moment of Silence*)

Okay. Next, we have several presentations, first being Legislator Anker. Legislator Anker will make a presentation.

**LEG. ANKER:**

Okay. Can I have Fred Conway? Come on up. Over here, come up. Fred Conway with Antiquity Barbershop Quartet, I had the pleasure of recognizing his amazing talent. He is a member of the Harbormen Chorus. Come on, come on up. Thank you. So glad you're here. Again, a member of the Harbormen Chorus, the Twin Shores Chorus, and various other singing groups across Long Island. He was recently honored, Salt Lake City Utah, by the worldwide Barbershop Harmony Society for 50 years of dedicated talent and service. Let's give him a round of applause for that. It's amazing.

(*Applause*)

A Miller Place resident, Fred has served as a guidance counselor and a coach for various sports teams within the Miller Place School District, and has earned the title "Coach of the Year" several times during his tenure, as well as a nomination for the Miller Place Athletic Hall of Fame. Through his music and community, Fred provides inspiration to everyone he meets, and I am happy to recognize him today. Congratulations. Thank you.

(*Applause*)

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

Next is Presiding Officer DuWayne Gregory.

**P.O. GREGORY:**

Okay. Good morning. It's my pleasure to make this presentation. We're going to recognize Suffolk County Sheriff Errol Toulon and Sandy Hook Promise Officers from Sheriff Toulon's office for their work with the "Say Something" program, which was implemented in September 2018, to teach youth grades 6-12 about the observable signs that are present when someone may hurt themselves or others, and teaches them how to tell a trusted adult.

During the 2018-2019 school years, the officers presented the "Say Something" program to approximately 9,000 students, school and staff -- school, staff and parents.

This upcoming school year, there are already more than 3,000 students registered to see the "Start With Hello" presentation, which reminds children to be more aware of other's feelings, and more socially -- and be more socially inclusive.

Sandy Hook Promise is a national non-profit organization based in Newtown, Connecticut, and led by family members who lost their loved ones in the tragic mass shooting at Sandy Hook Elementary
School on December 14th, 2012.

Sandy Hook Promise is focused on preventing gun violence and other forms of violence before it happens by educating and mobilizing parents, schools and communities on mental health and wellness programs that identify, intervene and help at-risk individuals. It supports sensible non-policy and policy solutions that protect children and prevent gun violence.

Please join me in congratulating Sheriff Errol Toulon for his work on behalf of the Sandy Hook Promise Foundation, and Captain John Rung, who has been a key component in the training of officers, scheduling and overseeing the program, as well as Correction Officer Christopher Delaney, Correction Officer Julius Nelson, who recently retired, Deputy Sheriff Jacob Gross, Deputy Sheriff Amie Rodecker, Deputy Sheriff Keith Hoffman, Deputy Sheriff Brian Butler, Deputy Sheriff Brandon Lloyd, Deputy Sheriff Philip Doukas and Kelly Mazzotta. Please come forward and give them a round of applause.

(*Applause*)

And just a quick note. I remember the Sheriff and I, we were in a conference in Washington -- no, we were at another conference.

SHERIFF TOULON:

Vegas.

P.O. GREGORY:

Vegas, yes. And he was so proud to tell me about -- he had actually testified before Congress about the work that he's doing with this program, too, so it's really getting national recognition. My wife, her -- good friend of hers, her son -- her daughter, Grace, was killed in Sandy Hook. So I told her I was making this presentation today, and she says hello and she gives her thanks. And it's important work, very important work. Congratulations, guys. Thank you. We're going to come up forward and we'll give you your proclamation.

(*Applause*)

(*Photograph Was Taken*)

LEG. DONNELLY:

Nice job, guys.

(*Applause*)

D.P.O. CALARCO:

Okay. Mr. Presiding Officer, will you stay at the podium there?

P.O. GREGORY:

Okay. Next, if I can ask Dennis Nowak -- where is Dennis? There he is. So Dennis recently retired. Prior to retiring, he was the recent Acting Commissioner for the Department of Social Services, but had a long -- has had a long and distinguished career,
32 years, I believe.

**MR. NOWAK:**
Yes.

**P.O. GREGORY:**
In the Department of Social Services. I first met Dennis when I was Chair of Human Services Committee, I don't know, maybe eight years ago in his capacity in the Department of Social Services. And a truly top professional, someone who really brings great credit, not only to himself, but to the County and the Department, for the effort, and the sincerity, and the humanity, that of which he did his job. And, you know, all good things must come to pass, I guess. We're glad that you're -- that you're healthy and happy, and able to retire and enjoy it. I hope to do that someday. But we wanted to give you just a token of our appreciation. We have a proclamation signed by all of my colleagues just recognizing your service to our County. I just want to give you a great big thank you. Congratulations.

(*Applause and Standing Ovation*)

(*Photograph Was Taken*)

Okay. Next, we have Legislator Doc Spencer. Maybe not.

**LEG. SPENCER:**
No, I'm ready.

**P.O. GREGORY:**
Oh, okay.

**LEG. SPENCER:**
Thank you, Mr. Presiding Officer. Today, I have the privilege of posthumously honoring Luis Solano. And this morning I have joining with me his son, Joseph Solano, and, also, very close friend, Annie Berger. I would like them to come up at this time.

Luis Solano was born in Costa Rica and emigrated to the United States at the age of 20. He married and had a family and obtained a college degree, built a business, and in 1986 became a U.S. citizen. For 20 years he worked at the Hunts Point market, where his colleagues described him as a man of his word, integrity and principles. In recent years he worked as a real estate agent. Luis lived a life of generosity, and love, and heritage in his community, Huntington.

I had the privilege of working with Luis for a number of years, and he served as my representative on the Executive Board for the Suffolk County Hispanic Advisory Board. He always took extra supplies of fruit and vegetables from the market and donated them to the local soup kitchen, where he volunteered as well. He provided vital input with regards to the needs of the Hispanic population, and he was very passionate and vocal about his advocacy. He really made a difference in the lives for thousands of Hispanics in the Huntington community.
It gives me great privilege to pay a well-deserved tribute for Luis Solano, who we lost all too soon, but it's great to see that his works live on. Thank you.

(*Applause*)

(*Photograph Was Taken*)

P.O. GREGORY:

Okay. Next, we'll have Legislator Fleming, who will make a presentation.

LEG. FLEMING:

Thank you, Mr. Presiding Officer, and good morning, everyone. I'm happy to be here today with April Nill-Boitano, who is a tick educator throughout Suffolk County.

We know that the Center for Disease Control has estimated that more than 300,000 people are diagnosed with Lyme Disease and other tick-borne illnesses throughout the country. And Suffolk County, and particularly on the East End, tick-borne related infections have become a serious public health concern. There are very few people in my district who are not somehow impacted by the devastating illnesses, not only Lyme Disease, but ehrlichiosis, anaplasmosis. Now we have an allergy to beef that comes from the Lone Star Tick. It's a very, very serious public health concern.

I wanted to present to you -- I'm very proud to present to you today April Nill-Boitano, who has been doing tick education for many, many years.

MS. NILL-BOITANO:

Since 2015.

LEG. FLEMING:

Since 2015. When I was first elected in 2016, I worked with East End Tick and Mosquito Control, a good company out in our district, that's now Stony Brook Southampton Hospital Regional Tick-Borne Disease Resource Center, and with April, to start a poster contest that stems from April's excellent education programs throughout the district.

In the poster contest, young people are invited to share with the public, with their artistic skills and creative skills, the things that they've learned when April comes out to the schools or the camps and teaches them the very important basic ideas of how to identify a tick, how to remove a tick, most importantly, how to avoid getting bitten by ticks. It's called the Tick Wise Program, and April is really making a transformative impact in our communities, teaching people how not to get sick, because these diseases, as you know yourself, can be terribly, terribly devastating.

So I wanted to take the opportunity, April, to recognize you. She is a woman truly deserving of the honor of the day. What you've done is fantastic, and we love the fact that you're out
there teaching people about the dangers in tick-borne illness.
Thank you, April. This is for you, suitable for framing.

(*Applause*)

Do you want to take a picture?

**MS. NILL-BOITANO:**
Yes. Sorry.

**LEG. FLEMING:**
Very quick. I'm sorry.

(*Photograph Was Taken*)

**P.O. GREGORY:**
Okay. That is all that we have for presentations. We will go to
the Public Portion of our agenda. For those of you who haven't
spoken in the past, each speaker has three minutes. We have many
cards. First is Mike Herbst. Where are you, Mike?

**MR. HERBST:**
Okay.

**P.O. GREGORY:**
Oh, there you are. Okay. And then on deck is Hector Gavilla.

**MR. HERBST:**
I'll see if I can do a better job than the last speaker. I'm going
to make this quick.

This whole vote on the RLC is as blatantly obvious, and doesn't
deserve the cliffhanger that it's getting. You know, there's
better ways we can waste money, you know, getting Rudy a toupee,
Ed Romaine a weight loss counselor, Sue a modern day technology
pamphlet, because no one else Skypes. But, to be honest with you,
this -- either way you look at it, this County is screwed over
financially for decades of waste. So, if the RLCs go, RLCs stay,
it's not going to change tomorrow.

So, basically, it's a matter of doing what's right versus what's --
you know, what you guys are paid off to do. And I just don't --
I've never gotten an RLC ticket myself, because I've been able to
figure out a way around Suffolk without passing one. But it's a
total joke, and you guys are going to most likely push it all to
next year. So after election, when everybody is back in those
seats, we're playing a bad rerun of Laverne and Shirley. Is there
a bad rerun? I'm not really sure.

But, to be honest with you, this is as pointless as a Sachem
championship team, and I'm from Pat-Med. You know -- hey, Tom.
Yeah, we had a debate a few things, also. But, to be honest with
you, I really don't give a crap about the RLCs, because it was a
cash grab from the word go. But you also got to remember, it was
Steve Levy's idea, not Steve Bellone's idea, and we all see -- we
all know where Steve Levy ended up. Hopefully, Bellone's there
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next.

But I'm going to cut this one off, because I got to go, I got work
to do. But you guys, just if anybody wants to actually vote for
the RLCs, keep in mind, Steve's got you on record. And my network,
which took down Josh Slaughter a couple of years ago, even though
I've kind of paid for that in January, will actually help out with
changing this County for the better and for the better. Done.

("Applause")

P.O. GREGORY:
Okay. Next is Hector Gavilla, and then Susan McGraw Keber is on
deck.

MR. GAVILLA:
Okay. Good morning. My name is Hector Gavilla. And the first
thing I want to say is that I think it's pathetic that Suffolk
County spent almost $300,000 for a report, and then when the report
shows that the program is a failure, you try to come up with
reasons why it still worked. It's like a child failing his class
and then trying to say he's still a smart kid, okay, he just needs
to try better. And so this is a failed program and everyone here
needs to acknowledge that fact.

Now the handout that I'm giving you shows you that the red light
cameras are disproportionately located in lower income
neighborhoods, so the burden of paying this red light camera tax is
placed on the most vulnerable people in our communities.

As I mentioned last week, the Town of Brookhaven has 38
intersections with red light cameras; the Town of Islip, 24; the
Town of Babylon, 19; the Town of Huntington, 15; the Town of
Smithtown, only four intersections with red light cameras. Now
let's compare that to Legislator Fleming's district. She has no
red light cameras in her district. Now on one hand she'll say that
it's a safety program, but then on the other hand, I have never
seen Legislator Fleming fight for her district and ask that red
light cameras be placed in Sag Harbor, or in the Hamptons, or any
of these places where the affluent and the wealthy live. So it's
very telling when you look at the fact that there's no cameras in
East Hampton, Riverhead, Shelter Island, Southampton, Southold.
What's going on here?

The other thing I want to mention, too, is that Legislators
Gregory, Berland and Gonzalez should be very upset about this,
because if you take a look at your respective districts, you'll see
that your constituents are the ones that are paying this tax. And
I know that, you know, talking to you personally yesterday, Samuel,
that you're concerned about that, okay? So this is not right.

This is a program that, also, it's very difficult to tell the
difference between those drivers who are intentionally trying to
run red lights. We all agree that anybody who tries to
intentionally run a red light should definitely get a ticket.
However, the vast majority of these tickets are issued for people

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making right turns on red. I've seen a lot of these tickets, people have reached out to me. What are we doing to them? I've been getting phone calls and emails from people telling me that they're getting $700 fines, that they have liens on their property. One individual told me he had $1900, and that was a burden, okay? It's one thing to punish, but it's another thing to make it financially hard and difficult for people to live here.

Thank you very much for your time, and I hope everybody votes the right way. Thank you.

(*Applause*)

P.O. GREGORY:
All right. Susan McGraw Keber, and on deck, Durell Godfrey.

MS. MCGRAW-KEBER:
Good morning, and thank you very much for this invitation to speak to you once again. I was here in July. I'm Susan McGraw Keber. I'm an East Hampton Town Trustee, there are nine of us. And I serve on about ten committees, one of which is the Education Committee. I'm very proud of our efforts to teach our kids about what is important to us on the East End, which is our waterways, our fisheries, our history, and our dedication to a clean, beautiful environment, beautiful beaches, as you all know.

I last time brought in a huge framed picture, and I was told I couldn't bring it in for safety purposes, but I bring you a picture of it. It's the balloons. These are balloons I found in East Hampton. It's just a small, little village, as you know, but I found these balloons, turned it into a big picture, and I take it to the schools I visit in our community, and I teach the kids about what the balloons do to our marine life and our beaches.

This -- you'll hear from Surfrider this morning as well. And a friend of mine, who's a photographer in East Hampton, we have all come to speak to you, and hope that you will pass the legislation before you that Legislator Anker has prepared to ban the intentional release of balloons. There's no reason, no reason whatsoever that single-use balloons, mylar or latex, which are nonbiodegradable, should be released into the air, 25 balloons per 24 hours per individual. That's just crazy. And as a Trustee, I know that we see them in the waterways, we pick them up on the beaches.

East Hampton Town, I'm very proud of my Town, we voted unanimously as Trustees to ban the intentional release. Then the Town of East Hampton did the same. I took this to Southampton Town. I'm very proud of the efforts Southampton Township did when they voted to ban the intentional release of balloons. And Assemblyman Fred Thiele now has prepared legislation. He invited me to add some comments to that legislation to take it to New York State.

So I implore you, and I am hopeful, that you will sign onto this wonderful first beginning step to keep nonbiodegradable fossil fuel plastic latex balloons out of our waterways and give our marine
life the opportunity to live without ingesting these items. The
birds are suff -- are dying from the debris. They end up in the
garbage. And I know that the Balloon Council will tell you that
they’re teaching people to be responsible about how they dispose of
them. There is no such thing as responsible disposal, and even
weighted down, because once they get to the garbage dump, they get
picked up by the wind, by the birds, they’re in our waterways, they
end up making our environment ugly, and very lethal to our animals.

So with six seconds to go, please say yes. Vote for our community,
vote for our waterways, vote for our wildlife, vote for the future
of our community. I thank you so very much.

(*Applause*)

P.O. GREGORY:
Thank you, Trustee. Durell Godfrey, and then on deck Patrice
Domeischel.

MS. DOMEISCHEL:
Good morning. Honorable Gregory, Honorable Members of the Suffolk
County Legislature, my name is Patrice Domeischel, I live in
Setauket. I’m also a Board Member of Four Harbors Audubon. I’m
here today to represent the chapter. Four Harbors Audubon is a
not-for-profit chapter involved with environmental conservation and
education, and with the issues that impact the lives and health of
all wildlife. Our chapter territory roughly covers an area east to
west from Kings Park to parts of Shoreham, north to south from the
Long Island Sound to Farmingville.

We urge you to pass Introductory Resolution No. 1611, to amend
Chapter 310 of the Suffolk County Code. Please ban the intentional
release for any reason of helium-filled balloons in Suffolk County.
As the law now stands, every person in Suffolk can legally release
24 balloons per day, 365 days a year. A helium balloon can reach
great heights before bursting or losing air and drifting to the
earth and sea. Intact balloons and pieces carried by wind and
tides can impact with lethal consequences a great number of marine
animals over the balloon’s lifetime. Balloons and their remnants
are mistaken for jellyfish, squid, and other food eaten by marine
wildlife. Pelagic birds, thinking they are food, eat them
themselves or feed them to their young. These ingested balloon
parts cause an obstruction. Nothing is able to bypass that
blockage. These birds and their young die of starvation.

Balloons are durable. Latex, the most common found in the stomachs
of deceased marine wildlife, can take up to four years to
decompose. Mylar can remain in the environment for much longer.
Imagine if one were released during the American Revolutionary War,
it might still be creating havoc today. Marine animals and birds
become entangled in the string tied to the end of the balloon,
impeding movement, trapping, and sometimes strangling them, which
can result in the loss of body parts and death. Balloons are a
source of litter on land and sea. They are the most common debris
found on the ocean during whale watches.

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10:14AM

I'm a birder. I love nature and wildlife, and this beautiful Earth we live in. My daughter was recently married, and I'm looking forward to grandchildren, and to the day when I can take my grandchild boating, or on a pelagic trip to see whales, turtles and seabirds. I don't want to say to my grandchild, "Things used to be so much better before you were born." Instead, I hope to say, "Things are so much better now. There is less litter in our oceans, marine life is safer," and it will be because government bodies like the Suffolk County Legislature took measures to ban the release of balloons into our atmosphere. Thank you.

(*Applause*)

P.O. GREGORY:
Okay. Durell. Okay. Sorry about that, there was a little mixup. I guess something happened there.

10:14AM

MS. GODFREY:
Good morning, everybody. Good morning, everybody. I'm Durell Godfrey, I'm a local photographer in East Hampton. And I'm not used to public speaking, because I live behind my camera. But if my camera could talk, and it will, my camera and I see balloons everywhere. We see them in the farm fields, we see them stuck in the eelgrass, we see them stuck in the phragmites, we see them in the Orient State Park, we see them in the beaches, we see them where the seals haul out in Montauk. They get caught in trees. They get tangled in the osprey nests. They do nothing for anybody, except make money for the stores that sell them. They pollute, they do not disappear. They are not biodegradable. They are ugly. They crap up the environment. And I really, really, really hope that the next whale-watch that I take out of Montauk, I will not have the boat stop, as it did the last time I was out, and pick up 25 balloons that were tied together with string and brought into the boat. When they were brought into the boat, everybody on the whale-watch applauded, because we had helped Mother Nature.

My feeling is Mother Nature -- this sounds a little woo-woo, but Mother Nature is allergic to balloons, and I don't think we need to feed her balloons. Thank you very much for your time.

(*Applause*)

10:16AM

P.O. GREGORY:
Okay. Thank you. Dermot McGrath, and then Jeannette Hope Salvito.

MR. MC GRATH:
Good morning. I remember once, a long time ago when I was a child, my parents drove me and my older brother to Idlewild Airport, which is now called Kennedy. Back in those days, it was a leisurely drive along the Southern State Parkway. To keep us quiet in the back seat of the car, my father devised a simple game. I had to count all the Chevrolet cars on the road between Babylon and the airport, and my brother had to count all the Fords. The person with the highest score at the end of the trip would receive an ice cream cone from the Good Humor man. Well, my brother ended up with a total of 28 Fords, versus my piddly little 23 Chevys, and I --
and he got the ice cream cone. I was suspicious of his math.

Fast forward to the year 2019. If parents could even get their youngsters to play this game today, they would need a high-speed computer to calculate the enormous totals accumulated. My point is that the number of vehicles on Long Island's roads and highways has grown astronomically since my youth, and the infrastructure needed to manage this increase in having -- and keeping up with the -- excuse me -- is having difficulty keeping up with the growth. We have been forced to group (sic) at straws to reduce the carnage on our roads and highways. Now one way of doing this has been to apply a hand-aid approach to reduce the accidents by implementing the controversial red light traffic camera law. But what we should be doing is -- I'm sorry, but I didn't bring my glasses -- is putting all our energy into eliminating driver distraction, which accounts for 70% of these accidents.

Today, I have submitted a seven-page single-spaced distracted driving report. (Handed eyeglasses). Oh, thank you. Excuse me, everyone. Today I have submitted a seven-page single-spaced distracted driver report to the Legislative Secretary with a plan on how to prevent the driver of a moving vehicle from operating a smart phone while driving, thus reducing the number of accidents. I've also submitted another report for distribution to each attending Legislator today outlining nine ways to improve traffic safety. There isn't time to explain these nine ways to you in the three minutes I am allotted to speak at this hearing, but if you check out the brief highlighted recommendations in my distributed report to all the attending Legislators, I'd be happy to answer questions you may have concerning any of the recommendations that catch your attention. And sorry about the glasses. Thank you.

(*)Applause*)

P.O. GREGORY:
Thank you, Dermot. Jeannette Hope Salvito, and then Martin, looks like Buchman.

MS. SALVITO:
You know, the audio system in here isn't working quite as well as it should. We can't hear you folks very well. All you have to do is move back just like this and you're dead, as dead airspace. I just thought I'd let you know.

I still cannot understand how a person whose wife works for the very company which does stats on the red light cameras sits as Deputy on the public committee addressing red light cameras. Most schools deliberately do not make teachers grade their own students' regents exams, so innate bias is reduced.

There is the greater question of residents freaking out to stop in time with now quick changing yellow lights. It's not the speeding. I stood at an intersection for half an hour and watched a while ago. If anything, you go from one red light to another. And you're -- and you're sitting through those yellow lights and they're changing very quickly. It is the inability to move on.
red -- right on red, lest you get snagged, and a sudden braking, even at slow speeds, to avoid a photo op.

Distracted cell phone driving is not addressed, nor are the trucks barreling in and out of traffic above the speed limits, because their bosses will pay and pick up the tab.

There is no equity in camera placement, as I noted in the past. Cameras are not placed in the Gucci-Bucci-Prada neighborhoods like the Hamptons, nor in the Incorporated Villages.

And, lastly, this dovetails so many decisions recently made by this body to create a fee central where it matters not if it is how many dogs one rescues, your cremation, fixing a nitrogen and/or cesspool issue, or creating some of the most extravagant salaries and perks I have seen in a long time. It saddens me and my sources that we now have a sullied reputation known outside of our state. Thank you, Sir and Ladies.

(*Applause*)

P.O. GREGORY: Is it Martin Buchman? Am I saying it --

MR. BUCHMAN: Yes.

P.O. GREGORY: Okay. Martin Buchman, and then Patricia Castiglione.

MR. BUCHMAN: Hi. I'm Martin Buchman from the New York Bicycle Coalition here to address the issue of the red light cameras, to take what is -- seems to be a little bit of an unpopular position of support.

As a cyclist, the most deadly fear is someone running a red light. If you want to change behavior, anyone who's been involved in the Criminal Justice System, anyone who's been a parent, anyone who's been a coach, anyone who's been a teacher, knows that there are three elements to change behavior, certainty, immediacy and proportionality. The red light camera program checks all those boxes.

I would agree with some of the former speakers, that an issue of equity here, that the red light cameras should be distributed in a more equitable fashion around the County. But if you want to change behavior, if you want to get people to stop running red lights, save lives, certainty, the camera goes off; immediacy, you get the ticket within a week; and proportionality, it's a $50 fine. All right? It hurts. Truth be told, I got one. All right? I was making a right on red and I guess I didn't come to a full stop. But it's certain, it's immediate, and it's effective. It's not popular, no one likes getting the tickets. But if you want to stop the behavior of people running red lights, this is the most effective way to do it.
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Some of the other speakers who had spoken are talking about irrelevant side issues. Don't make the perfect the enemy of the good. Fix the program, make it more equitable, but keep the program. As a cyclist, we are in favor of it.

P.S., we're still waiting for the Wading River to Port Jefferson bike trail. Thank you. Bye-bye.

(*Applause*)

10:24AM

P.O. GREGORY:
Thank you, Mr. Buchman. Patricia -- is it Castiglione, or is it --

MS. CASTIGLIONE:
Castiglione.

P.O. GREGORY:
Okay. And then Jim Barr.

MS. CASTIGLIONE:
My maiden name is Matheson.

P.O. GREGORY:
Oh, boy. All right.

MS. CASTIGLIONE:
Regarding red light cameras, I got one ticket two years ago, it was my fault. The thing came three months later, wrote the check, sent it in. On July 2nd of this year, I was crossing Stony Brook Road, I was on 25, approaching The Good Steer on the right side. I was behind -- I was sitting at a red light, behind about three, four cars, maybe. The light turned green, started moving. All of a sudden, I'm going, it's yellow, and within seconds of these three cars getting through. And I put my foot on the brake under the yellow, and I said I -- you know, I better go, and, of course, it turned red. As soon as I got across, I saw these two rescue vehicles with their lights flashing coming in my direction. And, stupidly, I thought could they changed that light? I said, "Oh, Pat don't be stupid, they can't do that." Well, I found out they could, and that the light on that particular intersection is something called a fiberoptic light, where their lights, the car, the vehicle can absolutely change that light. It used to be a trigger or some sort of a gun type device.

Well, I have been trying to find out through the Department of Motor Vehicle, who referred me to a company based out in Colorado, am I getting a ticket or is this going to be ignored. It's been two months now. Through yesterday, I can still not get an answer. That is totally unacceptable. They even insinuated it could take a year. Probably not, but, I mean, am I going to be obsessing myself over this for the next 11 months? No. We'll see. But not that I've ever been totally against red light cameras, I know there's an issue out there.
I agree with the other people, it should be all around, but why doesn't the rest of New York State have them? Why are we the only ones? This is a money thing, and you've got to admit that. It's nice money coming into the County, to Nassau County, too.

Anyway, I don't know how many more phone calls I'm going to have to make, or how much more I'm going to have to anguish, but I've said my piece. Thank you.

10:27AM

P.O. GREGORY:
Okay. Thank you.

(*Applause*)

Ms. Castiglione, don't worry about it. You get your ticket, let me know about it and I'll pay it for you, all right?

MS. CASTIGLIONE:
Who said that?

10:27AM

P.O. GREGORY:
Me. Don't worry about it, don't stress about it.

MS. CASTIGLIONE:
It's not the money.

P.O. GREGORY:
I know, but you said you didn't want to worry about it. Don't worry about it? All right.

10:27AM

LEG. TROTTA:
DuWayne, I got one.

(*Laughter*)

P.O. GREGORY:
Now, if you get one today, that's off the -- I mean, it's on the record. All right.

10:27AM

MS. CASTIGLIONE:
I just want to know if that light was good.

P.O. GREGORY:
All right. Jim Barr, and then Stephen Ruth, Sr.

10:27AM

MR. BARR:
Good morning, Presiding Officer, Members of the Legislature. My name is Jim Barr. I'm representing Long Island ABATE. It's American Bikers for Awareness Training and Education. We're a motorcycle safety and advocacy group, and we're very concerned with the safety of motorcyclists. I'm speaking in favor of the red light cameras.

I'd just like to say, about five years ago it was very common. If you were on a motor -- on any vehicle, but I'm speaking specifically as a motorcyclist. We're more vulnerable when we're
in a crash. If we're sitting at a red light, waiting to proceed
through an intersection, waiting for the green, but the opposite
direction has a green arrow, so, typically, five, six, seven cars
get to go through on the green arrow, then they get a red, and then
we're allowed to proceed straight through that intersection. Five
years ago, it was very common for three vehicles to come through a
red light while we're sitting there for a green light. That seems
to have been reduced dramatically. And I can only assume it's
because of the red light cameras, because all these people that
were getting violations for going through those red lights, that
stopped dramatically.

I've also noticed if -- on a motorcycle, going through an
intersection straight, the traffic approaching from the right at a
90-degree would have a red light, but they would make a right turn
on red. A lot of people became too lazy and they just do a rolling
stop through these intersections to make their right turns. We
have a couple of sayings in the motorcycle advocacy, it's, "Look
for Motorcycles", and it's "Look Twice, Save a Life." It's bad
enough that when people come to an intersection and they go --
before they proceed, they look for a car. If you're looking for
something that's as large as a car, but you only see a motorcycle,

It doesn't always register. That's why one of our slogans is to
look for motorcycles, because if you're looking for the smaller
object, you'll then identify, you'll recognize it when you do see
it. Your mind won't dismiss it because you have other things on
your mind.

So if a car is coming to an intersection and they know they're
going to make a right on red, too often they roll right through it.
Even if they do go and look and see the motorcycle, how long is it
going to take for that to register for them to stop? So there was
an awful lot of people turning right on red in front of
motorcyclists as we were proceeding through a green light.

So for those reasons, we're very in favor of the red light camera.
If you expand it, fine, that's up to you guys. But we do think
that it is saving lives. It's possible that there are more
accidents at intersections, but I would suspect that those are
rear-ended accidents, which are less likely to be causing bodily
injury from being T-boned going through the intersection. And if
it's strictly for funds, we all know you're not going to cut any
programs that are out there and you need the funds. So why not let
the people that are violating the -- ignoring these traffic
devices, let them pay them than every taxpayer in Suffolk County.
Thank you.

(*Applause*)

10:30AM
P.O. GREGORY:
Thank you, Jim. Steve Ruth, Sr., and then Bill Ian Jurow.
I can't read the handwriting.

MR. RUTH:
Good morning to the Legislature. First of all, I don't know where
you got your figures, but accidents have increased 60%. What it
literally comes down to is the figures that we've been handed throughout this whole process have been totally skeptical. Nobody can give an actual figure. How many deaths? How many people that are maimed for life? How many people that have to rebuild for years because of a program that is primarily there not for safety, as it was initially installed, but for revenue?

When all of you were elected, you took an oath to protect the public, to protect the citizens that you represent. What happened to those goals? Overwhelmed with expense, overwhelmed with obligations to previous commitments. What it literally comes down to, you have constituents looking at you and saying, "Help." You're not giving us what we need, safety.

Seventeen families are mourning someone who lost their life at a red light camera. This is the time when this contract is expiring. This is the time to make the decision to look at the program and say how safe is it. If there's a question in your mind, is it causing more accidents? Then it's not safe. That's where it goes, right from there. If it causes an accident, it's not safe.

We can debate this for days. As a businessman, you have to look at safety first. As a Legislator, you have to say where are my constituents' minds, what are they thinking? Would they be opposed to reinstating the no right on red? That's definitely a safety situation. Would they be opposed to possibly paying an increased sales tax, if that's what's necessary to get this stopped, to get this postponed, to get this looked at harder? What it comes down to is if you can't make up your mind in full conscience, give it out to a public referendum. We have elections coming up in November, put it on that ballot.

I trust all of you are going to make the right decision, the decision that any businessman would, safety first. Then we're listening to commendations, we're listening to protect the environment. How about protect the citizens? That's what it's all about. Thank you.

(*Applause*)

P.O. GREGORY:
Bill Jurow.

MR. JUROW:
Yes.

P.O. GREGORY:
And then April Nill-Boitano, is it?

MR. JUROW:
Good day to all of you, nice to see you. I've been here a few times before on this and other issues. DuWayne Gregory earlier said we should, after we had -- we should have freedom inherent in our Constitution. Well, as an attorney, I'm upset about a bunch of things with regard to the red light camera.
First of all, you don't get a ticket, there's no police officer there, there's no one that is the actual complainant. When I called up to find out who the complainant is, I got one woman, I got one man, they're out of state. It's not a ticket, it's a conviction. When did we hire out-of-state employees that get paid for each conviction they get, and then you -- and if you don't like that, then you go to the Appellate Court. Oh, what Appellate Court is that? It's the Suffolk County Traffic and Parking Violations Bureau, an administrative agency, which is run where we don't have a separation of a prosecutor, and the judge, or the clerks, or the police, they all work as one. It's absolutely insanely ridiculous. These people are not elected. The County Executive hires one person, who then hires the judges, who then hire -- and then hires the prosecutors, and everybody works together.

I've been on trial there on these cases, and my experience was abominable. First, I go in to argue the issues of the Constitution, that there's no one there, and, therefore, they can't -- they can't go forward under the Constitution. That there -- that there is no separation of the judiciary, that there can't be a loss of property without due process. There's no discovery in administrative court prior to. Well, if you get this in the mail and you don't know who these people are, they're out of state, you can't question any of it. If you put in the defenses I did, defective equipment, and they ignore it, if you put in a defense of there being no proper notices on the highway and they ignore it, if you -- if they forget to put the video on, up on the screen, and then at the end said, "Well, I think we all saw it," and then they just find you guilty.

By the way, they stopped me after a few minutes. They had three officers yelling at me in the beginning, and they punished me for making the lack of jurisdiction argument, until everybody else was done several hours later, and then they switched attorneys, because they wanted one that could actually know what an objection was about. But you don't really get objections in an administrative court, so you have no discovery, you don't have a real court, you have no one you can question. You can't prove if their equipment is terrible. There's the whole -- the whole red light camera system relies on the Suffolk County Traffic Bureau, which in and of itself is under the Constitution. And I hope that since you guys all took an oath of office and you've saluted that flag, you might just think about the Constitution and why it's not being done or respected at all in this situation.

I want to thank you all for your time --

P.O. GREGORY:
Thank you.

MR. JUROW:
-- and the extra moment.

(*Applause*)
P.O. GREGORY:
Thank you. April Nill-Boitano, is it? And then Mary Ann Healy.

MS. NILL-BOITANO:
So hello. Thank you so much for hearing my grievances. I would like to speak about the new vaccine exemptions and how they are affecting Suffolk County.

It is my understanding that there is a court case right now in Suffolk County. They're trying to decide whether to enforce the new vaccine laws, or to enforce allowing children with special needs to attend school. So children with special needs have an individualized education program that has been determined by a team of people, and some of these -- some of these children have had medical exemptions that have been thrown out. So the new legislation, my complaint is that it was pushed through. I understand that this is a statewide thing, but this is also a County thing that is going to be decided specifically for special needs children.

So I myself have decided to home-school, because I have no choice. My children are medically fragile. I had tick-borne diseases when I was pregnant, and they have an abnormality of their immune systems. Well, the medical exemptions now are only - they're limited to cancer or transplants. And this is going to be a problem for many people out here, because tick-borne diseases can affect the immune system. Specifically, Legislator Fleming was talking about the Alpha-gal meat allergy. These children may have life-threatening anaphylactic reactions to vaccines, because vaccines contain gelatin, and gelatin is a beef product.

So when this legislation was passed through quickly under the cover of night, these things weren't thoroughly thought out. That injunction should have been granted. We should have been given a little bit more time to, you know, put our ducks in a row. I mean, I've got my kids in here with me today because I don't have a choice. They have Common Variable Immunodeficiency. And just because Governor Cuomo says so, their bodies aren't just going to magically produce the correct immunoglobulins.

So, you know, when the National Vaccine Injury Compensation Program was formed in 1998, the Department of Health and Human Services, specifically the Secretary of Health and Human Services, was tasked with providing a report to Congress every two years on the safety and efficacy of childhood vaccines. Zero reports have been filed. So I'm not going to be putting my children in harm's way until the Government does its job and does those reports. And I expect to have all 15 before I even consider vaccinating my medically fragile children.

So thank you for hearing my grievances. And it's been a pleasure working with you, but I'll be moving.

("Applause")
P.O. GREGORY:
Okay. Thank you. Mary Ann. Mary Ann Healy. Mary Ann Healy, is it? And then Elizabeth Justesen.

MS. HEALY:
Thank you. This is my first time here, and I'm talking about the red light. I have never gone through a red light, but I got a ticket. I didn't probably stop long enough. I didn't realize you needed a certain amount of time. And because my daughter at the time owned the car, I couldn't fight the ticket, because she lives in Texas. So I thought that was so unfair.

One of the biggest problems we have here is that yellow lights should be longer, because if you're behind a big truck --

("Applause")

-- which I was one time, I was behind a big truck, and the light was going green, and I moved, I was in the middle of the yellow in an intersection and I had to move forward. Guess what, another red light.

And I don't understand why either Suffolk or Nassau on HOV lane on the Expressway, because I drive every day, and on the HOV lane, why they didn't put lights there, because 85% of the people drive illegally in the morning on the HOV lane. There's never two people, there's one. And 85% of them cut the HOV lane off illegally, because I was next to an HOV lane. I won't go in there illegally. And a woman kept pushing and screaming and punching -- and yelling in the car, pushing me, speeding, went around me, cut me off. Why weren't you putting lights up there when they still built the HOV lane?

In Texas, the speed limit is 70 miles an hour, and if you go over one mile, you do get a ticket. And when they built the HOV lane, they put bricks on the right side, so nobody illegally couldn't go in. There's more things going on on the Expressway than there is with the red light district.

And if I have one more minute, I'm going to say this. I know I worked with special ed children in BOCES, and what I've learned is when we were growing up in my generation, which I love, I'm over 70, okay, we got our shots, but we got them very separately, which means you got it one time, and then six months later you got the next shot. You didn't get them the way they're doing to kids today, because when you have all that stuff with the shots in two -- within two or three days, you got mercury and aluminum in the shots, and that's what's causing more problems with children that are going into autism and stuff like that, and I've done the research. That's the difference. We need to stop doing the shots one after another. I've seen it, because I worked in special ed BOCES.

Okay. Thank you for your time. Okay. And one other thing. We talked about using the Constitution about guns. The Constitution was written in 18-something. Why don't we just change the law and
say the right to protect yourself. Take the word "gun" out. Thank you.

**P.O. GREGORY:**
Okay. Thank you.

(*Applause*)

**P.O. GREGORY:**
Okay. Elizabeth Justesen, and then looks like Carly Sommers.

**MS. JUSTESEN:**
Good morning. So, first off, I'd like to thank this Legislature for taking the time to review the Second Chance legislation, and really meaningfully amend it. And I truly look forward to the opportunity to speak further, as I've done on many occasions, on October 2nd at the public hearing.

Every week my colleague and I supervise a pro bono project called "Breaking Barriers". And in four hours a week, because that's all we are able to volunteer, we see anywhere from six to 15 people who are looking for post-conviction relief, to help them with employment, educational licenses, housing, all types of issues that people don't realize when they finish and walk through those courthouse doors, things that are going to follow them for the rest of their lives, things that they lose out on due to a poor choice or set of poor choices during a low point in their lives. They come in and they talk to us about their achievements, the things that they've been able to accomplish despite these obstacles, their success in treatment, their ability to go on and ask get educational successes, yet they will be stopped at the door when they meet the employer, or they come up against a brick wall when they go to the Educational Licensing Board.

I had a gentleman come in. He had been taking the real estate course, passed the tests, was ready to go, and then he submitted his application. "Sorry, you can't be a real estate agent due to your criminal past." And then he came to our program so that we could help him get the post-conviction relief he needed. This happens to people every single day. When we look at one in three people that have a criminal conviction, that's about 350,000 of your Suffolk County constituents that have a criminal conviction. Now all of them may not be affected. Of course, income, minority status plays a role on whether you get a job or not, who you know, not always what you know. But it is so important that we do not enable employers to use this question on a job application as a screening tool to unlawfully discriminate.

I thank you for your time and the times that you've given me before. I look forward to seeing you on October 2nd. Have a good day.

(*Applause*)
P.O. GREGORY:
All right. Thank you, Elizabeth. Carly Sommers, and then Manny Vilar.

MS. SOMMERS:
Hi. Good morning, everyone. My name is Carly Sommers. I'm a Staff Attorney at Nassau Suffolk Law Services, and I work in our Reentry Project. So that means I work with people on probation, parole, and in Suffolk County we have a few treatment courts, so I work with them as well. However, I'm not here on behalf of my organization today, I'm here on behalf of myself because of my clients. As a result, this is the third day I've to take off of work in order to be here to support this bill.

Right now, Suffolk County is in a unique position to make a big difference in our community members' lives. This is because we have the highest number of parolees in the entire state in our county. Therefore, if Ban the Box passes, it's going to affect the most people.

I'm going to talk about two main concerns today, one is public safety and the second is cost. First, public safety. We already have Corrections Law 23A. This states that an employer may not unfairly discriminate against an individual unless there's a logical nexus or a risk to the public at large. However, this law serves no purpose if applications are being discarded the second a box is checked. Another way to think about it is Ban the Box allows employers to make informed decisions. Checking a box tells an employer absolutely nothing about an individual's criminal history or conviction record. However, meeting with an individual, sitting down and talking to them tells you a lot more.

Our Consolidated Law, Section 753A through H, and I'm going to paraphrase here, says that employers should consider, among others, the bearing of the offense, the individual's age at the time of the offense, time elapsed since the offense, risk to the public or private company, and evidence of rehabilitation. The box gives you none of this information. You are hiring an individual, not a checked box.

The second issue is cost. It costs Suffolk County more money to incarcerate someone or to keep them on Social Services than it does to keep them working. If an individual is working, they can pay their bills, they have somewhere to be all day, and they have something to do all day, and they can't hang with out with individuals they were hanging out with before, because they don't have the time.

If you want to make Suffolk County safer, if you want to save our county money, then get people working and ban the box. I thank you for your time.

(*Applause*)

P.O. GREGORY:
Thank you. Manny Vilar, and then Dr. Teresa Bryant.
MR. VILAR:
Good morning, Presiding Officer Gregory, Members of the Suffolk County Legislature. My name is Manny Vilar. I'm an East Hampton Town resident. I'm a 35-year Police Supervisor, and I'm the founding President of the Police Benevolent Association of New York State, New York State's fifth biggest Police Unit. I'm here today not in any of those capacities, other than an East Hampton Town resident. And I'm happily stating we have no red light cameras in East Hampton, nor do we want any. Legislator Fleming, do you hear that, we don't want any.

(*Applause*)

The primary function of every governmental Legislature, Legislative body, is to be an objective representative and a voice of the community in which the Legislators serve. Second and equally, the second important function is to provide fiscal balance to the County Executive, and ensure taxpayers' hard-earned money is spent in the best beneficial manner. Approval of the red light camera extension legislation accomplishes neither of those functions.

In intersections where red light cameras have been implemented, a study commissioned by the County found what every street cop will tell you, there's a 60% increase in automobile accidents. County residents pay millions of dollars yearly in fines, increased insurance rates, and repairs to their automobiles due to automobile accidents. I task this Legislature, you have an obligation. The obligation is to the community in which you serve, not the County Executive, but it's to the community in which you serve, to vote no on the extension of the red light legislation.

(*Applause*)

P.O. GREGORY:
Okay. Dr. Teresa Bryant, and then Kevin MacLeod.

DR. BRYANT:
Good morning. First, I'll give honor to the Presiding Officer, DuWayne Gregory, and the Legislative body at large. I'm here on behalf of the Islip Town branch NAACP. My name is Dr. Teresa Bryant. I'm an Executive Board member, as well as the Chairperson of the WIN, the women in the NAACP. I stand this morning with alarming concerns regarding disproportionate placement of red light cameras. According to recent --

(*Applause*)

Thank you. According to recent statistics regarding the installation of red light cameras throughout Suffolk County, it has been brought to our attention that minorities throughout the neighborhood have higher rates of red light cameras installations when compared to nonminority neighborhoods. Dividing intersections by school districts, it's noted that Central Islip has five, Brentwood has four, and North Bay Shore has four. This translates into minority ratios of 4.3% of the cameras. Nonminority
neighborhoods, specifically along the North Shore, the Hamptons and other wealthy neighborhoods in Suffolk County only have 1.4% cameras installed throughout their neighborhoods. Conclusively, it appears that wealthier neighborhoods have less monitoring at intersections. Red light cameras are not there, which apparently translates into individuals who live in poorer neighborhoods are more apt to be fined due to red light camera infractions, as opposed to individuals who live in wealthier neighborhoods with fewer infractions and red light camera placement.

Our concerns regarding this are as such: Why are we facing inequalities in regards to something as simple as red light cameras in 2019? And please consider the financial impacts associated with disproportionately placing red light cameras in our neighborhoods.

Thank you. (*Applause*)

P.O. GREGORY: Thank you, Doctor. Kevin MacLeod, and then Paul Grindle.

MR. MACLEOD: Hi. I'm Kevin MacLeod, and I want to - I want to voice my opposition to 1663, the Red Light Camera Program, a/k/a traffic control management, which is a big joke.

I normally don't speak within -- to the Legislature. I work in solar energy, and normally I stay to the solar energy issues, but this Red Light Camera Program has gotten me so agitated that I need to get involved in it and I need to do something, just like I think a lot of other people need to do, too.

You know, I look at this Legislature and I see a Legislature now that no longer represents the people of Suffolk County. They represent -- they vote what they think is best for their constituents, not what their constituents think is best. They vote for -- they vote based on which one of the guys in the back of the room writes the biggest check for their campaign. And this is -- this is the problem here, and this is way past the people of Suffolk County. I see lies, I see deceit, I see misrepresentation. Even the Presiding Officer, he puts out the email blast with the agenda that doesn't even list this bill on the agenda. Why? Because he's hiding it. (*Applause*)

All the way down on the bottom of the agenda, that's what's going on here.

I live in the 16th District, and I got to tell you, I don't know much about Mr. Gavilla, but he doesn't support this program and I'm voting for him. That's the bottom line. And you know what, I have about 1,000 customers in the 16th District that I've installed solar for and I'm going to tell them the same thing, vote for
Mr. Gavilla, because the other -- as far as I could see so far, Ms. Berland supports this program, and I'm not going to support her.

Now, I got to tell you, I want to leave this point to all of the people out here that are against this program. Why don't we get together, as I will now, and let's work towards doing a public referendum to get -- let's hear what the people of Suffolk County really have to say about this, not what those people up there think is best for us.

(*Applause*)

I think it's time for the people of Suffolk County to speak up, and this is what I want to see happening. Thank you.

(*Applause*)

P.O. GREGORY:
Okay. Mr. MacLeod, since you named me personally, I don't know what you read, but, certainly, the Red Light Camera Program was on the release I sent out with about eight other items on it. So I'm not sure what you're talking about exactly, but that's okay.

MR. MACLEOD:
I'll print it out and I'll give it to you.

P.O. GREGORY:
Paul Grindle, and then Jillian Kompf -- Kampf.

MR. GRINDLE:
Hi, everyone. So before I get into the obvious topic of conversation, the red light cameras, I wanted to thank the balloon people, I'm not really sure what their names are, for making it all the way out on the 30 mile per hour one-lane road of hell that is Route 27 out in East Hampton. I was raised in Tuckahoe. I know what it's like out there to try to drive anywhere. So props to making it all the way out here. They make a good point, that the balloons are -- they are affecting property that is all of ours, our waterways. And even the curmudgeonly, persnickety Libertarian like me can see that there is a -- there is a legitimate role of government in trying to stop that pollution, despite the fact that making another law about it probably won't stop people who don't care in the first place.

But I would like to go to the obvious topic of conversation, the red light cameras. I think that it's important to look at this program in light of a previous controversy that broke out somewhere else in a place called Ferguson. In Ferguson, I don't know if you all have read the report from the Justice Department that tried to look into why things fell apart in that city, but what they found is something very similar to what you're seeing here in Suffolk County, punitive excessive fines leveraged on poor and minority communities from -- from officers of the law and Legislators who were looking for money grabs. And what happened is that over time, because these fines got worse and worse and worse, nobody trusted...
the authorities anymore. Every action they took was considered automatically as if it was an attack on the people, just because the level of distrust was so high from the punitive enforcement. And that's kind of a dynamic that we're starting to see here. We're starting to see that no one trusts anyone in government.

Everyone who is coming up here isn't -- isn't even thinking why would these Democrats be supporting this bill? Why could they think it's a good thing. Everyone is showing up here with the genuine belief that y'all are corrupt and completely against all of us, and that's largely because it seems like the enforcement of this program is punitive and for money.

I think that it's very telling that their -- of the three non-white members of this Legislature, two of them are the only two Democrats against this program. I think that that is something that can't just be ignored, can't be swiped under the rug just because Steve Ruth yells loud, or because it's annoying to hear people come up over and over and over again and talk about this. That is a real reality, as the woman who came up here earlier had tried to point out, and I think you should be mindful of that when voting to reauthorize this program.

I also think that it's worth pointing out that providing the Republicans can be trusted to keep their word and would vote against a program like they say, we're watching, it would only take a couple of Democrats to finally end this. Please be those Democrats.

(*Applause*)

P.O. GREGORY:
Okay. Jillian Kampf, and then John Turner.

MS. KAMPF:
Good morning, everyone. My name is Jillian Kampf and I'm here today representing the Eastern Long Island Chapter of the Surfrider Foundation. Those of you who don't know who we are, the Surfrider Foundation is dedicated to the protection and enjoyment of the world's ocean, waves and beaches through a powerful activist network. We are a nonprofit organization.

So education on and combating plastic pollution in our oceans is a big part of what we do, it's just a portion of what we do. And balloons are a single-use plastic. As it stands, one person can release 25 helium balloons every 24 hours. That means a family of four can release 100 balloons daily, 365 days of the year. That's 36,500 balloons a year for a family of four. So what goes up must come down. And a helium balloon released can travel thousands of miles, and what does come down is garbage and litter that gets entangled and ingested by our sea life.

So I operate out of Eastern Long Island. Our volunteers have collected nearly 1500 balloons on our beaches through organized beach cleanups this year alone. And when we complete a cleanup, we document, we weigh our garbage, and it's loaded to a database.
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So that's what we've recorded. This is not what people are picking up on their own. Cruise social media for ten minutes and you'll see what people are picking up. Fifteen hundred balloons is what we have found, nearly, and that is east of Moriches only. Balloons are one of our top ten items that we collect.

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

MS. KAMPF: (Cont'd)

Twenty-five towns in New Jersey have already banned the intentional release of helium balloons. My home in East Hampton Town has done this. Our friends -- I'm going to take it a step further. Our friends on Block Island have completely banned the sale and distribution of balloons and it's time for Suffolk County.

It's possible and it's time. Thank you so much.

Applause

P. O. GREGORY:

Okay, thank you, Jillian. On deck, John Turner; and then Michael Gilligan, it looks like.

MR. TURNER:

Good morning, Presiding Officer Gregory, Members of the Legislature. For the record, my name is John Turner and I serve as a Conservation Policy Advocate for the Seatuck Environmental Association. I also happen to serve on the Board of the Four Harbors Audubon Society, along with Patrice Stomeschel, and I serve as the Conservation Chair, and I wanted to briefly talk about two matters that are before you today; Introductory Resolution 1611, which is the measure to eliminate lighter than air balloons, to release a helium balloon; and the other is 1671, introduced by Legislator Hahn, that would put in place a requirement that properties that the County auctions off be equipped with innovative, advanced wastewater systems to begin to address that very significant issue.

I have a letter that I wrote that I hope you'll have a chance to take a look at as you deliberate this issue, and I'm not going to read that letter in the short time that I have, but I do want to say just three things from it. One is that the legislation just makes so much sense and we want to applaud Legislator Anker for introducing it. It's a very meaningful measure to promote environmental quality to protect wildlife, which is Seatuck's main interest and responsibility. And the reason why it makes sense is that while it's a little bit silly when you look at the number, if you kept the legislation or the law that's in place the way it is now, where you could actually release anything less than 25 balloons a day, each person in Suffolk County. If you don't look at the letter real quick, you want to guess how much balloons, if each person in Suffolk County was to every day release that number of balloons that's legally allowed, how much that would amount to over a total of a year? It's 252 billion balloons. Now, of course, that's not going to happen, but nevertheless underscores
the value of bringing that number down from where it is now in
current law down to zero.

So, again, we applaud Legislator Anker for introducing this and
think it makes a lot of sense. There are real wildlife impacts
that occur to this. On a pelagic bird watching trip that went out
of Brooklyn recently out to the continental shelf to look at sea
turtles, humpback whales, which as you probably know have come back
miraculously. Some of the videos that have been posted recently
with the menhaden schools, really underscoring the vitality of the
marine environment. During that trip out to the continental shelf
and back they found 47 mylar balloons just floating on the water in
an area that's frequented by sea turtles and humpback whales. They
ingest them, they die. And, so again, this is a measure that is
something that we strongly urge that you adopt.

The other thing, very quickly, 1671. You all know, particularly
those that attended the Environment Committee, the great
presentation that the Suffolk County staff from the Health
Department gave on the subwatershed plan and the overall issue of
nitrogen contamination, and how the County has done a wonderful job
at putting all of the planning measures in place, but we really
need to begin to bend down that nitrogen curve. This legislation,
1671, that would require those properties auctioned off would begin
to do that, so we urge your support of that measure as well. And
thank you for your time.

Applause

P.O. GREGORY:
Okay, thank you. Mr. Gilligan, and then Chris DiMaggio.

MR. GILLIGAN:
Good morning, folks. My name is Michael Gilligan. I'm a member of
Americans for Legal Reform, and I'm also a retired New York City
Police Officer. I'm against the red light cameras, but I want to
talk about the due process, and basically I fought a red light
camera just recently in July. Undue process rights are being
obliterated. I basically had to identify myself after they threw a
picture of my vehicle up on a screen. I had to stand up, and
that's how you get identified. The identification process is all
backwards. When I was a police officer we used to have to do show
ups for people violating and committing crimes. You basically had
to bring a victim to a perp. They're not doing that here. It's
the other way around, it's reversed. I have a problem with this.

Everybody's talking about -- I personally believe government does
one thing and one thing very well, and that's separate me and
everybody else in here, from our money. That's all they do well.

Applause

And that's -- and I'm talking local, State and Federal. It's all
the same. You do it very, very well. The bottom line is that I
have rights and those rights are being obliterated in our
courtrooms. And I've seen that in Family Court, but in this case I
can't even ask a prosecutor a question without the judge answering it. I challenged him on it. Are you the prosecutor in this case? Is he the one that's supposed to show me the evidence, because the evidence is being manipulated by the judge. They're not showing -- the prosecutor, when I asked him, "How do you know I'm the owner of that vehicle, because I admit nor deny it's mine. What's the VIN number, prosecutor?" He wouldn't let him answer it. They showed me two pieces of paper, and that's a copy of an abstract, which is a copy, it's hearsay, and then some letter from Julian somebody that says that it's legit.

My second thing is I get this Notice of Liability in the mail, and from the time the violation is committed to the time it's mailed out is ten days, and it goes to a jurisdiction outside New York State. What's the chain of custody during that period of time? I asked that.

Number two, I have a judge, and like most judges, I have been in Family Court, I have had some some experience before judges proper. Mr. Gilligan is in contempt, he moved his eyes left and right and shook his head, four times he did that to me. It's baloney. Baloney. Our rights are being violated, that's the bottom line here. And you people are going to just -- I don't have any faith in government, I really don't.

I've learned more about law post NYPD than I did as a cop. As a cop I had to identify somebody with a license. The plate is only temporary. It's a temporary attachment. The VIN number is the only way to identify ownership of the vehicle. They can't prove it. The process is bogus.

Applause

P.O. GREGORY:
Okay, Chris DiMaggio; any relationship?

MR. DiMAGGIO:
Yes.

P.O. GREGORY:
Oh, great. And Frank Fugarino.

MR. DiMAGGIO:
Thank you for the opportunity to address some remarks about the red light camera issue. And I thank you, Legislator Trotta, for spearheading the effect. I'm a 35,000-mile a year driver. I'm a traveling salesman. If anybody's going to know the roads better than me I would like to see what they look like. I travel all around New York City, Massachusetts, Connecticut, all kinds of traffic. The worst place I drive is Suffolk County. I'm impacted constantly by small little turns, things that are outside the norm. I have to now budget four percent, five percent of my income now to pay for tickets, when before the red light cameras I only averaged .8, less than one ticket a year. Now I have to figure it in.
Suffolk County residents live in the highest taxpayer middle class area. I have the run and most people have to have two or three jobs to make their lives work. We're failing in our schools, irresponsible Family Courts. Why don't we put cameras in those locations? That's where we really need them. This is not helping our diminishing quality of life on Long Island. Red light cameras are just adding to community frustrations. They create unrealistic driver expectations, like sitting at a corner forever waiting for the guy in front of you to make a turn in a legal location where he can make a right. If you are in a hurry that's very frustrating. The people in the communities are arguing about the honking of the horns. This is not good for anything here in this community. If you think it's good I'd like to talk to you, because like I said, I'm an expert.

I can't afford to make any more mistakes on the road. There's too many tickets that I have to pay for. Prior to the red light camera I never had to worry about providing income for this fiasco. I'm suspicious of other programs now. I haven't really looked at other programs, but I'm going to start looking at them because this one really stinks. Thank you very much for your time.

Applause

P.O. GREGORY:
Okay. Mr. Fugarino; and then Greg Fischer is on deck.

MR. FUGARINO:
Good morning. How are you? Thank you for the opportunity. I'm here to support 1419. I am President of the Civic representing 130 residents in Mastic Beach. Our County Legislator, Rudy Sunderman, brought to my attention that County Executive Bellone was looking for public input on what to do with Violet's Cove. Violet's Cove has a long history. It's now laying fallow on the bay, Narrow Bay in Mastic Beach.

So we did that, I called a public meeting, full house, and this is what we came up with. The residents support its use. The ideas that came up were educational use in collaboration with Cornell Cooperative; official oyster hatchery, because it turns out that the Town of Brookhaven has been successful recently in having oyster hatcheries in Moriches Bay, so something of that order. And some other public use, whether it's a ramp or something of that nature. Otherwise, what you have right now is a former restaurant laying there being vandalized. There's no longer any kitchen equipment in there, that was removed. But we had this meeting within the last six months.

So what I'm bringing to the Legislature's -- Legislator's attention is that we did our part as residents. We brought a public meeting together in the Mastic Beach Fire Department's meeting hall, community room. Everyone who came supported its use, so I support this exemption from open space preservation and that's the reason why.
I'm President of the civic. We just had a civic meeting last night with your colleague, Senator Martinez. We had a wonderful meeting. She's doing very well, bringing people together on both sides of the aisle. We're very appreciative of that kind of effort. We're asking that kind of effort for this bill, that our County Legislator has brought to the floor. So I'm here to represent the residents. Thank you very much for your consideration.

Applause

P.O. GREGORY:
Thank you, sir. Greg Fischer; then on deck, Daniel McCarthy.

MR. FISCHER:
Hi, I'm Greg Fischer from Riverhead. This is to address under Public Safety 1663, and the title of that bill has to do with traffic monitoring, which I find a little bit Orwellian because it's really driver monitoring. There wasn't anybody in committee that didn't point out that the study was desperately flawed. If the study is desperately flawed, what evidence do you have to proceed on? So I -- I don't know how it got out of committee and I certainly hope it doesn't get through here.

We did have some evidence which said that property damage accidents were up 77% over what was expected. Well, if this is a safety program don't we want to reduce that number? And how can we go forward and approve continuing a program that caused a 77% increase in property damage accidents? Also known generally as rear-end collisions, also known generally as whiplash injuries, which are very expensive to treat, lifelong, difficult to diagnose and seem to involve a lot of children in car seats, because car seats don't protect against whiplash injuries.

So if we are looking at this program as a revenue generator in any way whatsoever, I'm sure some smart lawyers will grab their hands of this program at some point because we've admitted we're going forward with something with no evidence, but the evidence shows as increased accidents, which is an admission by the County that there's negligence in continuing with this program. There's negligence, actual negligence, to have let it out of committee by the County despite different individuals and their particular view on it, and now there possibly could be actual negligence, admission of negligence by the County via this body saying that okay, we have a lot more accidents, but the good people at AMA said, "Well, we needed 20 million bucks", so they're obviously trading off injuries for money.

So what the courts do later on is they trade-off money for injuries. So now that we've admitted a lot of negligence here, and a lot of attorneys that are in the injury business may seize hold of that evidence, that there are injuries, increased injuries, they will say well, Mr and Mrs of the Jury, the County traded injuries for money. Now it's your turn to trade money for injuries, so we want punitive damages because there's actual negligence.
That's what I have a problem with this bill for. This opens the County up to tremendous awards and if you just take the couple of thousand extra rear-end accidents we have and multiply it out by the amount each person could get for injuries, boy, do we have a problem, because that way outweighs, is a way bigger number than the $20 million supposed in revenue, which is being spent anyway.

(Timer Sounded)

That's not $20 million really net, it's mostly going out the window anyway. So all you get out of this program is a tremendous sinkhole liability.

P.O. GREGORY:
Okay.

MR. FISCHER:
No upside. The short-term is not the real cost.

P.O. GREGORY:
Okay. Mr. Fischer, your time is up.

MR. FISCHER:
Thank you very much for your time.

Applause

P.O. GREGORY:
All right, thank you. All right, Daniel McCarthy and then Kerry Tenure.

MR. MCCARTHY:
Good morning. Daniel McCarthy from West Babylon. So in the beginning -- let's go back to the beginning in 2009. And, Legislator Lindsay, forgive me if I misspeak or say anything offensive. I believe your father brought the bill in place at the time for safety because there was an accident in your family, I believe it was your mother was T-boned, and he wanted to bring this bill in for safety, which was -- I supported the idea. I believe everyone who sat in your seats prior to you supported the idea. It was a great idea, let's face it, it was.

As the program ran, the flaws came out, you know, and I didn't pay attention to it until you guys put one in front of my house. You know, you put one in front of my house, you said it was an unsafe intersection, and I kind of scratched my head saying I don't see it. So after doing some research, the foundation, the data, was all flawed. Thirty-six accidents they said happened. When I read the police report it came down to six. That's insane. They used accidents a quarter a mile away, so the data was flawed, the foundation was flawed. If the foundation is flawed, then you go to take the program out, it's as simple as that.

Legislator Fleming, this thing was put in front of my house, my habitat. If this was put in 2009 in the ocean and in 2019 we find out it's a negative impact to sea life, we'd be yanking it. We'd
be yanking this program. Take this. This is my habitat, this is my living, this is where my kids live. If I was in an ocean this thing would be yanked. Come on, make it a quality of life in my household. It negatively impacts my household. Quality of life issue.

Accidents are up in my intersection, I can tell you that as a first responder. Accidents are definitely up in my intersection. Rudy Sunderman, Chief of Mastic, will tell you accidents are up in the intersections. First responders are telling you the accidents are up in this intersection. It's a no-brainer here, guys, come on -- guys and girls, no-brainer. There's plenty of flaws.

You can't kick the can down that road five years from now. You cannot let this be signed today and kick the can five years from now for the people following you to solve. You can't do that. You've got to solve the flaws now. Fix the flaws before you sign it. If you sign this thing, you vote to sign this thing and the flaws ain't fixed, they ain't getting fixed for another five years. Fix the flaws today. Show the people who first brought this bill in that it is about safety, continue about safety, but fix the flaws before we kick the can down the road another five years. Please, I'm begging you. Fix my quality of life in Suffolk County. There's a lot of property tax out there I pay. Fix the quality of life for me, please, and make it safer. Thank you.

Applause

P.O. GREGORY:

MR. EDWARDO LOPEZ:
Hello. My name is Joshua Edwardo Lopez and I was here at the last meeting. I have a question for you all. When you first hear about these red light camera incidents, what's the first name that comes to mind, and that's Stephen Ruth, because he's always there, he's always on top of it and he always wants to see what's going on and help that situation. I don't see the attorney or the overseer or whatever he was, because he doesn't claim to be a lot of things there, I don't see him even talking about it. He doesn't even know anything about the program from what I've seen on the outside, because he apparently just reads the summary and then shows us a national statistic versus the Suffolk County statistic that he should have been showing. So it was kind of a mockery that he was doing a runaround in my eyes with a lot of the Legislature.

We've had great points from some of us. Legislator Leslie Kennedy, who says she sees only about four red light camera intersections that should stay, the rest are pretty much, you know, extortion. So, Robert Trotta, he's also good with, you know, trying to say what's your purpose in this role and he apparently couldn't even answer that purpose. We have another attorney coming in, he just left, the ponytail, basically explaining how corrupt and vile and dumb this program is. If this program were to continue there is
only one man who would even I consider to oversee this because he's always there, and that would be Stephen Ruth. Why would we put it in the hands of someone who's not even responsible for the numbers and the overseeing to the point where he could even provide documents explaining. When he was questioned everybody was like well, where's the evidence? He was like ah, you know, I oversee it.

Another thing is like there's flaws that you guys probably don't even notice with the cameras. Like I'll give you an example. There's the two turning lights, the two green like you can go. I was so tired one day, and I'm going to admit it. I stopped at the red light. The two to the left went green and I go straight through, straight through the red light, but no ticket, no camera went off. So it's really not about safety, because it's not being regulated or created the way that it should be. It's about extortion.

And, you know, I see both sides and I see a lot of people want that safety. That's what we want, too, that's why we're here. We're here defending the lives lost, trying to protect against liabilities. We obviously don't want the highest concentration in poor neighborhoods. I don't know why they're not in higher end neighborhoods. The program cannot continue the way it is, period, because it's not regulated the way that it should be.

The only thing other that I have to say, which is completely different, is that when it comes to the ticks the marsupial on Long Island is the one with the white head we all know, the possum. It should be protected --

P.O. GREGORY:
Mr. Lopez.

MR. EDWARDO LOPEZ:
-- because they actually eat ticks and they're also immune to a lot of diseases such as rabies, so it should be considered that they should be protected as wildlife. Thank you.

Applause

P.O. GREGORY:
Thank you. Earnest Linder? Then JoAnn Cave.

MR. LINDER:
Good morning. We're all complaining about the red light camera. My complaint is that on Union Boulevard, I believe, and Carleton Avenue there's two lanes to make a left to go south. Now, I go down this road every Sunday and every Sunday it's become a game because there's usually 15 to 20 cars backed up between the two lanes, and every Sunday it's about three or four cars go through and then you stop. So now it's become a game. I remember when we were younger we used to play a game, musical chairs. We used to circle the chairs. When the music stopped, you had to grab a chair. Now what's happened with the red light program is you not only have the red light cameras, but you also have turned all the
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red lights into this game, because you don't know as you approach a light is it going to change or not. So you either accelerate or slow down. If you slow down the cars behind you balk. So it's a problem. It's a problem that's expanding.

It's not a good program. A friend of mine just got a ticket. They charged him $50 and then they charged a $15 fee on top of it so it's $65. Very unfair to the working people. We're trying to keep our head above water here. Our taxes are up. I looked around Suffolk County. I see Veterans Highway, all the beautiful commercial buildings, they've all got for sale, for rent, empty signs on them. I see businesses closing all over Long Island. You guys are destroying the quality of life on Long Island. We're paying a lot of taxes here and the point is we're trying to survive. We don't all make big salaries. The average person's salary is somewhere between 30, 50 grand a year, you know, so this is hard. We're trying to keep our head above water.

The other thing I want to say to you that if you need a revenue producer, coming here this morning I was on 347. It's marked 45 miles an hour speed limit. I was doing 55, everybody was passing me, 60, 70 miles an hour. You guys want to make some money, then do like they did with the E-ZPass program where you don't have to stop at a terminal anymore. As you drive through the overhead it takes a photograph of the camera. Put these cameras on the roads where it would really count, because I saw a statistic the other night on television, the fatalities on the death of people getting killed on the roads. This is unbelievable. We're talking about thousands of people every year are being killed on our highways, and it's by primarily speeding. Speeding is your villain, not your red light.

If you guys want to do something, you want to make a revenue builder, go after the real problem and that's the speeding. There -- this is completely out of hand. I come up from fishing from Captree and on Sagtikos Parkway and tie into the Northern, my God, I'm doing 60 miles an hour and they're passing me by. One thing I have to say about Long Island, people are very friendly. As they all go by they wave to me. They give me this. You know, so I'm telling you, this is something out of hand here now. How much -- you make your speed limits higher or you start paying restitutions for people that are speeding. That's it in a nutshell. My time's up. Have a great day, guys.

Applause

P.O. GREGORY:
Thank you, Mr. Linder. Okay. My oversight, I have to make a motion to extend the Public Portion. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
Okay. Ms. Cave; and then on deck, Dr. Bevington it looks like.
MS. CAVE:
Hi. Good afternoon, Legislators. My name is Joanne Cave. I'm speaking today as a resident of Nesconset. Most of you also know me as a representative of the Humane Society of the United States as a district leader.

I'm speaking today in support of Resolution 1611, a Local Law to prohibit the release of helium filled balloons. If you're going to improve the environment you should at least have a compelling reason to do so, in my opinion. The release of helium balloons into the air is purely a symbolic gesture in nature and one of which the negative implications far outweigh any momentary sense of gratification. Birds, turtles and other animals commonly mistake balloons for food, which will harm or kill them. Our beaches are also recognized as some of the best in the world and worthy of greater standards of protection. I respectfully ask each of you to vote in favor of Resolution 1611 as even one balloon intentionally released is one too many.

I'm going to keep it very brief today and I'd also like just to include I don't support the red light cameras myself. I think that they are a safety hazard. Thank you so much for your time.

Applause

P.O. GREGORY:
Okay. Dr. Bevington; on deck, Junie Legister?

DR. BEVINGTON:
Good day, Presiding Officer Gregory and the whole Legislative body. Thank you very much. My name is Charlie Bevington. I'm the Chair of Long Island Sierra Club Group. We've got 8,000 members. Basically I want to say thank you to this bipartisan group that has worked over many, many years. Environmental planning, agricultural pieces have been, I think, very well received and actually forward looking.

For instance, many years ago you passed the ban on hydrofracking the byproducts of sewage treatment. You passed a $0.05 plastic bag law which is in effect. You passed the polystyrene, and today on -- for 1611, the Local Law to prohibit release of helium-filled balloons is outstanding and very forward looking. I believe also this is bipartisan as well. I think Mr. Muratore -- it should be written into this on page six, it should be amended to include him because it's both Democrat and Republican. So thank you very much.

Applause

P.O. GREGORY:
Thank you. Junie Legister; and then, Howard Shannon.

MS. LEGISTER:
Good afternoon. My name is Junie Legister, I'm the Suffolk County Secretary for the Liberatarians, and I'm here to say stop the madness, okay, because as an entrepreneur in the community for 25 years I've been driving Mary Kay cars. My point is is that I've
been getting bills, and I'm speaking on behalf of the other Mary Kay consultants and directors that drive Mary Kay cars, we've been getting bills in regards to the red light cameras, and we've been getting warnings that if we don't pay the bill, guess what? We don't get to drive our cars. So now you're intruding, you're getting into our lifestyle. And I want to drive a Mary Kay car, you know? And so we're just tired of it. And I'm just saying just stop it, find another way to pay your bill, okay?

And another thing is I'm driving through the communities as well, most of these cameras are in the poor neighborhoods, okay. Why don't you put them in other neighborhoods, in the neighborhoods that they can really pay the bill. Take them out of the poor neighborhoods. I'd rather spend my money on something else than paying the red light camera bill. Thank you.

Applause

P.O. GREGORY:
Okay. Howard Shannon, and then Hal Tary.

MR. SHANNON:
Good morning, Legislators. It's good to be here. I want to -- my name is Howard Shannon and I represent myself, but I probably represent a lot of other people I've spoken to over the years. They don't like the red light cameras. But I want to tell you about an article that I read in the AAA magazine a few years ago. It was in Nassau County but it gives the motivation, and what it was is in Nassau County they set up a red light camera in a specific spot which they thought was good for the job, and lo and behold, a couple of months later they took it down and they put it someplace else. Why? There must be a motivation for this, and the motivation was very simple. They made a mistake. They put it up in a village and the village got the money, so they moved it to another location.

(*Laughter from audience*)

I bid you a good day.

Applause

P.O. GREGORY:
Okay, Hal Tary and then Stephen Ruth.

MR. TARRY:
Good morning. I'm here to speak about the red light cameras. My family has gotten a few tickets from them, but we've been a lot more careful since that's happened. I'm here because I'm concerned about safety, safety for motorists, but also safety for bicyclists and pedestrians. I think we all know that it's better for everybody if we can get more people bicycling and walking, and yet when you go through a lot of intersections you will see that people come up to the lights and they stop either pass the crosswalk or they don't stop at all, they kind of just roll around the corner when they're making a right-on-red. That's the kind of thing that
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really intimidates and discourages people from riding bicycles and walking.

So I've been following this issue for about 20 years, reading studies even before I started seeing it in the paper, and it seems like in most cases they say that when you put a lot of red light cameras in you do get more accidents. You get more property damage accidents, but you do get less injuries, and my concern is with injuries to people. I'm less concerned about what happens to the vehicles. They can be repaired a lot more easily.

So I'm hoping that you will support the program. Just from listening to other people talk I realize that there are issues that need to be addressed, but I hope that while they're being addressed you keep the program going. Thank you very much.

Applause

P.O. GREGORY:
Okay. Steve Ruth.

MR. RUTH:
Good morning, Ladies and Gentlemen. The last person that was killed that I found flaws in the engineering of the intersection was at Conklin Avenue and Route 110, and he was a pedestrian that was killed. And this gentleman pressed the walk button and couldn't make it across the intersection because at the same time that he was given the green walk arrow, the green arrow to go straight parallel to his direction, as well as making a right-hand turn, was -- it was green. So at the same time he had a walk arrow there was a green light and a green turning arrow for the traffic that was coming past a red light camera. So naturally when people go past red light cameras they try to minimize their time in the intersection and they speed. And what does it do? It kills pedestrians. That's why pedestrians were removed from the annual safety report and the same thing with bicyclists. They're removed from the safety report because they can't show those numbers because they went up so much, and that's the same thing that got the two boys killed in Miller Place.

I went by Heritage Park the other day, I was with Greg Fischer, we were making videos, and the left and the right-hand turn arrows are less than three seconds at Heritage Park. Those intersections -- that intersection right there is highly traveled by moms with baby carriages and kids on bikes. When you look at the kids trying to cross the road at Heritage Park, they're given the walk sign at the exact same time that there's a green arrow or the green straight given.

If you're not going to protect the bicyclists or the pedestrians, well, then it's not a safety program. It's only an extortion program. And if you're not going to put them in the wealthy areas, you're only going to put them in the lower and middle income areas, well, then it's a prejudiced program as well. So the program is proven prejudice, it's proven deadly and it's also not signed-off by professional engineers. No professional engineer has taken
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responsibility for any of our intersections with red light cameras or without. No professional engineer has taken responsibility for our intersections with moving cars through them, but if you go put a deck on your house it needs to be signed-off by an engineer architect. A deck does not have moving parts.

There's discrepancies in the straightaway green time and left and right green arrows. There's a two or three second discrepancy. That's only for money. The only reason there's discrepancies in yellow light times at the same intersection between the straightaway and left-hand turns is so that they can catch you with tickets.

UNKNOWN AUDIENCE MEMBER:
Thievery.
MR. RUTH:
It's thievery and it's dangerous and the public is being abused. And it's also the lower and middle income and minority communities being abused. If I go to the traffic agency and I ask everybody in the room where are you from, there's nobody from Setauket, Stony Brook and Port Jeff there. They're all from Central Islip, Bay Shore, Brentwood, Mastic, Shirley, Centereach, Selden. It's not fair. It's oppression. It's illegal. It's civil rights violations. It's got to stop.

UNKNOWN AUDIENCE MEMBER:
It's criminal.

MR. RUTH:
It's criminal because no engineer signed-off on the cameras and then New York State Board of Engineers gave us an opinion letter stating that every single camera needs a signature and stamp of an --

(Timer sounded)

-- engineer to safeguard the life, health and property of the residents.

P.O. GREGORY:
Okay, Mr. Ruth.

MR. RUTH:
Thank you very much, DuWayne.

Applause

P.O. GREGORY:
Okay, thank you. Anyone else? That's the last card that we have. Anyone else that has not already spoken? Yes, Al.

MR. STRAUSS:
Good morning, Legislators.
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LEG. SPENCER:
Good morning, Alex.

MR. STRAUSS:
Alex Strauss, Miller Place. First, I would like to -- Mr. Cilmi, I checked all our traffic lights have a red clearance, all of them do. Different times, the amount of the intersection -- the bigger the intersection, the larger the timings, but all of them have that in the traffic signal. Red light cameras. I keep hearing they get killed -- they kill people. They didn't kill people. The person driving the car killed people. It was an accident. I know very well about the one in Miller Place, I live there. Two people went first with a bike and a third kid was behind it, started to go. Had nothing to do with whether the damn red light camera was there. The person was making a left-hand turn, didn't see the kid and hit him and killed him. Had nothing to do with the freaking red light camera.

Rear-end collisions. I said it before, I'll say it a million times. The traffic light doesn't drop out of the ceiling 15 feet in front of you. It's all the way the hell down there and you get closer and closer to it, and you go take a defensive driving course, it tells you you should be expected to be able to stop in time if the light changes. Everybody should go and take a defensive driver course, maybe they'll learn something. Same thing with the people that -- rear-end collisions. That's because the asshole behind you is too close to you.

P.O. GREGORY:
All right, Al.

MR. STRAUSS:
I'm sorry, excuse my language. The fool behind you was too close and hit you because you stopped. You should be able to stop in time for anything in front of you.

And as far as the oh, God, the people that came and looked at the red light cameras. They made recommendations and one of the recommendations were to extend the red light camera thing. That's what one of the recommendations were, also to fix some of the intersections. I believe if there's a mistake, if there's something wrong, it should be fixed. Nothing wrong with that, but don't kill the baby or throw the bath water out with the baby. You need something fixed, fix it, but don't eliminate it. All right, I'm done with all my colloquies or whatever the heck they call them. Have a good day. Thank you.

P.O. GREGORY:
All right, Alex. All right, anyone else that has not spoken?

Please come forward.

MS. TOOKER:
Good morning. Marie Tooker. I just want to thank that you have given us next month's agenda. I appreciate that. One thing that I had noticed that is very disturbing in the newspaper, that Wyandanch School District didn't have enough money for the children
to play ball. I hope and pray to God that you take some of that red light camera money and give it to the children so they can play football. I'd appreciate that.

As a Christian country, we have mastered talking about the past, making memorials and dedications to the departed, but the most important issues that are alive and happening today are being corrupted by public officials who are already bought. One issue that is a public nuisance is the right-on-red. This law is a distraction and a grave danger to our public safety. Thanks to Legislator Trotta for educating the public that the Red Light Camera Program violations are mostly right-on-red. I am not surprised.

This law discriminates against the elderly, the poor and our youth. It has nothing to do with safety, because if it was about safety right-on-red should be abolished. Get rid of it. It is definitely one of the biggest distractions and a danger to the public at large. If we continue right-on-red then this Legislative body is continuing a public nuisance and a State created danger.

As for the pay-to-play and the conflicts between McLean and public officials, this definitely needs to be investigated by the Inspector General, but especially not the one that you guys are choosing to pick. If we pick an Inspector General with this Legislative body who can't even realize that right-on-red is a safety issue and should be abolished, how can we trust you on picking an Inspector General to protect us from the cover ups and the corruption that's happening and plagued our County, especially John Scott Prudenti's case that DuWayne Gregory says that he is not going to pursue because it's too old. Then why are you calling the DA Tim Sini the Sopranos? That is one of the biggest questions that we want an answer. We want to know why you're calling the DA a criminal enterprise. The Sopranos? Really? It is time now for Suffolk County to be investigated by the United States Attorney General. Thank you.

Applause

P.O. GREGORY:
Okay. I think I saw another hand. Is there another hand that was out there to speak? You haven't spoken, right? I don't recognize you.

MR. HAEFFER:
I'm really glad I got here. I was driving by here and I was like I hope they didn't finish. So I know some of you for a while and I don't really think these people are corrupt people. What I do believe is that you either don't drive the streets of Long Island, you're using this as a political tennis ball or you get red light tickets and you're being a crybaby. So let's work together to make our roads safer instead of yelling at everybody. Let's come together and fix the problem instead of crying that you got tickets or, you know, whatever it is. But our roads are horrific and if we don't do something soon, people are going to die. Thanks.
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Applause

P.O. GREGORY:

MS. FREGO:
I don't cry that I got red light camera tickets because I haven't gotten any. Not only that, but even if I did, since I haven't signed a contract with Xerox myself and I don't owe them any money, I would never pay them.

I am Linda Frego and government, like dress, is the badge of lost innocence. The palaces of kings are built on the ruins of the bowers of paradise for were the impulses of conscious clear, uniform an irresistibly obeyed man would need no other law giver. But that is not -- that not being the case, he finds himself necessary to surrender up a part of his property to furnish means for the protection of the rest. In his pamphlet, Common Sense, Thomas Paine -- I don't why this isn't going, sorry.

Okay. Thomas Paine compared government to Adam and Eve's lost innocence when they realized they were naked. Government is as a proclamation of man's guilt, but when that government forces the surrender of some and not the others, it's a violation of the 14th Amendment of our Constitution, which reads in part "nor shall any state deny to any person within its jurisdiction the equal protection of the laws." Be it known to all posterity that these representatives, who vote in favor of the Red Light Camera Program, will be denying we, the people, the western -- in the westernmost towns of the County the equal protection of the law. This is in clear violation of the Constitution as the people in the easternmost towns of Riverhead, Southold, Southampton, Shelter Island and East Hampton do not have any red light cameras. This Legislature's reasoning is because their Police Departments are separate from the Suffolk County Police Department, and this means that they are separate -- equally surrender up -- this means that they are separate, equally surrender up a part of their property to furnish means for the protection of the rest.

It is the wish of we, the people, that the representatives in any district in those towns refrain from voting on the bill to extend the Red Light Camera Program.

Applause

Or in the alternative, to vote no. The burden should not be on the backs of the people in the westernmost districts.

Applause

P.O. GREGORY:
Okay. Anyone else? Yes, go ahead.

MS. GAFFEY:
My name is Carrie Gaffey, I live in Babylon. I'm very close to West Babylon and there's a whole stretch of road there, I always
called it the gauntlet. I hear it's called scam alley. There's red light camera after red light camera after red light camera. All my neighbors, all my friends, just get these tickets, and they're not unsafe drivers. Sometimes it's just some human error. I mean, I hear some people saying that you have to stop in time and I think we all really try to. There's a lot of drivers on the road and sometimes humans have to gage things. I know that these red light cameras are making me a worse driver. Sometimes I'm approaching that light and I think it's about to turn red and I stop and it's not turning red, and then I'm inching out and now I'm in a crosswalk and now it's red and I'm just sitting there, knowing I'm blocking a crosswalk, but not daring to go, not daring to make that right-on-red, because I really don't know what the situation is. Is there a camera, is there not a camera. Anyway, that's -- that's my personal thing about it.

But I really want to also speak for all of these people that came out and spoke to you all. This is not the first hearing I went to. A lot of these people came out on other ones, and I feel like you all need to represent us. I feel like the vast majority of Suffolk County residents do not want this and you should be representing our interests. So that's what I have to say about that. I'm in total opposition on extending the five-year contract or whatever you call it.

And I also want to speak about the balloon releases. I think that's a no-brainer. We should stop with balloon releases. It's pollution.

And I also want to add the -- what I call the flying flaming balls of fire. People are doing these paper lantern releases where they add a candle to it and it goes off and eventually it flames out and a big piece of metal drops down. It's similar to the pollution of the balloons, but it also adds fire and metal that's coming down on us all. So thank you for your time.

Applause

P.O. GREGORY:

Okay. Anyone else? Anyone else? Okay, I make a motion to close the Public Portion. Second by Legislator Calarco. All in favor? Opposed? Abstentions?

MR. RICHERBERG:

Seventeen (Not Present: Legislator Hahn).

P.O. GREGORY:

Okay, I make a motion to approve the Consent Calendar.

LEG. SPENCER:

Second.

P.O. GREGORY:

Second by Legislator Spencer. All in favor? Opposed? Abstentions?
MR. RICHBERG:
Seventeen (Not Present: Legislator Hahn).

P.O. GREGORY:
Okay, I have several requests to take bills out of order, the first being IR 1740. It's on page eight, Government Ops. All right, maybe we'll hold off on that. I do have another request on page six, IR 1611 in Environment, Adopting Local Law No. -2019, A Local Law to prohibit the release of helium filled balloons. I'll accept a motion to take out of order from Legislator Anker, second by Legislator Cilmi. All in favor? Opposed? Abstentions.

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

P.O. GREGORY:
Motion by Legislator Anker --

LEG. ANKER:
Motion to approve.

P.O. GREGORY:
-- to approve. Second by Legislator Fleming. On the motion.

LEG. ANKER:
On the motion. We've heard a number of speakers here today and throughout the entire process of trying to get this piece of legislation approved. I want to personally thank Jane Fasullo from the Long Island Sierra Club, who recently -- well, actually she's come to my office, but several years ago she came to my office and she put this on my radar. And at the time, you know, school graduations were releasing hundreds of helium and mylar balloons at one event, weddings, and many types of celebrations. And also at the time our oceans were being filled with plastics and balloon and marine debris.

We have the ability to be better stewards to our environment and this legislation with bipartisan approval, you know, support at this time, is really important. And how Suffolk becomes, you know, they're part of the cycle of government legislation. It starts here and we're looking to see if this will go to State. We have Assemblyman Fred Thiele that's looking to pass this on the State level and then eventually national because, again, we all have the ability to make our environment safer but also healthier.

Long Island ocean tourism, what we get in support, $4 billion. This isn't just about, you know, hugging a tree and being environmental stewards as some folks, you know, may not see it in that light, but this is also about the tourism dollars. When's the last time you went to any of our beaches and found garbage, whether it's a straw or a balloon, you know. The power companies, there are so many situations where the balloons get caught up in the power lines and it just zaps the transformer. It happens all the time.

* Index Included at End of Transcript
So, again, whether it's the economy you're worried about, you know, your power staying on and for me probably most importantly, protecting our environment, this resolution is vital. And, again, we live on an Island. My district covers the -- half the shore pretty much of Long Island from Mt. Sinai to Wading River, and we need to do more. And, again, I thank the folks that have spoken here today. I thank my colleagues here at the Legislature and again I ask for support. Thank you.

11:57AM
P.O. GREGORY:
Legislator Spencer.

LEG. SPENCER:
I would like to be listed as a cosponsor on this also, and I think it continues with things, plastic straws, Styrofoam, plastic bags. It's great to have colleagues that are working and do care about the environment, and I commend Legislator Anker on this legislation.

11:58AM
P.O. GREGORY:
Legislator Krupski.

LEG. KRUPSKI:
I'd like to ask everyone to support this, they are garbage not only in our waterways, but also in our farm fields and our preserved lands. And the last one I picked up this weekend had a big smiley face, which I thought was kind of ironic. So I'd just like to ask everyone -- I didn't keep it, I didn't keep it or document it because I threw it out, or make a t-shirt or anything like that with it, but I would just like to ask everyone to support this.

11:58AM
P.O. GREGORY:
Okay. All right, so we have a motion and a second on IR 1611. All in favor? Opposed? Abstentions.

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

P.O. GREGORY:
Okay. I see we have BRO in the room. We're going to go back to page eight, IR 1740. Maybe, Dr. Lipp, you can give us a quick synopsis. So I'm going to make a motion to take IR 1740 out of order, Authorizing the County Executive to execute an Agreement with the Suffolk County Probation Officers Association amending the terms and conditions of employment for the period January 1, 2017 through December 31, 2024 (Co Exec.). Second by Legislator Calarco.

LEG. ANKER:
Didn't we --

LEG. LINDSAY:
You didn't --

D.P.O. CALARCO:
It was a motion to take it out of order.

* Index Included at End of Transcript
P.O. GREGORY:
Take out of order. Oh, you didn't call the vote? Okay, it was approved.

LEG. ANKER:
Okay, it was approved, so for those listening, so there we go.

Applause

P.O. GREGORY:
Okay (laughter).

All right. So motion to take 1740 out of order.

LEG. GONZALEZ:
Second.

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

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

P.O. GREGORY:
Okay. Dr. Lipp, 30 seconds. Or, Benny, I guess. I'm sorry.

MR. PERNICE:
That's okay. So out of all the contracts that we've reviewed recently this is by far the most straightforward. It just has several percentage increases taking it through the term of 2017 through 2024. We calculated a cost of $8.6 million through 2023, which is the five year period covered by a fiscal, which is just slightly more than the 8.5 projected by the County Executive. And then through 2024 we project a cost of 11.3 with approximately $400,000 in outstanding deferrals. That's the gist of it. If you have any questions about a specific item we'll go more into it.

P.O. GREGORY:
So with pattern bargaining, it's just a matter of percentage going from like the PBA contract and they just kind of --

MR. PERNICE:
Yes. So pattern bargaining is typically there's a police pattern, which is typically the PBA, the SOA, Detective Investigators and then there's the peace officer pattern which is, you know, COA, POA. And then there's the AME pattern, which is AME exempts and stuff like that. So when they negotiate they tend to use those as frameworks for what other unions will get.

P.O. GREGORY:
Right. So if there's a percentage say difference between the salary for the police officer and the existing contract for the previous contract, the existing contract has to maintain that as it relates to other unions as well. That's the pattern?
MR. PERNICE: I don't think it has to, I think it's just that's the precedence as a negotiating place to start.

P.O. GREGORY: Okay.

MR. PERNICE: And probation officer have kind of been in between the civilian and police pattern. They've been kind of their own group, not necessarily a comparable union.


LEG. TROTTA: I have a question.

P.O. GREGORY: Okay.

LEG. TROTTA: It's not so much to you. I mean, I think I'm not a fan of long-term contracts because we don't know what the future is going to bring, if the recession comes and sales tax revenue is down. Just some quick numbers. It's about $250 million worth of increases that's programmed out until after 2024. I just don't think it's responsible. If somebody from the County Executive's Office -- I'll ask the question again. What is your plan to pay this?

Is there a tax increase? Is there going to stop buy something? Is there any answer on how we're going to pay this?

MS. KEYES: Hi, good morning.

LEG. TROTTA: Hi.

MS. KEYES: We anticipate being able to afford the terms of the contract that's before you.

LEG. TROTTA: How?

MS. KEYES: Through revenues, through savings that will be realized through this contract and through the other contracts.

LEG. TROTTA: But there's really no savings, because it's increasing about
$250 million based upon I guess your own analysis.

MS. KEYES:
I don't have -- I'm sorry, I don't have a better answer.

LEG. TROTTA:
Okay, thank you.

P.O. GREGORY:
Okay, you done? Okay, anyone else? No questions? All right, so we have a motion and a second on IR 16 -- sorry, 1740. All in favor? Opposed? Abstentions?

LEG. TROTTA:
Abstain.

MR. RICHBERG:
Seventeen (Abstention: Legislator Trotta).

P.O. GREGORY:
Okay. All right, back to **Tabled Resolutions**.

**IR 1319 - Adopting Local Law No. -2019, A Local Law to ensure a second chance in Suffolk County (Presiding Officer Gregory).**
A motion to table. Do I have a second? Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
**IR 1575 - Authorizing the sale of Tax Lien Certificates on 294b Old Northport Road, Kings Park, NY (SCTM No. 0800-042.00-01.00-026.002) to the Suffolk County Landbank Corporation (Co. Exec.).**

LEG. TROTTA:
Motion to table.

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

LEG. KENNEDY:
Second.

P.O. GREGORY:
Second by Legislator Kennedy. We have -- I see we have Director Lansdale here today. I think she would like to speak on this matter. With her is hurricane Dorian -- I mean Dorian Dale.

(*Laughter*)

Okay. So, Ms. Lansdale, so this is -- I'm trying to figure out the word. This issue or this transfer of tax liens has been a little controversial. I'm a member of the Land Bank Board, Legislator Cilmi is a member of the Land Bank Board, you obviously are and participate in the meetings as well as Mr. Dale. This has been on
the Land Bank agenda for several years at least -- maybe 18 months.

DIRECTOR LANSDALE:
Yes, since May of 2018, and this was approved by the Land Bank Board to transfer back in February of 2018.

P.O. GREGORY:
Right. Legislator Trotta -- it's obviously in Legislator Trotta's area. He has some concerns. I know you guys have had some meetings or conversations behind the scenes, I'm privy to some of that, I don't know about all of it, but Legislator Trotta I guess obviously still has some concerns. He called me yesterday, late yesterday, with some concerns.

LEG. TROTTA:
I have no problem with selling this, I just think it should be sold with the property next door, and I have a diagram that sort of illustrates it, if I may take a second.

P.O. GREGORY:
Oh, bring your work to school day?

LEG. TROTTA:
This is the property in '19.

LEG. KRUPSKI:
I'm sorry, Mr. Presiding Officer. If we could start, and I'd like to hear what you have to say. Start with just like a history of how we got here today and then go into it.

P.O. GREGORY:
Yeah, I think that will be good.

DIRECTOR LANSDALE:
Sure.

P.O. GREGORY:
Yes, please.

DIRECTOR LANSDALE:
So this parcel, this is the -- I'm speaking about the Izzo Tire Dump, which is adjacent to Steck. This is on Old Northport Road in Kings Park, the Hamlet of Kings Park. The Izzo Tire Dump has been tax delinquent since 1994, has outstanding tax liens of over $2.4 million. It's an annual cost to the County as per the Tax Act because we pick up the local taxes to the school districts and the towns, so it's an annual cost to the County of $30,000. The Izzo parcel was an illegal tire dump through 2014 and 2015. DEC oversaw the removal of 2.5 million tires. It has an overall outstanding environmental judgment of $9 million. We have issued an RFP on the Izzo property back in 2018. We -- we then approved it, the Land Bank Board, in February of 2019, and then sent it to the Legislature for consideration.
MR. DALE:
So just a couple of interim circumstances. In May of 2018, when the board approved the -- had to approve the Cox proposal for $1.3 million, which was the far superior offer for that particular property, there was a concern raised by several people, including associates of Legislator Trotta and Legislator Trotta himself that the contiguous site, the Steck site, could not be cleared up unless it had a proper amount of acreage for drainage. Since the Izzo site had more recently come on the board for purchase, they pointed to the Izzo site as being essential.

Now, understand that this has been a really unsupported speculation as to whether that drainage is, in fact, inadequate at that site and the engineering firm that did the Phase II said that it was not inconceivable to do storm water drainage on that site. But I think the elemental point is that these are two separate properties. They were bundled together for consideration. They have never been in any way officially associated, they're two separate properties. And it took some time to finish the Phase II and at the end of that process, and I think you were all privy to the proceedings out in Riverhead, Legislator Trotta articulated that he had two stated objectives, and that was to find a single proprietor for both properties. Again, that's based upon the unsupported speculation, but nonetheless one of his objectives. And the other was that the site be cleaned up as rapidly as possible.

So in the interim as a result of the Phase II, there was a big fly thrown in the ointment of the Steck property, and that was the identification of several significant PFAS and dioxane hotspots that attracted the attention of the New York State DEC. They are on the verge of declaring what they call a P site, which is a precursor to making it a Superfund site. If that happens to transpire, that site will be on the board for years in terms of its actual cleanup.

Now, both bidders on the -- that we have subsequently received on the Steck site, have expressed both the capacity and the willingness to enter the Brownfields Clean-up Program to remediate that site. If it doesn't happen in short order it will turn under the aegis of the DEC.

So that's effectively where we stand. We've, I think, gotten a bidder on the Izzo site, a successful bidder who has had to wait for a long time. He subsequently has made an offer for the Steck site, ergo the same proprietor for both sites, and they're willing to move immediately to cleanup the site. So if there are any other unstated concerns we certainly would like to hear them, but we think that we have satisfied the Legislator's two stated concerns.

P.O. GREGORY:
I think you underplay I think the ask, from my perspective, because I just found it offensive, the bidder for the Steck site and his I'll just try to be kind, his engagement of the members or attempt to engage the members of the Land Bank Board and, you know, allegations of political corruption and things of that nature. His role in this process because, you know, he won a public bid. They
have to get three bidders or whatever, you know, he obviously was upset that the terms of the contract was taking a long time and I don't argue that, but there was at one point he said "Well, if you want me to work on the Steck-Philbin site, I need this site, the Izzo site, to do that and I want it at a bargain. And if you don't do it, I'm just walking away." He literally said that in the meeting after attacking you.

So that kind of threw this whole thing into chaos because they were originally two separate issues that are now kind of being blended into one. We have since, after that incident, moved forward again proposing another RFP for the Steck site because the gentleman walked away and his partners, and these are the people that you're talking, the Cox? I forget all the names.

MR. DALE:
These are the new bidders.

LEG. TROTTA:
If I may, there's slightly more to it than that.

MR. DALE:
These are new bidders and the previous bidders, who had been involved in this quote/unquote imbroglio, this contract imbroglio --

P.O. GREGORY:
Right.

MR. DALE:
-- made a bid for the Steck site that was -- not the Steck site, but the Izzo site that was an incident.

LEG. TROTTA:
If I may, DuWayne.

P.O. GREGORY:
Hold on just a second, Rob.

MR. DALE:
And so they themselves withdrew, and as Legislator Trotta at the last Legislative meeting announced, they're not interested in moving forward any longer, so effectively they're not the saviors of this site.

P.O. GREGORY:
But I do appreciate, as the Legislator for the area, his concern. One, it's, I mean, this was like a 40-acre site, you know, eight, twenty feet, whatever, I forget the depth. You know, most of it was just, you know, debris and stuff. I mean, it's horrendous what they did to this property and the community. But it almost seems like we're, if I heard what you're saying is that we're now looking at kind of possibly joining these two, you know, the same bidder may have the Steck as well as the Izzo or it just happened to work out that way?
MR. DALE:
It just happened to work out that way.

12:17PM

MR. DALE:
You have the winning bidder from a year-and-a-half ago looking at the Steck site and making a proposal on it, ergo again satisfying the Legislators's stated objective, and they are reputable operators in that area.

12:16PM

P.O. GREGORY:
Okay.

12:15PM

MR. DALE:
And so at this standpoint, particularly given the very I think dynamic state of the Steck site, with it being on the cusp of conceivably being a Superfund site, when you have a private sector bidder that's willing to assume the burden and do the cleanup, I think it's a win to the Legislature.

12:16PM

P.O. GREGORY:
Okay. Sorry. Legislator Trotta.

12:15PM

LEG. TROTTA:
Yeah, a couple of things. One is this was -- you said it was rebid on the website and I went to look at the website and you have a map of all the locations that are up for sale. It's not on the map. It's not on the map, I had to scroll down to the list to find it.

12:16PM

So when you're marketing a piece of property and you're going to your website and there's a map of what's for sale, it's not there. There's not even a sign there that says hey, look, maybe someone who owns property there would want to buy it.

12:17PM

Second, what happened was the original bidders said we might need that property if there's no room to drain it, the other property, because it was just -- the DEC just spent $7 million to clean up this tire dump. Now you have five acres on the low end of this property, which I'll show you in a minute, that the water would drain down once it's capped. They said, "Look, it might not be, but we'll do a Phase II and look at it." And here I have the Phase II that was prepared by -- that the original bidder said they would pay for at no taxpayer expense, but the Land Bank decided to, and it says Apex recommends that a geological evaluation be completed before any future design construction, including drainage as well as structure on the site areas of debris foundation.

12:17PM

Now, I went there and looked at this yesterday and I took some pictures and I smelled it. It smells like oil. This place is deeply, deeply polluted. There are trees on it that are now, you know, six inches round that are totally dead, like they grew and then they died. And there's areas of green and death and it's horrible. And if you see this picture here, this is 1984. This here on the left is 1984. There's one green spot here. This is 2001, it's gone. I brought people to the Land Bank who drove the
bulldozer in there and testified that it was down 80 feet, 10 feet from the road, there's not a single place where you can do it. I showed them a 2003 study that they sat down with Peter Scully, was the head of the DEC, and the DEC said there's nowhere to drain the water.

So it would be irresponsible not to take this piece of property that's been cleaned up at a cost of $7 million of taxpayer money to push it into that area. I don't care who buys it, I could care less, but my concern is for the health and safety of the public and that's my number one concern. This has been sitting here for 30 years. It's disgusting. You talk about sewage plants and septic systems and sewers, this is -- who knows what was dumped in there. I want this done as quickly as it possibly can, but I want it done right, and the right way to do it is to drain it into that area.

Now, you came up with a letter which was eerily reminiscent of the red light cameras, that it says in the report you shouldn't do -- you should do a geotechnical study to find out if, in fact. Well, if you're saying we can, do a geotechnical study and if it comes back {inaudible}, which I know it won't, then you should drain it and do the right thing. I'm here to protect the health and welfare.

I got a letter today or yesterday from the Water Authority saying they want me to write a letter of support for new wells because they're coming up with all these poisons, which I have a whole list of. Now, I want this done right. I don't care who does it. Do I think there was political shenanigans going on prior? Absolutely. Do you know why I know it? Because one of the people is one of my closest friends and you told him, yes, it's on the 12th floor to be signed but politics got involved. And guest what? Politics shouldn't get involved when you're cleaning something up. You had a bid that cost this County hundreds of thousands of dollars because today, knowing the people who I know who did that, that donates millions of dollars for free to people, was going to clean that up and he didn't. Not because of you, not because of you, because of political opposition. It would have been done today. And guess what? They were smart enough, they had the hindsight to know that if this was no good we needed it, and he asked the Land Bank to say listen, save that five acres because we might need to buy that, we might need it. In the end you're going to find out that that guy was right. You know why he's right? Because he's honest and he has integrity. And I'm not finished, I have more stats over there.

So I'm asking my colleagues to table this for them to market it properly, put it on the website where it's actually on the map of things for sale and put a sign there saying look, there are some people who own a lot of property, there are some wealthy people who would maybe clean it up for free or maybe try to do the right thing and sell it as one unit. It's not in anybody -- no one owns it. That's something you could easily do. This is one of these things that is so blatantly obvious to do the right thing and we're trying not to do the right thing.
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So all I'm asking my colleagues is to table this, have them market it correctly and sell the property and get it capped properly. We don't want this guy -- by the way, you've said that this guy has a great reputation in the area. I took pictures yesterday of his draining his other property with very fancy looking drains right on to the roadway, which is against the law. And I checked his buildings, there's not a permit for one building. There's not a site plan for anything. But that's not my point here, my point is this needs to be done correctly and the Land Bank is looking and I'm looking at for the responsibility of my citizens and my community, whose wells are now getting all kinds of special filters on them because of that and other things in that area is polluting our groundwater.

P.O. GREGORY:
Legislator Cilmi.

LEG. CILMI:
Thank you. I have to admit being a bit confused. Rob, Legislator Trotta, came to our last board meeting of the Land Bank and suggested that the conversation that he had with the folks from Apex was contradicted what Apex finally ultimately said in the context I think of this letter, and I asked if you would have Apex come to a board meeting --

LEG. TROTTA:
Yep.

LEG. CILMI:
-- so that we could as a board, so that we could discuss that alleged contradiction and you said okay. And now we're -- are we being asked to vote in favor of this today or are you asking us to table this today? I would expect that you're asking us to table it because we haven't had that presentation yet.

DIRECTOR LANSDALE:
We are asking that you advance this. We -- the issue at hand is, that you're discussing, the drainage, is actually on Steck. This, the matter that you're looking at today, is Izzo.

LEG. CILMI:
But the --

DIRECTOR LANSDALE:
Further --

LEG. CILMI:
But the controversy lies within the ability to clean Izzo. It resides -- it may reside on the Steck property. And so we don't want to sell -- I thought that we were apprehensive about selling one while that question still -- at least I was apprehensive about selling one or the other while that question still exists, and in my mind it still exists until we hear from Apex.

MR. DALE:
Well, let me just read into the record what Apex has to say.
LEG. CILMI:
Dorian, you don't have to, I have it in front of me.

MR. DALE:
There's two things. There's an additional thing that they said --

LEG. CILMI:
I don't care what they have to say, they didn't say it to me. I specifically asked at the last board meeting of the Land Bank that they come in to discuss the differences in opinion between what they've said in a letter and what they allegedly said to Legislator Trotta, in whose district this huge and hugely contaminated piece of property exists and we agreed, I thought, at least at that point we agreed. When that changed I don't know, but as a member of the Land Bank I am vehemently opposed to approving this resolution today without having that conversation. That's all from me. Thank you.

P.O. GREGORY:
Legislator Krupski.

LEG. KRUPSKI:
Thank you. I am not on the Land Bank and I have not followed this for years, and I thank the members of the Land Bank for doing their due diligence and freeing up a lot of these parcels that the County has been burdened with for years and putting them back on the tax rolls. I think the Land Bank is doing a great job and I think it's been a real benefit to all the residents, so thank you.

On this parcel -- so there's a lot of concern about two things here that I've heard. One is drainage. So is the larger parcel the Steck parcel, and there's a smaller parcel, the Izzo parcel. So what's the condition today because right now, you know, we've been in a wet cycle for the past couple of years. What's the condition of the drainage today? Does the water flow off-site or is the water contained on-site?

LEG. TROTTA:
It goes into the groundwater.

MR. DALE:
Well, the site has not been remediated.

LEG. KRUPSKI:
All right, that's not my question. Does it flow out?

MR. DALE:
So it just falls whatever the natural flow happens to occur.

LEG. KRUPSKI:
Does it flow out? Because I noticed Legislator Lindsay had a device there --

LEG. LINDSAY:
(Inaudible)
LEG. KRUPSKI:
-- and he had a picture of an aerial of it and it across the
street, to me it looked like the south, it was a pond. Does the
water from that parcel flow off-site or is it being recharged into
the aquifer today.

LEG. TROTTA:
Aquifer.

12:26PM
MR. DALE:
I don't think that's clear, not that I can respond on that one.

LEG. KRUPSKI:
Okay. I mean, because that's one of the big questions that the
Legislator has, and it's in his district, is whether, in fact, the
water from the Steck site can be recharged on-site. If it's being
recharged on-site today it can be recharged on-site. If it's
falling off there and it's becoming a big issue on the roads and
somewhere on the neighbor, then it's something that, and I read the
letter from Apex, that it's got to be engineered.

12:27PM
MR. DALE:
They've made a statement to which Legislator Trotta takes issue,
but that's of course to be expected. I think when you look at the
two proposals in response to the RFP for the Steck site, they both
really estimate very substantial remediation costs. I think the
Cox proposal suggested they're going to spend $5 million, which is
significantly larger than one of the previous --

LEG. KRUPSKI:
On which site?

MR. DALE:
On the Steck site to remediate. And another proposal, which says
its objective would be to install solar, is talking about a $7
million remediation. And they both are -- and they both have been
apprised about the Superfund status and the concerns of the DEC.

LEG. KRUPSKI:
So just -- first of all, I don't think it's fair to say he's going
to object to everything you say. I mean, right, just
automatically, because he might agree with something.

MR. DALE:
He's already articulating he doesn't agree with the Apex
representation.

LEG. KRUPSKI:
But my --

12:28PM
LEG. TROTTA:
(Inaudible)

LEG. KRUPSKI:
The Izzo site today, the condition of the Izzo site, and I'm not
familiar with it, that's recharging and that's been remediated,
millions of tires removed, and that's recharging the rainwater today.

**MR. DALE:** It's gotten a sign-off from DEC in terms of --

**LEG. KRUPSKI:** So the DEC has signed-off on that site and what's the condition -- my other question is because there was a question about the groundwater contamination flowing off-site from there, and the question was, the concern was that there were things that were dumped there besides tires that were contaminating the groundwater. So when the DEC signs-off on that, what's the scope of their blessing? Is it -- is it just the surface or is it that the groundwater is clear -- clean underneath?

**DIRECTOR LANSDALE:** The DEC has cleaned it up to satisfy the requirements of their clean-up standards on the Izzo site right now. And based on our study that was conducted at Steck, they found some of the results on our investigation at Steck concerning, and that's why they're taking steps at potentially designating the Steck site a P site and doing additional investigation to possibly classify that as a Superfund site.

**LEG. KRUPSKI:** And then what would happen if they did that?

**DIRECTOR LANSDALE:** It would be tied up for years. The alternate would be for -- and we've been on the phone with DEC, both the regional office and the office up in Albany, with the proposers. There's an option for the proposers to do the P site investigation and through the Brownfield Clean-up Program at no liability to the proposers, which would expedite things.

**LEG. KRUPSKI:** And so I'm -- if I could, through the Chair, ask Legislator Cilmi a question because you sit on the Land Bank.

**LEG. CILMI:** Sure.

**LEG. KRUPSKI:** So I don't understand your objection to, because I'm not on the Land Bank, and I, again, I appreciate your efforts there. What's your objection towards selling these sites separately?

**LEG. CILMI:** There is a debate I'll say about whether or not one site can be effectively cleaned without the use of the other site. And that debate between what Apex originally said and what they said in a conversation with Legislator Trotta, and what they later said in the context of communications, be it verbally or through a letter to Dorian and the Land Bank, there seems to be a contradiction there. So at our last board meeting, because of that
contradiction, I asked the Land Bank staff if we could have Apex come in to settle that debate and they agreed. And so my anger here is with respect to how that happened, because they committed to me that we would have them in to discuss that debate, and to me we can't settle whether or not one property is necessary in order to clean the other property until that debate is settled. So I hope that answers your question.

LEG. KRUPSKI:
Not really. I'm still trying to -- so you referenced a conversation that Apex had with Legislator Trotta, and I want to ask him about that later, because that seems to be some sort of an important component here, but it's really about -- it's really about drainage. It's really not -- I don't know --

LEG. TROTTA:
Well, what --

LEG. KRUPSKI:
I only know a very limited amount because I'm not on the Land Bank.

P.O. GREGORY:
Legislator Krupski, it's 12:30 so we're going -- actually it's a little past 12:30, so we're going to have to break and take this up after the public hearing portion, but you certainly will have the floor then, all right, because we have a press conference at 12:30. It is supposed to start at 12:30.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
All right, so Ladies and Gentlemen, we're going to recess until 2 p.m. for Public Hearings. Thank you.

(*The meeting was recessed at 12:33 p.m.*)

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

(*The meeting was called to order after lunch recess at 2:01 p.m.*)

P.O. GREGORY:
Okay. Madam Clerk, please do the roll call.

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

02:01PM

LEG. KRUPSKI:
(Not Present)

LEG. FLEMING:
(Not Present)
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LEG. SUNDERMAN:
Here.

LEG. MURATORE:
(Not Present)

LEG. HAHN:
Present.

LEG. ANKER:
Here.

LEG. LINDSAY:
Here.

LEG. GONZALEZ:
(Present)

LEG. CILMI:
Here.

LEG. FLOTTERON:
(Not Present)

LEG. KENNEDY:
Here.

LEG. TROTTA:
Here.

LEG. MC CAFFREY:
Here.

LEG. BERLAND:
Here.

LEG. DONNELLY:
Present.

LEG. SPENCER:
(Not Present)

D.P.O. CALARCO:
Present.

P.O. GREGORY:
Here.

MS. ELLIS:
Thirteen. (Not Present: Legislators Krupski, Fleming, Muratore, Flotteron and Spencer)

P.O. GREGORY:
Okay. So we’re at the public hearing portion of our agenda. We have several public hearings. The first is I.R. 1210 - A Local Law to Gain and Retain our Workforce (“Grow Act”). (Co. Exec.) I
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P.O. GREGORY:
Okay. I.R. 1266 - A Local Law to Enact a Campaign Finance Reform Act to Limit Campaign Contributions from County Contractors and Public Employee Unions. (Trotta) I don't have any cards for this public hearing. Anyone like to speak on it, please come forward. Okay. Oh, okay.

MR. RUTHERBERG:
Good afternoon, Ladies and Gentlemen. I agree, that there should not be any campaign contributions made to public officials by unions or companies that are looking to obtain contracts with the County. I think that it's absurd and it's part of what's destroying America.

This is -- it's ludicrous to think that someone's going to get a legitimate contract that they've basically bought. It's not going to -- it's not going to better the way business gets done in our County by allowing companies to make campaign contributions to Legislators or any public official that may be deciding on their contract.

So I would like to support the law that -- or the -- whatever the number is, the resolution, and not allow corporations, or companies, or any unions as well to be making campaign contributions to anybody that may be deciding on their contracts. Thank you.

P.O. GREGORY:
Okay. All right. Thank you. Anyone else?

MS. FREGO:
I'm also going to agree with Stephen. I don't think that anybody should be receiving campaign contributions from those who are going to be deciding on whether they get the contract or not. So I don't agree with the bill if it's going to allow them to be able to do that. So, please, vote against that. Thank you.

P.O. GREGORY:
Please state your name for the record.

LEG. LINDSAY:
I am Lynda Frego.

P.O. GREGORY:

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LEG. TROTTA:  
Motion to close.

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

LEG. CILMI:  
Second.

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

MR. RICHBERG:  
Fifteen.

P.O. GREGORY:  
I.R. 1426 - A Local Law to enact -- ensure --

MR. RICHBERG:  
Sixteen. (Not Present: Legislator Anker and Spencer)

P.O. GREGORY:  
(I.R. 1426) A Local Law to Ensure IDA Beneficiaries Provide Fair and Equitable Wages (“The Equal Pay for Equal Skills Act.”) (Kennedy) I don't have any cards for this public hearing. Is there anyone here that would like to speak on it? Please come forward. Okay. Seeing none --

LEG. KENNEDY:  
Motion to recess.

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

LEG. CILMI:  
Second.

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

MR. RICHBERG:  
Sixteen. (Not Present: Legislator Anker and Spencer)

P.O. GREGORY:  
I.R. 1621 - Considering Increasing the Maximum Amount to be Expended for Improving Facilities for Suffolk County Sewer District No. 7 - Medford (CP8194). (Co. Exec.) I don't have any cards for this public hearing as well. Anyone like to speak on it, please come forward. Okay. Seeing none --

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

P.O. GREGORY:  
Motion to close by Legislator Calarco. I'll --
LEG. CILMI:
Second.

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

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

P.O. GREGORY:
I.R. 1626 - Considering Increasing the Maximum Amount to be Expended for Improving Facilities for Suffolk County Sewer District No. 1 - Port Jefferson (CP8169). (Co. Exec.) I don't have any public -- I don't have any cards for this public hearing. Anyone like to speak on it, please come forward. Seeing none, Legislator Hahn? Motion to close?

LEG. HAHN:
Yes.

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

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

P.O. GREGORY:
I.R. 1627 - Considering Increasing the Maximum Amount to be Expended for Improving Facilities for Suffolk County Sewer District No. 23 - Coventry Manor (CP8149). (Co. Exec.) I don't have any cards for this public hearing. Anyone like to speak on it, please come forward. Okay. Seeing none -- whose district is this? Is this yours, Tom? I'll make the motion. Motion to close, second by Legislator Calarco. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
I.R. 1672 - A Charter Law to Establish an Independent Office of Inspector General for Suffolk County -- for Suffolk County (Trotta)
I do have one card, Hector Gavilla.

MR. GAVILLA:
Okay. Suffolk County needs an independent Inspector General. We are one of the largest municipalities in the country, with a population that exceeds 11 states. Incidents of misconduct, waste and abuse involving various elements of Suffolk County government have plagued our County in recent years. A change in oversight at the County level is essential to providing greater accountability and to identifying instances of fraud, waste, and abuse, and corruption, and protecting the integrity of our government and restoring the faith of the taxpayers.
The Presiding Officer has detailed allegations of witness intimidation, blackmail, manipulation and threats against him and others that have occurred over the course of the last several months alone, this on the heels of scandals resulting in our Chief of Police being arrested by the FBI and going to jail for his crimes, and widespread coverup involving numerous Police Officers. In addition, the Suffolk County District Attorney and his Head of the Government Corruption Unit have been arrested and indicted for government corruption. We have seen the County Executive's selection for Head of the IDA forced to step aside in the face of a Federal investigation regarding potential election law violations. Our I.T. Commissioner stepped down after being arrested and pleading guilty.

Allegations have been made against our current District Attorney, Tim Sini, and his Chief of Staff, Justin Meyers, regarding possible illegal campaigning while running the Police Department, and a police report was filed against that same Chief of Staff involving an altercation with a female reporter. How could a D.A. investigate themselves?

It's been said there is currently a Federal investigation into the Suffolk County PBA for their involvement in the Burke coverup, along with an investigation into the use of campaign funds and how those funds are collected. How can the current D.A. investigate the PBA when he received somewhere around $400,000 in campaign support?

Steve Bellone has used the Waiver Committee to launder campaign funds. Only -- one only has to look at the Police dog kennel to see that the five companies qualified to bid on the design of the kennel, 150,000, had given over 188,000 in campaign donations to Bellone. The 11 architects who worked for the County gave him zero. This is just one of many examples.

It's time for Suffolk County to institute an independent Office of Inspector General for Suffolk County and restore faith to the taxpayers we serve. Thank you.

(*Applause*)

P.O. GREGORY: Any questions? Anyone else?

MS. TOOKER: Good afternoon. Marie Tooker. I want to thank Legislator Trotta for writing this resolution. It's quite good, and it has a lot of things that are so needed. But, unfortunately, Mr. Trotta, it cannot be this Legislative body. You guys cannot have your own committee picking the Inspector General. And I know that we don't have a common law Grand Jury, but, my God, it's time that we need at least 25 everyday citizens to be part of the corruption, somebody to pay attention to the fraud and the misuse of money, and the D.A. being indicted, and the Police, Chief of Police being convicted, and Ed Walsh being convicted. I mean, how much more do we need? Stealing of land, coming at gunpoint, killing animals
that nobody prosecuted.

You guys have known about these crimes forever, and everyone stood here and said, "Oh, we have no say, we have no say." You know that the Judges are bought, you know. You know about John Scott Prudenti's emails out there that are being covered up on how much a Judge gets paid for each case. You know about the party boat. What has been done? DuWayne Gregory, you call them Sopranos, but you want to give up on John Scott Prudenti's case? How can you ever be part of the Inspector General?

02:11PM

I'm not saying we don't need someone. I've been begging forever for a special prosecutor. Maybe I've been saying the wrong words, but I am, I am demanding Washington to investigate Suffolk County, to swoop up and find those emails with John Scott Prudenti on -- that gives the Judges 10% of each case, and steals land, and steals children, and tortures animals. What are you guys doing? It's not that complicated. My God, when are we going to be safe? When are we going to be safe, like my children and I, when they came at gunpoint and killed my animals. You want me to trust you guys with an Inspector General? It's not happening.

I told you, I promised you, I'm going to bankrupt Suffolk County, and I'm going to do it, and it only costs 300-and-something dollars. So I'm forewarning you, please get ready, because we are going to bankrupt you. Enough is enough with hurting the public and not protecting us. Enough is enough, especially our children, the youth, the drugs. You knew about the drugs. Then you got to go to Big Pharma and you want to sue? You knew about the drugs for decades, you did nothing. Now you have an epidemic. Now you want to be heroes? It's not happening.

P.O. GREGORY:
Anyone have a question? No. Okay. Anyone else? Yes. Oh, okay. All right. Mr. Trotta.

LEG. TROTTA:
Motion to close.

02:13PM

P.O. GREGORY:
Motion to close I.R. 1672.

LEG. MC CAFFREY:
Second.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. I.R. 1673 - A Charter Law to Ensure Accountability to the Suffolk County Operating Budget. (Flotteron) I don't have any cards for this public hearing. Anyone like to speak on it, please

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come forward. Okay. Seeing none, what would you like to do, Legislator Flotteron?

**LEG. FLOTTERON:**
Motion to close.

**P.O. GREGORY:**
Motion to close by Legislator Flotteron.

02:14PM

**LEG. CILMI:**
Second.

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

**MR. RICHBERG:**
Eighteen.

02:14PM

**P.O. GREGORY:**
*I.R. 1742 - A Local Law to Require Rest Breaks for Workers Providing Utility Location Services. (Calarco)* I don't have any cards for this public hearing. Anyone like to speak on it, please come forward. Okay. Seeing none --

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

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

02:14PM

**MR. RICHBERG:**
Eighteen.

**P.O. GREGORY:**
Okay. I'd like to make a motion **setting the date for the following public hearings, September 27th, 2019, 10:30 a.m., at the Maxine Postal Auditorium, Riverside, New York: The 2020 Operating Budget and Program. Also, the Southwest Sewer District Assessment Roll.** Okay. All in favor? Opposed? Abstentions?

**MR. RICHBERG:**
Is there a second?

**P.O. GREGORY:**
Do I have a second?

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

02:15PM

**P.O. GREGORY:**

**MR. RICHBERG:**
Eighteen.
P.O. GREGORY:
Okay. I'd also like to make a motion setting the date for the following Public Hearings, October 2nd, 2019, 6:30 p.m., at the Rose Caracappa Auditorium in Hauppauge, New York, for I.R. 1319, I.R. 1749, I.R. 1755, I.R. 1805, I.R. 1812, also, the 2020 Operating Budget and Program, and the Southwest Sewer District Assessment Roll. Second by --

02:15PM

LEG. CILMI:
(Raised hand)

02:15PM

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

02:15PM

MR. RICHBERG:
Eighteen.

02:15PM

P.O. GREGORY:
Okay. Now back to the agenda. We were -- Legislator Krupski had the floor, and we were on I.R. 1575.

02:15PM

LEG. KRUPSKI:
Thank you. So I got some -- I think some clarifying information. I assume everyone got that information about -- from Apex about the -- what their analysis of the drainage on the site. And that was -- that was one of Legislator Trotta's big concerns, was that the larger parcel that has not been remediated is in need of additional land for drainage for groundwater recharge. So the letter from Apex suggests -- it says Apex wants to clarify, it is possible to meet, design and implement a stormwater management system for the site that could be effective, and meet regulatory requirements consistent with existing zoning. Is this -- is this subject to stormwater requirements other than what the Town would impose?

02:17PM

DIRECTOR LANSDALE:
So we just got off the phone with The Town Planner over in Smithtown, and he spoke to the Town Engineer, Mark Reilly, and following up on your question previously about the site and drainage currently on the site. They've indicated, the Town has indicated to us that the Steck site is not an obvious source of concern currently on Old Northport Road for drainage.

02:17PM

LEG. KRUPSKI:
Who? I'm sorry, who's that from?

02:17PM

DIRECTOR LANSDALE:
Mark Reilly, the Town Engineer.

02:18PM

LEG. KRUPSKI:
From Smithtown?

02:18PM

DIRECTOR LANSDALE:
Smithtown, Town of Smithtown.
LEG. TROTTA:
And if I may.

LEG. KRUPSKI:
Yeah, go ahead, because I want to continue on that.

LEG. TROTTA:
No. The reason is because it goes in -- there's now weeds and
growth on this. So the water is just being sucked through the
poison that's been buried there 80 feet deep, and that's what we
want to prevent. We don't want the water going down through that.
We want to drain it into a clean area so it can go down into the
aquifer and not through the polluted material. It's very simple.

LEG. KRUPSKI:
So if they -- if this is transferred to a third party through the
Landbank -- not a third -- forget third party, someone else,
private party through the Landbank, what would their drainage or
environmental cleanup needs and requirements be?

DIRECTOR LANSDALE:
They would --

LEG. KRUPSKI:
And who would -- and who would set those, the Town or the DEC,
or both?

DIRECTOR LANSDALE:
They would have to work with all applicable regulatory agencies,
including the DEC and the Town. And they would go through the
brownfield cleanup program on the brownfield side of it to clean
up the site, according to the end use, the proposed end use of the
site, and they work with the Town on any drainage issues.

LEG. TROTTA:
It has -- just if I may, it has to be capped. It's 80 --

LEG. KRUPSKI:
No, no, wait. I think -- I think I'm done for now, so thank you.

P.O. GREGORY:

LEG. TROTTA:
I just want to table it, and I want to meet with the people, like
we were told they were going to at the Landbank meeting that I went
to. And it will provide me with the opportunity to bring in,
again, people who actually drove the backhoes, who dug this down,
and are aware that it's 24 or five acres totally polluted. And it
would be irresponsible to give up five acres that's been cleaned
out down the hill from this. So I'm asking my colleagues, if --
it's in the middle of my district, to table this.

P.O. GREGORY:
Legislator Spencer.

* Index Included at End of Transcript
LEG. SPENCER:
Thank you. I remember, I think, the meeting in Riverhead we were
talking about this issue, and I've always felt that the Legislator
whose in the district that's being impacted deserves deference.
And I think we took the action of tabling, because he's going to
know his district, to kind of ferret out some of these issues.
And I think my concern is that I'm hearing a lot of different
information, and some of it's conflicting, and I'm looking for
some clarification.

So I tabled it with the understanding that there would be some
communication with Legislator Trotta and, I guess, with your
Department and some of the people involved. Did any communications
occur, and what happened? What was the upshot of that? Because I
think there were very specific answers that we were looking for.
And, I mean, do you have any correspondence? Is there
correspondence? Why are we -- why are we getting two different
accounts?

MR. DALE:
Well, I think, you know, it's always puzzling, but not surprising,
when one is provided with different accounts. I think it's
important to note that the engineering firm in question, Apex, has
had interactions with Mr. Trotta. And then, in a subsequent
meeting with us, which we recorded, there were certain
representations made by Legislator Trotta, and I posed this to the
firm, to which they responded.

For the record, yes, we do categorically deny Legislator Trotta's
accounts of the conversation. The only part of what you indicated,
as Legislator Trotta's recollection is accurate, is that we did
refer to the recommendation for additional geotechnical study
before future design or construction, consistent with our report.

So I think this issue is being approached from different
directions, and it probably explains why there are the varying
interpretations.

LEG. SPENCER:
So with this particular property, and, again, I understand the
intricacies and -- I don't understand the intricacies, I take that
back. So there was a land that's -- piece of land that's
potentially a Superfund site. And prior to this offer, there was
another offer that was placed on this particular property, and that
offer fell through?

MR. DALE:
It did.

LEG. SPENCER:
What happened there, why did it fall through?

MR. DALE:
Well, fundamentally, it was deemed a zero dollar offer on a
property that, if cleaned, has been appraised at $11 million. And
as a consequence, the Landbank determined that it was not in the
interest of the County to move forward with it.

LEG. SPENCER:
So the current offer that you have, what is that? Is that the $1.3 million --

MR. DALE:
No, that's on the southern property that we've actually had since last -- the beginning of last year. That's the Izzo property.

LEG. SPENCER:
Okay.

MR. DALE:
And, again, I should observe that the same bidder whose bid we denied on the Steck property made a comparable bid on the Izzo property, and, in fact, it was a half a million dollars over 20 years at 0% interest, which effectively works out to a zero dollar offer, whereas the Cox offer was $1.3 million in cash.

LEG. SPENCER:
Okay. So what's the benefit to the taxpayers of accepting this offer, and what's happening now? So this land is sitting there, it's not on the tax rolls, it needs to be cleaned up. So what are the implications of us dragging our feet and not doing something about this versus pursuing what you're looking for?

DIRECTOR LANSDALE:
So as per the Suffolk County Tax Act, the County is responsible for any unpaid portion of taxes on properties. We are currently paying $30,000 a year on the Izzo site.

LEG. SPENCER:
And so if we do this deal, they would assume that responsibility, and they assume the cleanup responsibility.

DIRECTOR LANSDALE:
That's right.

LEG. SPENCER:
That's kind of -- and so --

DIRECTOR LANSDALE:
And, furthermore, they create jobs.

LEG. SPENCER:
Okay, and creates jobs. So, I mean, I was fine as far as any of my colleagues. I don't care where they're coming from. They have an issue in their particular neck of the woods, I think they deserve consideration, and that was my reason for not taking the vote before. But I think that there was opportunity for due diligence, and I'm hearing something that is -- there's a firm here that is a professional firm that says that there's adequate drainage on the site, they've put that in writing. I think --
LEG. TROTTA:
That's not what they said, by the way.

LEG. BERLAND:
It is what it said.

LEG. SPENCER:
So that's what I'm -- so I'm just -- maybe I'm missing something --

LEG. BERLAND:
You're not.

LEG. SPENCER:
-- with regards to this, but, "Consistent with existing zone around
heavy industrial use for smaller portion ahead, but based on Apex's
experience as a national stormwater consultant, we can say with
confidence that there is sufficient area on this site to implement
effective drainage measures." So I don't -- I mean, that to me is
about as plain English as I've ever seen, so I -- you know, this is
always -- I mean, this is a difficult position. It seems to me
that I hear all the time that we need to take action to protect the
taxpayers, to protect our environment. I'm confused as to --
obviously, even moving forward with this, these -- the buyers are
taking responsibility for the environmental -- for the drainage and
for the implications behind that. So I'm confused why moving
forward with this would have any downside to it. But, in any case,
I'll yield. I reserve the right to come back as the conversation
continues.

P.O. GREGORY:
Okay. Legislator Krupski.

LEG. KRUPSKI:
Thank you. Just one more question. Was there -- to the -- to the
concern about the rainwater percolating through this site, leaching
contaminants into the groundwater, is there any monitoring done on
this or on either side? Because the DEC gave the one side a clean
bill of health, the one that we're going to act on or not act on
today, right?

DIRECTOR LANSDALE:
The DEC has given a clean bill of health for on the Izzo site.

LEG. KRUPSKI:
So have they done any groundwater monitoring? Is that part of
their -- is that part of their clean bill of health agenda --

DIRECTOR LANSDALE:
I can look into that, I don't know.

LEG. KRUPSKI:
Okay. Thank you.

P.O. GREGORY:
Okay. Legislator Cilmi.
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LEG. CILMI:
Thank you. So all of this is important discussion, but, frankly, for the purposes of this today, it doesn't matter, and let me explain to you why. DuWayne and I sit on the Board of the Landbank. Who else sits on the Board of the Landbank?

DIRECTOR LANSDALE:
Peter Scully, who represents the County Executive. We have Cara Longworth, who represents the Regional Economic Development Council. We have Natalie Write, Acting Commissioner of Department of Economic Development and Planning, Jason Smagin, and Supervisor Schaffer.

LEG. CILMI:
Do Supervisor Schaffer -- assuming that Jason and Natalie and Peter Scully, assuming that they know you're here today advocating for this to pass the Legislature, does Rich Schaffer know, and does Cara Longworth know?

DIRECTOR LANSDALE:
I don't believe so.

LEG. CILMI:
And you're here today in your capacity as staff members of the Landbank, correct? And as such, you report to the Landbank Board, correct?

DIRECTOR LANSDALE:
Yes.

LEG. CILMI:
And, yet, you made representations at the last Landbank Board meeting that you were going to have Apex come in and have a conversation with the Landbank Board. So to ask this Legislature to approve this today without providing me and without providing the other Board Members on the Landbank with knowledge that you were going to do that, and totally ignore the commitment that was made at the last Landbank Board meeting, there's got to be a legal term for that. I'm not sure what it is, but it ain't right, whatever it is.

(*Applause*)

I mean, you made a commitment to a Board, and you guys work for that Board.

DIRECTOR LANSDALE:
So we -- if I may respond. We did follow up with -- as per your suggestion. It was your suggestion, not a resolution of the Landbank Board, but we did follow up. I did personally with Apex. They were unavailable to come today to the Legislature.

LEG. CILMI:
We, in fact -- in fact, I had suggested that we bring them into the Board, and then I think somebody else, one of you guys suggested that we bring them into both the Board and the meeting, to the
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Legislative meeting, which I thought was great.

At this point, Rich Schaffer, who's a Board Member of the Landbank, Cara Longworth, who's a Board Member of the Landbank, and up until a little while ago, I am totally surprised that we're -- that we're being asked to approve this today without having had the meeting that was -- that we were going to have, that those Landbank -- Landbank Board Members expected to have based on our conversation at the last Landbank, which I'm sure is in the minutes.

So, again, while all of this other discussion, Legislator Spencer, and Legislator Krupski, is important, the Landbank Board agreed at the last Board meeting that we were going to have Apex come in and discuss the inconsistencies between what Legislator Trotta heard from them and what they said in their first letter and what they're now saying, and that didn't happen. And, therefore, it would be -- it would be totally premature and it would be a slap in the face, quite frankly, to myself, and to Presiding Officer Gregory, and to Cara Longworth, and to Supervisor Schaffer if we pass this today.

MR. DALE:
Well, I think that this is an interesting side issue that you're invoking. The fact -- I wasn't at the last Board meeting, so I don't know what transpired. We do know that all these discussions seem to be subject to interpretation, so we'll have to pursue what exactly was promised in committee, and so and so forth. But the Board has already voted to move this property. So this issue, as it relates to another interaction with the engineering firm, is really, really ancillary.

LEG. TROTTA:
The safety of my residents is ancillary?

MR. DALE:
I don't know how you make that association. Did you make that association?

LEG. TROTTA:
I made it very clear. And, DuWayne, am I next?

P.O. GREGORY:
You are next, yep, yep.

LEG. TROTTA:
Okay. You just said before that the Landbank made the decision not to sell it to the prior people?

MR. DALE:
No.

LEG. TROTTA:
That's exactly what you said. Could you read it back to him? You said that the --

MR. DALE:
Are we talking about Power Crush?
LEG. TROTTA: Yes.

MR. DALE: That was subject -- do you have the reference, please?

LEG. TROTTA: No, you -- you just said, you just stood there and said --

MR DALE: I'm getting the reference, hold on for a minute.

DIRECTOR LANSDALE: The Landbank passed a resolution to terminate negotiations with -- with Power Crush in August of 2018.

LEG. TROTTA: Okay. Well, let me read you some emails, an email chain that you're on where it talks about, "Unfortunately, the tragic loss of Andre slowed things down a bit, but can someone give me an update on the status of the contract?" This is from one of the people from that company, and your response was --

LEG. BERLAND: Who was it from?

LEG. TROTTA: Mike Rosato.

MR. DALE: And a date, please.

LEG. TROTTA: On -- oh, God, I just -- hold on a minute. On February 21st of 2018. "Alas, we are awaiting" -- one question. What floor are you on, your office?

MR. DALE: I think you've been in my office, Legislator, it's the 11th Floor.

LEG. TROTTA: Okay. "Alas, awaiting clearance from the 12th Floor." So, clearly, the Landbank isn't on the 12th -- 11th Floor, it's on the 12th -- it's on the 11th Floor, not on the 12th Floor.

MR DALE: Right.

LEG. TROTTA: So this was a political decision based upon your email. So the Landbank didn't --

MR DALE: I think, frankly -- frankly, I think it's an operational decision.
LEG. TROTTA:
Okay. Well, the bottom line is --

MR DALE:
I mean, the Chief Executive Officer is on the 12th Floor, so that's the way most corporations work.

LEG. TROTTA:
The bottom line is I'm here to protect my residents and --

02:34PM

MR. DALE:
So you say.

LEG. TROTTA:
-- a blind man can see that that thing has been filled in with garbage and disgust, and we have five acres next to it. And all I'm asking is, first of all, to market it properly, it's not even on your map on your website for things for sale. It's not even -- there's not even a sign. How can -- you know, who in business would sell 26 acres and put it on a website that essentially no one knows about?

02:34PM

DIRECTOR LANSDALE:
Well, thank you for bringing that issue to our attention. We did rectify that between this morning and this afternoon. We fixed it. We reviewed -- we removed the map, because the map was not autopopulating the information that was on the table, but it was still listed very clearly on our website.

02:35PM

LEG. TROTTA:
But who, who would know? I mean, if you -- any real estate person, any marketing person who's selling 26 acres, it's almost like, you know, you're funneling this to somebody. The appearance is horrible.

MR. DALE:
In terms of funneling, that's another issue which we probably shouldn't get into. But we did have a firm named Harmony, an Upstate solar firm that somehow managed to find out about this property down in Kings Park.

02:35PM

LEG. TROTTA:
Okay, that's great, because guess what, this should be marketed better. So, look, I'm not going to belabor this. I mean, this is clearly a -- for the life of me, I can't figure out -- for the good of the Landbank, for what the Landbank is supposed to do, get properties back and the cleanup. It shouldn't be about money, it should be about doing what's right for the community, getting it back on the tax rolls, and cleaning it up properly. So if you sell that five acres to someone else and the other guy decides not to buy it, guess what, now you got 26 acres with nowhere to drain, and how is that good?

02:36PM

MR. DALE:
I think we've delineated the effort that we've made, I think it's been very concerted. I think we've had several offers. I think
it's up to the Legislature to determine whether, in fact, that's satisfactory or not.

LEG. TROTTA:
Look, in my -- it's in my district and it's not satisfactory.

P.O. GREGORY:
Okay. Legislator Berland.

02:36PM
LEG. BERLAND:
Okay. So, being new to the Legislature and not participating in these before, I did some homework and some research over the break. So what I'm concerned about here is, first, Legislator Trotta, if you're saying you want to protect your residents, I would think that you would want us to vote to approve this and clean it up, because --

LEG. TROTTA:
It's already --

02:37PM
LEG. BERLAND:
Excuse me, excuse me, excuse me. No, no, no, no. My turn.

LEG. TROTTA:
You're confused.

LEG. BERLAND:
I'm not -- I'm not confused. There are two parcels here, and we are talking about the second parcel, we're not talking about the first parcel. We're talking about the parcel that is -- that is --

LEG. TROTTA:
Clean.

LEG. BERLAND:
Can you let me? Let me talk just for a minute, okay? So -- well, let's -- let's clarify it. Are we -- are we -- in this resolution, are we talking about the parcel that's clean or the parcel that we want to clean?

02:37PM
DIRECTOR LANSDALE:
We're talking about the clean parcel, Izzo.

LEG. BERLAND:
Okay. And now the person, that person wants to purchase the other property also and clean it up, correct?

02:37PM
DIRECTOR LANSDALE:
That's right, yes. We received two proposals on the Steck site, one from Kevin Cox and the other from Uri Kaufman.

LEG. BERLAND:
And Kevin Cox is the one who wants to purchase this one?

02:37PM
DIRECTOR LANSDALE:
Yes, with Pioneer Asphalt, yes.
LEG. BERLAND:
Okay. So it seems to me that if they want to proceed with that and they want to buy the second one, that the only one who looks like they're funneling is this Power Crush, who was your campaign manager, and you abstained from the stuff before. So why you're even -- why you're even here and participating in this, and why you haven't recused yourself from this entire thing, because you keep pointing political this, political that, 12th Floor this, 12th Floor that. You're the one who's delaying this and belaboring it, because you're pissed that your campaign manager didn't get the deal in the first instance.

LEG. TROTTRA:
I thought it was --

LEG. BERLAND:
Excuse me, my turn. So, you know, for someone who keeps pointing fingers at everybody else, you know, I think you got to point the finger at yourself at this point, and maybe recuse yourself from this, because it's -- the more I learn and the more I see how your involved with the first guy who didn't get the deal, I really think that that is blinding you for what's going on now. And it seems to me if this guy wants to buy this property and wants to clean up the other one, that we should go forward and we should do the right thing and clean it up.

So I've read this Apex letter and it -- the letter speaks for itself. The letter is the position of the company. What Legislator Trotta is saying -- you know, had one conversation, and Legislator Cilmi had another conversation. The letter speaks for itself. It says that they can maintain the water on the property. And the Apex issue is different than the purchase issue. It's two totally separate things that are being convoluted together for the sole purpose of delaying this.

I had agreed to table it last time, because I -- you know, out of deference to Legislator Trotta, because he says it's his district and he wants to protect his residents. I don't think that's what's going on here. I think he's trying to protect his campaign manager, who didn't get it in the first instance. And I think we need to move it. So, actually, I'd like to make a motion to approve, if I could do that, right?

LEG. SPENCER:
Second.

LEG. BERLAND:
Did you hear Legislator Spencer second that?

P.O. GREGORY:
Okay. All right.

LEG. BERLAND:
Okay. I think it's time we move forward with these parcels and we do take care of the residents, and we sell this and we, you know, clean up the second part, and we get this moving, and, you
know, get the politics and get the 12th Floor stuff and get the campaign manager stuff out of it, and do what's right for the people and move forward and clean this up. I'm done.

P.O. GREGORY:
Okay. Legislator Donnelly.

LEG. DONNELLY:
Thank you, Mr. Presiding Officer. Thank you, Sarah and Dorian. You guys, you do great work and I'm a big fan. So just there's a lot of missiles flying here. I just have a couple procedural questions, really, really simple. Did the Landbank approve this purchase? Because I'm trying to kind of -- in deference to Legislator Cilmi, and I want to be respectful towards him, he's saying that the Landbank never approved this purchase, or they were supposed to come back. What was the definitive answer of the Landbank?

DIRECTOR LANSDALE:
The Landbank Board voted to approve this transfer. At the last meeting, Legislator Cilmi asked for Apex to come and speak to the Landbank Board. I've reached out to Apex and made that request.

LEG. DONNELLY:
So, as part of that discussion, was that before that this resolution was going to be moved a little bit --

DIRECTOR LANSDALE:
The resolution --

LEG. DONNELLY:
That's what I want to just -- if you kind of -- I'm trying to kind of see through the clouds here a little bit, so to speak.

DIRECTOR LANSDALE:
So the Landbank Board approved this sale to the Cox Brothers in February.

LEG. DONNELLY:
Okay. So the Landbank approved the sale in February, so then -- because I had seconded the motion to table in deference to Legislator Trotta, because, in fairness, it is his district and we should, but I'm just concerned that there's lots of external factors.

The second part of the conversation I have is that in any environmental project there is always a lot of coordination between the County, the Town, and the State DEC, and those of us that have served, you know, in Town government recognize that. Does the Town -- specifically, the Town of Smithtown Planning and Environmental Departments, have they offered an opinion on this particular sale?

MR. DALE:
Yes, they have. We've spoken to Peter Hans, who's Director of Planning for Smithtown, and the Supervisor apparently is okay with
moving the Izzo property.

LEG. DONNELLY:
They're in approval of moving this project forward as it stands right now?

DIRECTOR LANSDALE:
Yes. So we've also coordinated with DEC both on the Izzo site and on the Steck site.

LEG. DONNELLY:
And New York State DEC, what is their position on this particular piece of property right now?

MR. DALE:
Well, on the Izzo site, they've -- you know, they've spent something like $13 million to clean it up, and so it's good to go from their standpoint. A different story with the Steck, with the hotspots of PFOS and dioxanes. As I've said, that could conceivably, you know, spin it into a Superfund site, which will tie up the site for years.

LEG. DONNELLY:
So that's my concern, because we had a similar situation in West Hills, and this body voted down a cleanup and it was somewhat delayed. And, you know, we get these external factors that the missiles start flying, but I'm trying to kind of put it in more simpler terms.

So, if I can just recap for you, just so I understand for my own edification. The Landbank approved this purchase in February. This body, in respect to Legislator -- being in Legislator Trotta's district, we motioned to table. The Town of Smithtown, both Planning and Environmental Departments, are in approval, and the New York State DEC is in approval; is that all correct?

MR. DALE:
That seems to be the case, yes.

LEG. DONNELLY:
Okay. Thank you.

P.O. GREGORY:
Okay. Legislator Lindsay.

LEG. LINDSAY:
Sarah and Dorian, good afternoon. Thank you for the information. I'm trying to disseminate some of this information as well, and as this had gone through Economic Development Committee, we actually had a meeting with the first buyer, which was arranged by Legislator Trotta, and I just want to make sure I'm not confusing this deal with the one that was prior.

DIRECTOR LANSDALE:
I would imagine you had a meeting with the first buyer on Steck, which is the adjacent site, not this site.
LEG. LINDSAY:
Right. Okay. And that was the deal where they wanted to purchase
the property, but they wanted us to finance the deal for them and
pay us over time?

DIRECTOR LANSDALE:
That's right.

LEG. LINDSAY:
Okay.

MR. DALE:
That's correct, and they made a comparable bid on the Izzo
property.

LEG. LINDSAY:
Okay. I just want to make sure I'm keeping the two properties
clear. So then from there it went to the Landbank, the Landbank
approved it, Legislator Cilmi made a request that Apex come back
and speak about, I guess, about what -- about their findings. But
then I have an email here saying from Apex, basically, it looks
like you asked them to come back and they denied that request,
because the work had already been done, and that they'd already --
their hours wouldn't be compensated for, I would assume, if they
were to come back in and explain everything that they -- the work
that they had already done?

DIRECTOR LANSDALE:
Apex is -- wasn't available today. And I would imagine that we
would have to compensate them for going to the Landbank Board
meeting, because they've made it clear that there's -- their work
is done.

LEG. LINDSAY:
Okay. But in this email, they, I mean, very strongly worded,
categorically denied the accounts of -- that were contrary to
what -- that their original letter that we had submitted to us
today was, in fact, factual, and that anything to the contrary of
it is just not true.

DIRECTOR LANSDALE:
That's right.

LEG. LINDSAY:
Okay. All right. I don't have any other questions. Thank you.

P.O. GREGORY:
Okay. Legislator Spencer.

LEG. SPENCER:
Thank you. I'll be brief this time around. So I think Legislator
Donnelly really summed it up. But I, too, was a little taken aback
with the claims of politics that were being thrown out. But my --
I'm hearing that it's not that you guys just came rogue to the
Legislature against the Landbank's wishes and not informing them.
This -- and the way that it works is that they make a decision to
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approve it, they vet it and then it comes to us. So in the process of it coming to us, and my colleague expressing concerns with regards to get more information, because if Legislator Cilmi were saying that the Landbank really didn't have a chance to kind of vet and look at this situation, but they made a vote, they approved it, they made it so for things to move forward. I'm sorry, but, you know, I've taken votes here that I've looked back and I've regretted it and it's gone on to the next level. I don't get the right to claw it back and say, well, now we have oversight over it.

So you've got the Planning Board for the Town of Smithtown, the Administration that's there, the DEC, our Planning Board approved it. This is something that's been out there for years. It's a dirty site, the taxpayers are paying for it. We have a willing buyer that's willing to clean it up and all the boxes have been checked off. And at the very last step, there's -- now the water's getting muddy, and now all of a sudden it's politics? I find that frustrating, and I find that it's a little bit too late to say the Landbank didn't have a chance to look and go through this process. So I'm -- I'm just as insulted.

P.O. GREGORY:
Legislator Trotta.

LEG. TROTTA:
Yeah. The reason I recused myself was because I -- there's a gentleman involved, who Legislator Krupski's familiar with, who's donated $2 million to Huntington Hospital, a million dollars to Nissequogue River State Park, $1.8 million to the Vanderbilt, and --

LEG. BERLAND:
Who is this?

LEG. TROTTA:
Charlie Reichert. He was the one who was going to finance the cleanup out of the goodness of his heart, because his children live near there.

Now this went through the process, then they backed out. For whatever reason, the politics, whatever it was, I stayed out of it. Now they're gone. This is my district. I will fight relentlessly for my district and corruption. Now we got this done, I was totally out of it. When I got this report, it basically backed up exactly what Mr. Reichert, the generous Mr. Reichert was going to do and pay to clean up.

It said in this report you should do a geotechnical study, which, by the way, Ladies and Gentlemen, my friend, Mr. Reichert, was going to pay for. He was going to pay the property, pay for the cleanup, pay for the Phase II and the geotechnical study. Everything he was going to pay for. Instead, the taxpayers paid, which at a cost of $300,000 if it would have been done today.
Now, they get this report from Apex, and it backs up what they said, because we talked to other people, and there's a 2003 report, which Peter Scully, himself, at a meeting said there's nowhere to put them with the water. So the people back in 2003 backed out. Now we have five acres that's cleaned up at a cost of 7 million. I thought it was 7, it's 13 million, that the taxpayers cleaned up that we can drain the water into. So, all of a sudden, this report by Mr. Apex, which the guy's name was -- what was the guy's name?

**MR. DALE:**
You spoke with Dan.

**LEG. TROTTA:**
Can you turn the mic on?

**LEG. BERLAND:**
It says Dan Smith.

**MR. DALE:**
I turned it off again. You spoke to, I believe, Dan Gavin and --

**DIRECTOR LANSDALE:**
Joe.

**MR DALE:**
Joe Gavin. And the other gentleman's name, who's his superior, is Dan Smith.

**LEG. TROTTA:**
So Joe Gavin was the guy in charge of the project. He came to my office and he agreed with everything I said.

**MR. DALE:**
No, I believe it was Mr. Smith, his underling, who came to your office.

**LEG. TROTTA:**
No, it was Gavin who came to my office.

**MR DALE:**
No. Well, Gavin came -- Gavin is the underling, Smith is his --

**LEG. TROTTA:**
Is his boss. So he told me he was the Project Manager on it, Joe Gavin.

**MR DALE:**
Yes, I think that's correct.

**LEG. TROTTA:**
And he wrote this report.

**MR. DALE:**
For the most part, it seems.
LEG. TROTTA:
Yes. And then this letter comes from his boss.

MR. DALE:
It does, after having an exchange with Mr. Gavin, in which
Mr. Gavin apparently suggested that your interpretation was
inaccurate.

LEG. TROTTA:
I'm so glad you said that. You know why? I had a conversation
with Mr. Gavin and I recorded it, and I'm going to play it for this
Legislature right now. I'm so glad you said that.

LEG. BERLAND:
Are we allowed to play recordings?

AUDIENCE MEMBER:
Why not?

P.O. GREGORY:
Well, wait a minute. What's going on?

LEG. TROTTA:
Are you ready? This is my conversation on June -- no, I'm sorry,
not June 7th, August 14th of this year. And Mr. Gavin -- I will --
I will play it in a second, but what -- I'm going to tell you what
he said so you can hear it, was that, "The letter was written. I
have no idea what was in it. I have nothing to do with it, and I'm
not allowed to talk to you." So

LEG. FLEMING:
Point of order, Mr. Presiding Officer. I'd ask Counsel if this is
appropriate or a proper function of the Legislature during a public
hearing to offer recorded testimony.

LEG. BERLAND:
I don't believe that's in the rules, is it?

(Legislator Trotta played recording: "Hey, Joe, it's Rob Trotta,
Legislator. Hi. How are you doing?")

MS. SIMPSON:
I would have to check to see if it --

LEG. FLEMING:
Point of order, Mr. Presiding Officer. I'd ask that Mr. Trotta --

LEG. TROTTA:
You don't want the truth? You don't want the truth?

LEG. FLEMING:
The truth appears to be your friend didn't get his way, and so now
we're spending, you know, hours after hours after hours discussing
why your friend didn't get his way. But that being said, I'd like
to know under the rules of the Legislature, it's the first time
I've witnessed a Legislator offering a recording during a public
General Meeting - September 4, 2019

MS. SIMPSON:
If I may, I would like an opportunity to look at the rules, because from what -- this is the first time I've ever seen something similar to this as well, and I'm trying to recall if similar activities have ever been contemplated or regulated in our rules.

MR. DALE:
Can I just interject, that what Mr. Trotta actually does suggest and is on his tape is consistent with an email we did receive from Mr. Gavin. He did, in fact, say that he was not aware of how -- what went into this letter, that he wasn't to be conversing with you, principally, because in the previous exchange there seemed to have been significant misinterpretations. So that's the explanation. I think you're absolutely correct.

LEG. TROTTA:
Oh. But so a minute ago you said he was consulted on, he looked at it and he did it. And now, all of a sudden, you change your story. And you wonder why these people here are pissed off?

LEG. BERLAND:
No. He said consulted on the project, he didn't say consulted on this letter.

LEG. TROTTA:
You know what's sleazy and disgusting means?

MR. DALE:
Tell me about it.

P.O. GREGORY:
Okay.

LEG. TROTTA:
You.

P.O. GREGORY:
All right. All right. I have a list here, so, Legislator Krupski, you're next.

LEG. KRUPSKI:
I just wanted clarity, because Legislator Cilmi said something and then Legislator Donnelly asked the question. It was about the Landbank not approving this sale. And I just wanted clarification, because I have -- in the resolution, it has March 27th, 2019 the Landbank Board of Directors approved the acquisition, and I just wondered if that's -- if that's correct.

DIRECTOR LANSDALE:
You know, you are correct. My notes were incorrect.
It's March 27th, 2019.
LEG. KRUPSKI:
The Landbank Board got together and voted --

DIRECTOR LANSDALE:
Yes.

LEG. KRUPSKI:
-- to approve this sale, period.

DIRECTOR LANSDALE:
Yes.

LEG. KRUPSKI:
So, okay. Thank you.

P.O. GREGORY:
Legislator Cilmi.

LEG. BERLAND:
Did you skip me?

LEG. CILMI:
I wish that was period, Al. Listen, Legislator Trotta has his concerns with this sale, and with this bill, and I have some concerns about this sale and this bill. But at the end of the day, Sarah and Dorian are here as staff members of the Landbank. A representation was made to the Board of the Landbank that Apex would come in and discuss with the Landbank Board inconsistencies in what was said to Legislator Trotta, and what was said later in a letter, or represented in phone conversations. Now, just to make sure I wasn't going completely out of my mind, I took the liberty of calling Supervisor Schaffer, who sits on the Landbank Board, as the Chairman or President of the Supervisors Association. And I took the liberty of calling Cara Longworth, who is what? What is she, the Regional Director of Economic Development for New York State?

DIRECTOR LANSDALE:
Uh-huh.

LEG. CILMI:
Who sits on the Landbank Board. Both of them recall very specifically what I'm expressing to you right now in terms of the commitment that was made, and both -- and neither of them heard from Landbank staff that they were going to be asking for this to be approved today. And, in fact, both of them said that I could share with this Legislature that their belief was that -- their belief is that Apex should be brought in to speak with the Landbank Board before anything is approved.

So you have at least three members of the Landbank Board, two of which are not County employees, and one of which is a member of this Legislature, irrespective of the debate on whether or not the sale should ultimately go through, two Board -- three Board members of the Landbank are saying that we expected to hear directly from Apex at a Board meeting prior to this sale going through. And, if
for no other reason, this Legislature should table this legis -- this bill today.

**LEG. KRUPSKI:**
Did you -- did the Landbank vote to sell it?

**LEG. CILMI:**
We did, but subsequent to the vote there were questions. And, in fact, this Legislature, in deference to Legislator Trotta, because it's in his district, tabled the bill, and then subsequent -- at our next Board meeting, Legislator Trotta came to the Board meeting and expressed to the entire Board, shared with the entire Board where the inconsistencies -- where he saw the inconsistencies in what Apex originally said and what Apex is now saying. And as a result of what Legislator Trotta shared at that Board meeting, I requested that we bring Apex in to discuss those inconsistencies, and the Landbank staff agreed that it was a good idea to do that, and the entire Board was there. So Supervisor Schaffer and Cara Longworth both understood that Apex was going to come to the Landbank Board and have a conversation prior to this getting approved.

**MR. DALE:**
Question.

**LEG. DONNELLY:**
Mr. Presiding Officer, I just have a question for Legislator Cilmi.

**P.O. GREGORY:**
I've got a list.

**LEG. CILMI:**
Okay. I can let him ask a question. I can --

**P.O. GREGORY:**
Question of?

**LEG. DONNELLY:**
It's just a procedural thing. So I'm just trying to, again, see through the clouds and take away the missiles in the air. There was the sale, approval, there was a subsequent meeting for a request for them to come back. Was it discussed to hold the sale or not? That's kind of like -- because, look --

**LEG. BERLAND:**
The crux.

**LEG. DONNELLY:**
-- I'm fine with being fair to everybody, but let's make sure, Tom, that the information is clear, because --

**LEG. CILMI:**
I'll try and do it.

**LEG. DONNELLY:**
-- you have folks that want throw missiles, too.
LEG. CILMI:
I'm not throwing missiles here.

LEG. DONNELLY:
And so understand, you know, that there's lots of external factors. And I'm willing to be fair to Legislator Trotta, but there's clearly other agendas.

LEG. CILMI:
He -- Tom, to me, this is no longer a matter of being fair to Legislator Trotta. Honestly, it's a -- it's a matter of being fair to me and the other members of the Landbank Board, that's what this is about. So the way this has always worked, and I -- listen, I have been a champion of the Landbank. I have -- I am proud to sit on that Landbank Board. And every opportunity I get, I talk about the great work that the Landbank does.

The way it works is that the Landbank Board approves properties for sale. Those properties then come to -- those requests then come to this Legislature in the form of legislation, and this Legislature listens to our staff, and we generally approve the sale. In this particular case, because of concerns that Legislator Trotta expressed at our last meeting, or whichever meeting it was, after the Landbank Board -- and he does not sit on that Board. After the Landbank Board approved the sale, the legislation was in front of us. Legislator Trotta said, "Look, I have concerns. Apex said this," whatever, "it's in my district, please consider tabling it." And I think the Legislature, in deference to Legislator Trotta, because its in his district, agreed at that point.

Next, Legislator Trotta, in the process of doing his due diligence in communicating, came to a meeting of the Landbank Board, our last Board meeting. And said, "Here's what" -- "here's what Apex told me, here's what Apex is saying now. There's obviously some inconsistencies there." The Board seemed to agree that there were inconsistencies. And so when I suggested that we have Apex come to us, it was really in an effort to clear up those inconsistencies, and the staff of the Landbank agreed that that was a good idea.

So, at that point, I walked out of the Landbank meeting, as did Cara Longworth, as did Supervisor Schaffer, as did Presiding Officer Gregory, understanding that they were going to come to a Landbank Board meeting to -- at least to discuss those inconsistencies. And here we are today being asked to support this Legislation.

It has nothing to do with my opposition at this point, frankly, has nothing to do with Legislator Trotta's concerns about all of this stuff. It has to do with the fact that at the last Landbank Board meeting it was represented that we were going to have Apex come in, and we were under the impression that that was going to happen. And no -- at no point did anybody from the LandBank staff contact myself or apparently any of the other Landbank Board Members. I don't know if they contacted Presiding Officer Gregory. They certainly didn't contact Cara Longworth or Supervisor Schaffer, that Apex had declined an invitation to come in, and that they were
going to be asking today for the approval of this resolution. And my position is that as staff of the Landbank, and the Landbank is technically the Board of the Landbank, that should have been brought to us prior to -- prior to today.

I hope that clarifies. And it's not -- I'm not throwing missiles at anybody, it's just it is what it is.

P.O. GREGORY:
Okay. Legislator Kennedy.

LEG. KENNEDY:
Good afternoon. Legislator Donnelly asked two questions, actually three. Did you speak with the Town of Smithtown Supervisor? You said yes. Did you speak with Planning? You said with Peter Hans. And did you speak with the Environmental Department? I heard no answer. Did you speak with the Town of Smithtown, anyone from the Environmental Department?

DIRECTOR LANSDALE:
No, we didn't.

LEG. KENNEDY:
Okay. That's my concern. I want to clarify something said at the -- something said the last time you came before this Board. You said I spoke at the Landbank meeting to defend Rob Trotta. That was not what I said. I was the first speaker there, and what I said was it may not be in my district, but it has affected for 50 years, almost, my Long Island Sound, our Long Island Sound, our drinking water. Two wells have been closed. It's vital that these two pieces of land be completely remediated. I understand your need to sell, but here's my need.

I think that there's a mistake here. You read that quote from Apex about a stormwater management system. Without knowing the specific developmental plan and use, it was not possible for Apex to just -- to provide a specific stormwater drainage system recommendation. That's not what I was talking about. Those hotspots need to be remediated, they need to be drained. The access for drainage may only be at the side of the property where this piece of land is. That's my concern.

I think a tabling of this -- and to be perfectly honest with you, I want someone to buy it, I don't give a damn who.

LEG. TROTTA:
I don't either.

LEG. KENNEDY:
I honestly don't. And I don't -- well, I better not even say that. But we need to be able to drain from the hotspots. So table it, take a look at it, see what we can do, see what studies need to be done before you turn it over to anyone. You can take these gentlemen, you can take Rob's gentleman, you can take anybody else, whoever you want, there's no selectivity. It's the environment that's my concern and our drinking water and our Long Island Sound...
that is my concern. Thank you.

P.O. GREGORY:
Okay. Legislative Counsel is looking to the issue of the recording.

MS. SIMPSON:
So I don't see anything in the rules that expressly allows for the playing of a tape recording of a conversation that occurs outside of this auditorium. At this point, I think it would be inappropriate to allow for that, because we cannot confirm who the other speaker is in --

LEG. TROTTA:
Well, he says who he is. And is there anything that says --

MS. SIMPSON:
Legislator Trotta.

LEG. TROTTA:
-- you can't play it?

MS. SIMPSON:
Legislator Trotta, it could -- I could say that I'm, you know, Robert Smith. I'm not Robert Smith, I'm Sarah Simpson.

LEG. TROTTA:
Well, you're going to hear me ask for a name, I believe.

MS. SIMPSON:
I understand, but there -- it's not like it's a video where you can actually see the interaction, it's just a tape recording, and there's nothing in our rules that allow for this.

LEG. TROTTA:
There's nothing in the rules that allow for the truth. All right.

P.O. GREGORY:
All right. Legislator Berland.

(*The following was taken by Lucía Braaten - Court Reporter and transcribed by Kim Castiglione - Legislative Secretary*)

LEG. BERLAND:
Yes. Okay. So I have a couple of concerns there. Why did this move out of committee then in the first place? You -- there was no opposition. I believe it was like a 6-0 vote in committee. So, you know, there -- but I don't believe there was any discussion about not put -- not letting it out of committee. So that's the first thing, why did it move in the first place.

And what I'm concerned about is that, Legislator Cilmi, when the Landbank voted and then you say that you had questions about Apex, Apex makes it very clear in this letter and also in the emails that were shared that they have no misunderstanding, they had no other conversation, that their position is still their position, but then
why didn't someone on the Landbank make a motion to call back the vote? If you made an approval you should have asked for that to be called back and rescind your approval and start over again. But that didn't happen.

So I think, again, we have to separate the Apex issue and the draining issue versus the purchase issue, which, again, we go back to our generous, as Mr. Trotta referred to him, as the generous Mr. Reichert who gave him $11,000, and the generous Mr. Rosario guy or I think that's his name, yeah, Rosato guy who gave him $5,700. Because Legislator Trotta's always looking to see who is giving money to people who they're trying to help and he has been vehemently trying to help these two guys, one who gave him 11,000 and one who gave him 5700. So it seems to me enough is enough on this, you know, that the site was cleaned up. We have a purchaser for it. This purchaser, I believe, is here and he would like to be able to purchase the other property. And, you know, I think it's our obligation to continue this and go through with it and not, you know, let Legislator Trotta's personal issues with his campaign manager like drown out everything else.

03:07PM

LEG. TROTTA:
DuWayne.

LEG. BERLAND:
This is a -- this is a sale that was approved by the Landbank. If it wasn't -- if they wanted to change their mind they had lots of opportunities at the last meeting. If they felt that the Apex issue was affecting the sale so much, then they should have asked for the vote to be recalled and did that happen, Ms. Lansdale?

03:08PM

DIRECTOR LANSDALE:
Your question?

LEG. BERLAND:
Did they ask for the vote to be recalled?

DIRECTOR LANSDALE:
No.

03:08PM

LEG. BERLAND:
All right. So you can only like legally conclude from that that the sale was approved in March, it was continued and whether you're going to have Apex come and talk about the eventual remediation on the other parcel has nothing to do with the purchase of this one. It's two totally separate things that are being thrown together to protect Legislator Trotta's friends.

LEG. TROTTA:
To protect the water.

03:08PM

LEG. BERLAND:
No, I don't -- I really don't think so because I think the Izzo property was cleaned up and we want to sell it and we need to sell it and then work on the other, on the other parcel next door. And the company that now wants to get it, which is not your friend,
which is the other guy, wants to also purchase the other property
is my understanding, correct, and wants to clean that up.

DIRECTOR LANSDALE:
Uh-huh.

LEG. BERLAND:
So I think we should encourage the sale to let him purchase this
one so that he will then purchase the next one and clean it up
pursuant to the Apex letter which says that they can clean it up on
that site. So, you know, we're just -- we're spinning our wheels
here and I think we should just call the vote at this point. How
many times are we going to keep going around in circles? Can we
call the vote? Can I do that?

P.O. GREGORY:
I have others that want to speak. Legislator Donnelly.

LEG. DONNELLY:
I just want to go back to -- I'm a former Town Board member. Town
government plays a critical role. Did we talk to the Town of
Smithtown environmental folks?

DIRECTOR LANSDALE:
We spoke to the Town Planning and they coordinated with others.
I'm not sure if they reached out to Russ Barnett, which is the
Smithtown Environmental Control person, but they reached out to
David Barnes, who is in Planning. They've reached out to the Town
Engineer. They've reached out to a number of people.

LEG. DONNELLY:
Okay. So I'm very procedural. This is sloppy all the way around,
including Legislator Trotta. But in deference to the Landbank
folks and to making sure that everything is buttoned up, you know,
I think perhaps, you know, I would support a tabling motion.

P.O. GREGORY:
Okay. Legislator Trotta.

LEG. TROTTA:
Yeah. For the record, my campaign manager, which was in 2012, and
I haven't had one since, put those two guys together, okay? And
when it came here, even though I have nothing to do with it, he had
very little to do with it, I recused myself. They have nothing to
do with it now. Zero. They're out of it.

LEG. BERLAND:
But you keep talking about what happened on the 12th Floor and you
keep saying that there were political reasons, so you should not be
talking about it.

LEG. TROTTA:
There was. And this is again. Now, I personally -- for the record
I don't care who buys the property. I just want -- if you tell me
right now this sale is contingent upon the other sale and it will
be drained into there properly, I have no problem with it. But I
don't want that sold and now we're stuck with that with nowhere to drain it.

**MR. DALE:**
Would you like the opportunity to have an exchange with the successful purchaser on Izzo who also bid on Steck, they're here, the Cox family.

**LEG. TROTTA:**
That's unimportant to me.

**MR. DALE:**
Why would that be unimportant to you?

**LEG. TROTTA:**
Because I don't care who buys it. I just want to make sure that property has a place to drain.

**MR. DALE:**
You have an opportunity to ask them that.

**LEG. TROTTA:**
Look, I don't know -- this other sale sat on the table for two years. And also, I want it put out properly. It wasn't even on your website. And, I mean, who advertises 26 acres on a website with no -- with no real estate? It's bizarre.

**DIRECTOR LANSDALE:**
If I may respond to that, Presiding Officer.

**P.O. GREGORY:**
Yes, please.

**DIRECTOR LANSDALE:**
Our website is not the only place where we market properties. We use LoopNet, we use a number of real estate --

**LEG. TROTTA:**
Was it on LoopNet?

**DIRECTOR LANSDALE:**
Yes.

**LEG. TROTTA:**
When, and what did it say?

**DIRECTOR LANSDALE:**
I can get the dates and times for you if you'd like.

**LEG. TROTTA:**
Is it on it now?

**DIRECTOR LANSDALE:**
Steck or Izzo?
LEG. TROTTA:
Steck.

DIRECTOR LANDSALE:
Steck? No, because we've received two proposals.

LEG. TROTTA:
I'm asking that we -- look, this has been like this for 30 years.
I would love to sit down with the people from Apex because they're
going to be in for the shock of their lives. And, by the way, I
had people in my office when that guy told me look, this is crazy,
there's nowhere to drain that, you absolutely have to do a
geotechnical study. Now, all of a sudden, this letter appears.
You think there was political pressure? Wait until you hear the
cornerstone. This is something that should go to the District
Attorney's Office.

Look, I don't care who buys it. I could care less. But this is my
district. I want to make sure it's cleaned up properly. And
selling this without having a proper place for the drain -- the
water, is irresponsible to the taxpayers, it's irresponsible to the
people drinking my water in my community. And until I'm satisfied
with it I would expect -- I would hope that my colleagues here will
appreciate my passion for this. And in giving the mess how this
was presented, it's ridiculous.

P.O. GREGORY:
Legislator Cilmi.

LEG. CILMI:
So I just in my comments earlier, I neglected to mention that
Legislator Spencer, with due respect, mischaracterized,
 misrepresented what I said.

LEG. SPENCER:
Okay. I'm sorry.

LEG. CILMI:
We did have ample time to vet everything at the Landbank Board
level, but not everybody on this Legislature sits on the Landbank
Board. So -- and this will answer Legislator Berland's questions
as well. So when the resolution came to the full Legislature for a
vote and we were confronted with concerns by the resident
Legislator, this Legislature tabled the bill, and that is what gave
the Landbank Board the opportunity to revisit the issue and we did
so at our subsequent meeting. So the Landbank Board didn't have to
recall anything. That was done for us by this Legislature. I just
wanted to make those two points clear.

P.O. GREGORY:
Okay. Legislator Berland.

LEG. BERLAND:
I believe that the gentleman, Mr. Cox, who wants to purchase this
one and has said that he wants to purchase the other one is here.
Can I ask that he come up and tell us what his intentions are on
the second parcel?

P.O. GREGORY:
I don't really think it's appropriate. I really don't.

LEGAL. BERLAND:
Well, I think that Legislator Trotta said that he doesn't care who it's sold to as long as the person who buys this one buys the next one.

LEGAL. TROTTA:
I don't think we should be negotiating this in the middle of a meeting, and I do -- put me on the list, please.

P.O. GREGORY:
You're on the list.

LEGAL. BERLAND:
So can -- can we ask him?

P.O. GREGORY:
But even asking him if he has interest in the property, which was already stated several times, there's no guarantee that he or mandate that he has to use that property as drainage. He could put, I don't know, a farm on that property or whatever the zoning use allows. There's no mandate that he use the second property as drainage, right? I mean, that's -- so to call him up to ask him to make him commit to something that he's not legally obligated to do, I don't see any purpose for that. But --

LEGAL. BERLAND:
Well, he has an offer on that -- on the second property?

DIRECTOR LANSDALE:
Yes, he has an offer on Steck.

LEGAL. BERLAND:
Right. So that's my -- that's my only point, because Legislator Trotta said he wouldn't care who it was sold to as long as the person who's buying Izzo buys Steck. So that my understanding is that --

LEGAL. TROTTA:
And it's drained properly.

LEGAL. BERLAND:
-- that is what Mr. Cox's intention is because he has an offer in on that. So, you know, can we hear from him?

LEGAL. BERLAND:

P.O. GREGORY:
Assuming he wants to talk. Mr. Cox, would you like to be heard on this? If you don't then that's fine. I don't know you, I've never
met you. I have no idea whether you want to talk or not, so I apologize ahead of time if I have put you on the spot.

MR. COX:
Not at all, not at all.

LEG. BERLAND:
Well, tell us. What are your intentions with, you know, the Steck property and what, if any, plans do you have on the drainage?

MR. COX:
Okay.

LEG. BERLAND:
You have to speak into the microphone, though.

MR. COX:
As far as the Steck property goes, we do have a bid in on the Steck property, and we were the high bidder on the Izzo property. We've also retained --

P.O. GREGORY:
So you have a bid in that hasn't been determined yet.

MR. COX:
Correct.

P.O. GREGORY:
So I think this is entirely inappropriate.

LEG. KENNEDY:
Yeah.

MS. SIMPSON:
It's early because --

P.O. GREGORY:
It's -- yeah, that's -- it's just inappropriate.

MR. COX:
Okay. Can I say that we have retained an engineer, an environmental engineer and an environmental attorney for the Steck property and they both told us that the drainage could be done on the Steck property solely, and that the Izzo property -- the Izzo property is not needed for the drainage.

P.O. GREGORY:
Okay. That's probably the extent of what you should say because it's an open procurement. You shouldn't be here talking about it, because there are competitors that are now at a disadvantage.

MR. COX:
Okay.
P.O. GREGORY:
They can say well, my competitor was able to present their
solicitation or their bid to the Suffolk County Legislature, I want
the same opportunity, I'm not given that opportunity, and they
start this whole damn thing all over again. That's why I didn't
want you to come up.

MR. COX:
Okay. I'd also just like --

P.O. GREGORY:
I apologize that you guys have to torture yourself through this
process.

MR. COX:
Thank you.

P.O. GREGORY:
There sincerely are some legitimate questions here and I'm glad
that you are interested in both properties, I will say that. But
any aspect of any proposal that you have made that hasn't -- that
no final determination has been made would be entirely
inappropriate for us and more so for you as the proposed bidder.

MR. COX:
Okay.

LEG. BERLAND:
And it was clearly not my intention to put you in any disadvantage
whatsoever. I was trying to help in Legislator Trotta's concern.
So, you know, like I said, not mean any disadvantage whatsoever
with this so, but, thank you for --

MR. COX:
Thank you.

P.O. GREGORY:
All right. Thank you, gentlemen.

MR. COX:
I just want to say something to the Board. Basically, we've been
in the area for about 40 years. I have three sons, two of them
live in Kings Park. We've had businesses down in Kings Park for
about 22 years. I heard a little bashing and different things, but
I just want to say that we have about 15 acres there now with about
20,000 square foot of building, and it's probably the nicest on a
two-mile strip. We landscape it from the front right up to the
building. Everything is concealed and very nice looking. And our
intention with the Izzo property, the five acres, was to basically
we're outgrowing what we have now. And it's only maybe a mile down
the road and we wanted to take it and move the operation there, and
basically, you know, grow from that.

P.O. GREGORY:
Okay. Thank you.
MR. COX:
I just wanted everybody to know what our intentions were there.

P.O. GREGORY:
All right. Thank you.

MR. COX:
Thank you, Board.

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Thank you. Just a few questions for Director Lansdale. I'm looking at a resolution from the Landbank from March. You referred to it earlier, I think it's Resolution 1575, which authorizes the sale of the Izzo Tire Dump, 294B Old Northport Road. That's what we're considering now, right?

DIRECTOR LANSDALE:
Yes.

LEG. FLEMING:
Okay. And there were representations made by Legislators that at a meeting subsequent to our tabling that resolution there were representations by staff that Apex would provide further information to the Landbank. My question is was this authorizing resolution that we are -- we've been provided with today, 1575, was that rescinded?

DIRECTOR LANSDALE:
No.

LEG. FLEMING:
Was there any motion made to rescind it?

DIRECTOR LANSDALE:
Nope.

LEG. FLEMING:
Was there any motion made to make it contingent upon further information being provided?

DIRECTOR LANSDALE:
No.

LEG. FLEMING:
Okay. So it appears, and I may be wrong, but it appears to me after all of this discussion, that out of courtesy to Mr. Trotta at least one tabling motion was entertained and supported, and now we're hearing another bite at the apple that suggests that the only place that the larger maybe P site, maybe Superfund site, could drain would be this one site that we're considering purchasing today. Are you following?
DIRECTOR LANSDALE:
Yes.

LEG. FLEMING:
It's complicated. So who, if anyone else, other than Mr. Trotta has suggested that the second -- that the -- I'm sorry, the parcel that we're considering today, the 240 -- the Izzo Tire Dump, 294B Old Northport Road, who, if anyone else, has suggested that that would be the only site where the larger site could drain?

DIRECTOR LANSDALE:
No one else. I'm sorry, Mr. Rosato.

LEG. FLEMING:
Mr. Rosato, who we've learned is a friend of Mr. Trotta's, who obviously didn't get his way at the Landbank.

LEG. TROTTA:
Oh, please.

LEG. FLEMING:
Okay. The question I have then is if we have -- let me ask it this way. Is there anyone with credentials as a groundwater engineer, or any kind of engineer, suggested that the property that we're considering today is the only site that could be used to drain the larger site?

LEG. BERLAND:
You got to say that louder.

DIRECTOR LANSDALE:
No.

LEG. FLEMING:
But we do have a letter from Apex which states, and I can read it, "Based upon Apex experience as a national stormwater consultant, we can say with confidence that there's sufficient area on the site to implement effective drainage measures." Is that consistent with your understanding?

DIRECTOR LANSDALE:
Yes, yes. That's the letter we received.

LEG. FLEMING:
So within the 26-acre site provisions could be made to do the stormwater drainage that would be required for remediation, if remediation is necessary.

DIRECTOR LANSDALE:
That's what the letter says, yes.

LEG. FLEMING:
And did the Landbank or have we and I missed it, anybody else hear from any other engineers to support what Mr. Trotta is saying, that the property we're being asked to consider again today is the only place that this larger parcel could drain?
DIRECTOR LANSDALE:
No.

LEG. FLEMING:
I don't have anything further. Thank you, Mr. Presiding Officer.
I certainly support the acquisition.

P.O. GREGORY:
Okay. Legislator Trotta.

LEG. TROTTA:
Yeah. Just for the record, Joe Gavin from Apex sat in my office
while he said this is not the only place, he said 99% there
probably isn't any room on that property. And I brought people to
the Landbank who actually drove the bulldozers in there who said
they dug down 80 feet and every stretch of it and filled it in.
There's a 2003 study that the Farino Brothers spent $400,000 for
determined that there was nowhere to put the groundwater.

LEG. FLEMING:
I have what's in front of me, and what's in front of me does not
include any contingent resolution by the Landbank, doesn't include
any --

LEG. TROTTA:
What I'm saying is you're saying it was just me and I'm telling you
it wasn't just me.

LEG. FLEMING:
I think you've gotten so many bites at the apple here there's very
little --

LEG. TROTTA:
Then for the record I just talked to Supervisor Wehrheim, who said
no one ever spoke to him, he didn't approve anything, he didn't
authorize anything.

LEG. KENNEDY:
Right.

LEG. TROTTA:
Just this second, not more than five minutes ago. And I'm going to
put a call to Peter Hans. I talked to his assistant yesterday who
said, "Listen, they're going to sell it. We don't think it's a
good idea, we should wait till the other one". So you're sitting up
there taking the truth and bending it. Look, I personally don't
care who buys it. I could care less. What I'm looking for is it
to be done correctly, because I know as a little kid being around
there and talking to people, there's nowhere to put the water. And
I want to make sure it's done properly, period, plain and simple.
And you're trying to railroad this thing through using the
assumption that oh, some guy, a guy who helped me in my campaign,
which was essentially me knocking on doors, is somehow going to
benefit from this. Well, he's not, he's out of it. And out of the
abundance of caution I recused myself from it. But everyone tries
to bring it up and guess what? Just wait. We're going to hear
about recusing ourselves very shortly.

This is unconscionable to the citizens of this County that you're not doing this right, because this guy from Apex sat in my office and said the exact same thing. It doesn't look like there's anywhere to do it. The logical place is the Izzo site. So if you have 26 acres of 80 feet deep you're not digging down to find a clean spot. He -- they actually -- I brought to the Landbank, you weren't there, but Sarah, you heard the guy. He goes, look, there might be ten feet of sand that we put on top of 20 cars. There's cars -- he says there's stuff in there you have no idea what's in there. And I want it kept and I want it kept properly.

So to come in here when the Supervisor of Smithtown just called me and you represented that he said it was okay, he said he knows nothing about it, zero. Now, I'm going to call the deputy guy who's name -- in the Planning Department, Peter's assistant. I talked to him yesterday. He goes yeah, they came here. They're going to try to send that through. We don't think it's a good idea, either. Because you need to know. We don't know.

MR. DALE:
Because we keep getting different versions and it's difficult to understand --

LEG. TROTTA:
Maybe we should sit in a room and clean it up.

MR. DALE:
The Cox Brothers submission on Izzo referenced the Supervisor Wehrheim. It has been communicated that he was comfortable with the Cox's. So whatever else is now transpiring, I think, again, it could be conceivably, you know, a matter of who wants to say what to who.

P.O. GREGORY:
Okay. I've been very quiet. I've just been absorbing this. You know what bothers me is from the beginning, and Mr. Rosato and myself, we had it out a few times because I thought he was acting inappropriately during the procurement process. If I recall, he was not the original winner of the Steck site, right? There was some change there, right? Am I --

DIRECTOR LANSDALE:
Yes. He -- he initially was the winner of the Steck site and it was approved by the Landbank Board back in May.

P.O. GREGORY:
Right.

DIRECTOR LANSDALE:
Then there was a change in the use. The use went from solar to undefined.

P.O. GREGORY:
Right, right.
DIRECTOR LANSDALE:
And then that had to go back through the Landbank Board and then back through the Legislature.

P.O. GREGORY:
I remember he was sending emails like disparaging another firm, and his actions the whole time have been like this guy is like out of control. And from -- and I come from a procurement background who's very sensitive to that because there are multiple times when you have a bid out, and of course the guy who loses, oh, you went with this guy, his products are cheap or whatever, you see it all the time. So when he started doing that my red flag went up right away. I said, "This guy is trying to undermine the process." He's sending emails. We used to get them like once a week for like a year-and-a-half it seemed like, all full of accusations and all this type stuff. And now he's out of the process but he's obviously still involved. It's because he's communicating and that's what disturbs me.

The other thing that bothers me also, there was a representation that Apex would come to the next Board meeting. It wasn't expressly stated, but my impression was that that would happen before moving this legislation. So, I mean, obviously that could still happen. There's still, I guess, a representation from you guys that there is a possibility that the Izzo site would be needed for drainage, but it's not -- hasn't been firmly -- there's no firm conclusion on that. Obviously these gentlemen that are here, they have the -- they're interested in the Steck site. They have done their homework, and they are, I guess, of a mind or are open to that, I guess, result. So I don't know.

I think -- I want to go, you know, respect the local Legislator, but I just -- it really bothers me that Rosato's actions and how he's been trying to undermine this whole process. The Board has approved this. It was a few months, six months ago, I guess. You know, we're trying to move this forward. The community has certainly been interested -- well, not so much in this site, but the Steck site, and potentially it looks like both of them can be moving forward. Obviously the DEC has to make a determination whether it's going to be a Superfund site, but there is some movement going forward.

We did the Phase II after Mr. Rosato decided to walk out and said no. He offered to pay for it said, no, we'll do it ourselves and we got some concerning results back. The DEC obviously was notified of that. And this is a site that has obviously had some community interest, because I've gotten contacted with some of the community and how they were concerned about what development was going to go there, and if it was appropriate or inappropriate for the area.

But I -- I support the actions of the Landbank. I respect you guys' work. I wish we could have, you know, certainly my impression of what Legislator Cilmi's request was not met and that's unfortunate. But I do support moving both these sites forward to ensure that we're doing what our mission is, and that's...
to clean up these properties and redevelop them for the betterment of the community. You're next.

**LEG. TROTTA:**
You know, this is not hard. We have a piece of property that's clean right next to 26 acres that's filthy. So their own report said just like what Mike Rosato said. You know, it's frustrating to him, now that he's out of it, to what's happening. What this report said was exactly what he was saying the entire time. So it's frustrating for a person when they're saying something to someone and they're not listening and then all of a sudden oh my God, look, the report says exactly what we said and that we should do a geotechnical. And now all of a sudden they're selling this property without consideration for the bigger piece of property.

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

**LEG. TROTTA:**
I mean, it's just -- if Mr. Cox decides to buy the other piece of property, I want to -- I'm concerned that he thinks he could drain it there. Now, I've been there, I've talked to people there, maybe there's some way that I don't know about, but clearly I want to know before we vote on it. I want to know that, okay, if it's done properly. Because every person I talk to, including the DEC at length about, yes, that would be the best logical place to drain the water because it's clean and it's downhill. Now, believe me they said it.

**MR. DALE:**
Really?

**LEG. TROTTA:**
Okay? Yeah.

**MR. DALE:**
Can you provide some evidence of that?

**LEG. TROTTA:**
Yes, I can.

**MR. DALE:**
Go ahead.

**LEG. TROTTA:**
I'm not allowed to play it.

**P.O. GREGORY:**
All right, all right. But to your statement, I think because of the status of the Steck site, there's certainly going to be heavy involvement from the DEC. When they say, Hey, you guy's have got to find a place to drain --

**LEG. TROTTA:**
With all honesty, I have no faith in the DEC. That's been sat uncapped for 30 years. I have no faith in them.
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P.O. GREGORY:
I do; I have faith in them.

LEG. TROTTA:
There's an uncapped landfill for 30 years, and that's not the only one there. So it's a horrible situation that I'm trying to make better properly. I don't want to cut my nose off to spite my face. I don't want to sell something that I might need. If Mr. Cox wants to do it and you build this land, build this building, whatever it is, off to the side or a piece of it and still use that for draining, I'm behind it. If someone can come in and convince me that, look, this is a good -- this is a good place to drain the water and the DEC says it's a good place to drain the water, then I'm okay. But I'm not going to sit here and poison my residents, period. I'm not going to cut my nose off to spite my face. This isn't a hard thing to get your hands around.

There's a clean -- we spent $13 million cleaning up five acres, we have 26 acres that are polluted, it runs downhill right to it. We hired a guy for $200,000 to do a study and he says the same thing. But when it doesn't come out right what do we do? We ask for another letter. Now, we want to talk to him about that, but he doesn't show up. Look, there's another Land Bank meeting, maybe before -- I don't know, is it before the next meeting?

DIRECTOR LANSDALE:
It's October 23rd.

LEG. TROTTA:
Okay, but this has been like this for 30 years. And if we wait another two months, is it the end of the world? Or maybe Mr. Cox will decide by then that he wants to buy it, maybe he'll get the other reports and read it and go, Oh, my God, they're right, there's no way the DEC is going to let me do this. But if we sell them the property prior to that, now we have 26 acres with nowhere to drain it and that's irresponsible.

MR. DALE:
But actually, one of the other upshots it could conceivably be, because the DEC with whom -- in whom you have no faith, has suggested that if they, if they have identified it as a possible Superfund site, will lock it up; and they will do so in short order, they're not waiting around as much as you are.

LEG. TROTTA:
Well, if they find a Superfund site, fine, they're going to need somewhere to drain it. They're going to -- if it's a Superfund site, they're going to need somewhere to cap it properly and to drain it to.

MR. DALE:
Well, again, you don't have any engineering reports to support this continued representation.
LEG. TROTTA:
Well, here's the report right here, it's full of garbage. I have photographs right there dug 80 feet down right next to the road, I have eye witness testimony who drove the backhoe and watched them dump car batteries and God knows what in there.

MR. DALE:
That eye witness was Mr. Izzo?

LEG. TROTTA:
Yeah, amongst Mr. Farino and amongst another guy who lives across -- who has a business across the street who watched them do it, and I can bring every single one of them here. Now, Mr. Izzo is the perfect guy because his father polluted the other place; what's he going to lie about polluting? He's not going to lie.

MR. DALE:
Are they environmental engineers?

LEG. TROTTA:
No, but they drove the backhoe to put the car batteries there.

P.O. GREGORY:
All right. You know what just dawned on me? And I know we had to have this conversation before of the nature of the environmental issues and the concern and just them being adjacent to each other. But this whole conversation really isn't appropriate, because obviously the Cox, they have -- their interest is in the Izzo property, their expressed interest in the Steck property. So anyone that are competitors that have put a bid in for the Steck property can now say, You know what? We have 18 people that pretty much said, Well, if you don't -- if you're not even open to or have the ability to use the Izzo site as a drainage, then you're kind of like at a disadvantage. So we're telling people you're at a disadvantage if you don't have the other site.

LEG. TROTTA:
That's where I said we should --

P.O. GREGORY:
I think it's inappropriate.

LEG. TROTTA:
That's why I said from the beginning we should put them up as one parcel. And we should say to them, Look, this is so bad you have to drain into that property. We might get less money for it, but guess what, we're not getting any money for it now and we're paying the taxes for it. So if we have to get less money and they cap it properly, the taxpayers win, the environment wins; that's what I've been saying from the beginning. Sell it as one parcel requiring that it drains into that; that's what's good for the taxpayer and that's what's good for the environment. That's what we should be doing.
The Lank Bank is not about making money, it's about getting things back on the tax rolls and cleaning the environment. So the logical answer is sell it as one parcel; and if Mr. Cox wants to buy it, let him buy it, God bless him. Because, quite honestly, he's right; his property is one of the nicest ones that you see when you drive around.

P.O. GREGORY:
Okay. I have a few more; Krupski and then we're going to call the vote.

LEG. KRUPSKI:
Thank you. So some of the concerns here are environmental. If this site, the Izzo site is developed and it's got a clean bill of health from the DEC, does the Town have any zoning responsibilities there or jurisdiction to make sure that, you know, drainage, traffic and all that get -- are addressed during the development of that site?

DIRECTOR LANSDALE:
Yes, they do.

LEG. KRUPSKI:
If the Steck site is sold and before it's developed, does the DEC have to give it a clean bill of health and do they work with the Town on making sure that they get a -- that it's appropriate to build something there?

DIRECTOR LANSDALE:
The DEC would have to give it a clean bill of health. The question right now with Steck is that based on the Phase II Environmental Site Assessment findings from the Land Bank, there are elevated hot spots on Steck. And because of that, DEC is considering whether it would be designated a P-Site, a Preliminary Superfund. So they're weighing right now whether to move forward with a P-Site investigation or to have the private sector go in and do that investigation on the DEC's behalf through the Brownfield Clean-Up Program.

LEG. KRUPSKI:
If they decide to make it a Superfund site, what is the status of our -- the County's ownership?

DIRECTOR LANSDALE:
It would still be privately held. And if it would go through the P-Site and become a Superfund, it would be -- the County is still on the hook for the taxes every year.

LEG. KRUPSKI:
And --

DIRECTOR LANSDALE:
If it remains undeveloped and not privately owned. It's currently in private ownership, but the owners are tax delinquent.
LEG. KRUPSKI:
And the last question I have is when you go through this process
with a Land Bank and you meet on a specific parcel, do you notify
the township that your -- you might take action on this parcel?

DIRECTOR LANSDALE:
Yes. We do that in advance of going to the Land Bank Board.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
Legislator Kennedy?

LEG. KENNEDY:
I'm going to say it again; why would we even think of putting up a
piece of property if there's a possibility that it can only -- its
hot spots can only be drained from the -- through or next to a
parcel that we've already sold to someone else? I think you do a
great job at the Land Bank, but that sounds kind of shady to me.

The question is it's about the environment. It's not about
somebody not understanding Robert's Rules of Order, it's not about
who knows who or who's friends with who, it's about the
environment. I think we have to -- I don't think waiting two
months is going to bankrupt any of these people. We don't know if
the Cox' are the high bidder or the low bidder, we don't know any
of this information, or Rob's ex whatever; we don't know any of
this information. Right now what we have to do is vote for what's
environmentally sound. You haven't even contacted the Town's
environmental people, they should have a say in what's going on.
There's two different -- you say you spoke to the Supervisor, he
says he just spoke to the Supervisor; two totally different
answers. We have to get the facts before we vote on this.

P.O. GREGORY:
Okay, Legislator Donnelly.

LEG. DONNELLY:
No, I think I'm good; all my questions are answered.

P.O. GREGORY:
Okay. So I think I remember last century there was a motion to
table and a motion to approve.

MR. RICHBERG:
Yes, there is.

P.O. GREGORY:
Tabling motion goes first; roll call.

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

LEG. TROTTA:
Yes.

* Index Included at End of Transcript
LEG. KENNEDY: Yes.

LEG. KRUPSKI: No to table.

LEG. FLEMING: No.

LEG. SUNDERMAN: Yes.

LEG. MURATORE: Yes.

LEG. HAHN: No.

LEG. ANKER: No.

LEG. LINDSAY: No.

LEG. GONZALEZ: No.

LEG. CILMI: Yes to table.

LEG. FLOTTERON: Yes to table.

LEG. McCAFFREY: Yes.

LEG. BERLAND: No.

LEG. DONNELLY: Yes to table, one more cycle only.

LEG. SPENCER: No.

D.P.O. CALARCO: No.

P.O. GREGORY: No.

MR. RICHBERG: Eight.

P.O. GREGORY: Okay. Motion to approve. All in favor? Opposed?
LEG. CILMI: 
Opposed.

P.O. GREGORY: 
Abstentions?

LEG. FLOTTERON: 
Opposed.

(*Legislators Kennedy, Trotta, McCaffrey, Sunderman & Muratore raised their hands in opposition*)

LEG. TROTTA: 
This is an abomination and a disgrace. The Land Bank is a joke.

P.O. GREGORY: 
Okay, IR 1584 - Amending the 2019 Operating --

MR. RICHBERG: 
I didn't call it.

P.O. GREGORY: 
Actually, I'm sorry, I'm sorry.

LEG. CILMI: 
DuWayne?

P. O. GREGORY: 
Yes, sir?

LEG. CILMI: 
Point of personal privilege?

P.O. GREGORY: 
Yes.

LEG. CILMI: 
I'd like the both of you to set a special meeting for the Land Bank as soon as possible.

MR. RICHBERG: 
Eleven (Opposed: Legislators Cilmi, Flotteron, Kennedy, Trotta, McCaffrey, Sunderman & Muratore).

P.O. GREGORY: 
For what?

MS. ELLIS: 
He never called the last vote.

P.O. GREGORY: 
Oh, for -- oh, okay. So we have a motion and a second -- actually, no, that's -- I make a motion to table; sorry, 1584.

IR 1584(-19) - Amending the 2019 Operating Budget to assure the security of the BOMARC facility (Presiding Officer Gregory).
I'll make a motion to table.

LEG. FLEMING:
  Second.

P. O. GREGORY:
  Second, Legislator Fleming. All in favor?  Opposed?  Abstentions?

LEG. TROTTA:
  Where are we, DuWayne?

03:45PM

P. O. GREGORY:
  I'm sorry, Tabled Resolutions, Bomarc.

MS. SIMPSON:
  We tabled it.

P. O. GREGORY:
  We tabled it.

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

P. O. GREGORY:
  Okay, I got several requests to take a resolution out of order.  I
  know we've had a lot of interest on the red light cameras, so let's
  do that.  IR 1663 which is on page nine -- nope, page eight, bottom
  of page eight, Adopting Local Law No. -2019, A Local Law to extend
  Traffic Control Signal Monitoring System (County Executive).  I'll
  make a motion to take out of order.

03:46PM

LEG. HAHN:
  I'll second.

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

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

P. O. GREGORY:
  Okay.  Do we have a motion?

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

P. O. GREGORY:
  Motion to approve by Legislator Calarco.  Second by Legislator
  Hahn.

03:46PM

LEG. TROTTA:
  Motion to table.

P. O. GREGORY:
  Motion to table by Legislator Trotta.
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LEG. FLOTTERON:
Second.

P.O. GREGORY:
Second by Legislator Flotteron. On the motion, anyone? Or are you all tired from Kings Park?

LEG. KENNEDY:
No.

P.O. GREGORY:
Or was that just the appetizer?

MS. SIMPSON:
Krupski.

P.O. GREGORY:
Oh, Legislator Krupski.

LEG. KRUPSKI:
So we did have -- thank you. We did have the consultant come in to Public Works, we got a lot of good public input. This program should be about public safety and driving safety. I hope nobody ever gets a red light ticket again. I hope everyone obeys the traffic law and stops at the red -- when it's a red light, and then no one will have to pay the ticket or go to the traffic court.

A lot of the comments that we did get, though, and did here were that -- were operational on how it runs. One woman said she couldn't get an answer whether she was going to get a ticket or not, she wasn't sure, because of a public safety vehicle. I think like any other part of any of the government, it always can be improved and it can always be worked on and you need to listen to the people who are going through it and part of it and familiar with it to make suggestions to make it better. So I think that we'd like to get some commitment from the Administration who works in -- especially in the traffic control department there, to make this better. I would like to a commitment from the Department of Public Works that they take the recommendations of the consultant seriously and look at the -- there were 15 intersections that were recommended for further review and to take that seriously and to, going forward, look at those intersections, maybe they should be -- maybe they should be removed there and moved elsewhere or maybe the intersections need some remediation to make them safer. So I think that was a positive part of the report that we got to look at specific intersections, it should be about and we should continue to focus on traffic safety.

MR. RUTH:
Then have engineers sign-off on them; come on.

P.O. GREGORY:
There's no yelling from the audience.

MR. RUTH:
It's New York State law.
P.O. GREGORY:
So you're done?

LEG. KRUPSKI:
Yes, thank you.

P.O. GREGORY:
Legislator Spencer.

03:49PM

LEG. SPENCER:
Hi, Mr. Presiding Officer. I do have just a couple of quick
questions for DPW, and I see that they're here; just a couple of
quick things, if I may.

Hi, thank you so much. We appreciate you coming in. I know one of
the concerns that has come up as far as just placement of the
cameras, and one of the recent things that we've heard is that they
seem to be maybe disproportionately located in minority
communities. So can you -- you've done this before, and we don't
have to go into long detail. But first, you are an engineer; is
that correct?

MR. HILLMAN:
Yes, that's correct.

LEG. SPENCER:
Okay (laughter), I know that's the case. So as far as when the
decisions for making where the cameras are placed, I've seen the
map, it looks pretty well dispersed. Is there a potential trend,
or what's basically -- what is looked at as far as making the
decision where to place a camera.

03:50PM

MR. HILLMAN:
Sure, I can go through the process. So we utilize New York State
DMV accident database, we query the right-angle accidents, and that
includes every signalized intersection in Suffolk County. We
utilize that list and evaluate the top intersections to determine
if they are candidates for red light cameras. A field
investigation is performed, things like geometrics, site lines for
cameras, is it going to be in construction, is it presently in
construction; so there's numerous things that are taken into
account. And then finally, a video validation is performed for one
day; the vendor comes out, sets up a camera and actually does a
24-hour count of violations. With all that information, decisions
are made as to what the top right-angle intersections -- which
intersections should cameras be placed at the top right-angle
intersections.

03:51PM

LEG. SPENCER:
And when all of that data is compiled, is it formula-driven and the
numbers are what they are? Who is the ultimate decision maker as
far as looking at the numbers and adding up everything and saying,
Okay, these intersections are where the cameras are going to go.
Would that be -- as head of your department, would that be
something that ultimately you would kind of be the final word, in a
sense?
Mr. HILLMAN:
Yes, the previous contract did specify that the department has the ultimate decision, and it is data -- completely data-driven.

LEG. SPENCER:
So in your role as -- I guess as an engineer, then the idea that there's no engineering input or sign-off, is that accurate exactly? I mean, is a signing off, like are you supposed to sign something in particular? When you're approving it, you're looking at it as an engineer in your experience and background as saying this seems valid; would that be correct?

Mr. HILLMAN:
That's correct. I believe the claim is that the plans have not been signed off by an engineer, and my interpretation of the New York State Education Law does not require that; and I will read it to you, if I might.

LEG. SPENCER:
Thank you.

Mr. HILLMAN:
This is directly from New York State, New York State Education Law. "All plan specifications, plats and reports relating to construction or alteration of buildings or structures or geological drawings and reports prepared by such professional engineer or planned specifications, plats and reports prepared by such land surveyor and all geological drawings and reports prepared by such professional geologists, or by full-time or part-time subordinate under his or her supervision shall be stamped with such a seal and should also be signed." Now, that's a run-on sentence that is -- I don't know how many lawyers are in the room, but that's a pretty good run-on sentence for legal jargon, so let me break that down.

There's three points, four points. One, "Planned specifications, plats and reports relating to the construction or alteration of buildings and structures need to be stamped and signed"; we can all agree that a red light camera's plan is not a building or a structure. "Geological drawings and reports must be stamped and signed"; again, not a geological report. "Planned specifications or plats and reports prepared by a land surveyor need to be stamped and signed"; these were not prepared by a land surveyor. "All geological drawings and reports prepared by professional geologists need to be stamped and signed"; this was not prepared by a professional geologist. So my interpretation of the New York State Education Law gives no indication that these plans need to be stamped and signed by a professional engineer.

LEG. SPENCER:
Okay. With that being said, let's just for a moment, just with your experience as far as looking at the data and the process that goes into it, and saying that if there was a requirement, basically when you go through this process and you look at the information, in a sense you're -- if it required that it be stamped and signed, is that something that, based on the rigor of the collection -- collecting the information in your department, that it would be
something that would be stamped and signed?

MR. HILLMAN:
I'm not sure I follow the question.

LEG. SPENCER:
If it required it be stamped and signed, based on the information that you are collecting, is it something that you would approve of?

03:55PM

MR. HILLMAN:
If it was required to be stamped and signed it would be stamped and signed, but my interpretation of the law does not require it to be stamped and signed.

LEG. SPENCER:
Okay, all right. I -- thanks a lot, Bill. I appreciate that.

One last question; who is ultimately responsible for administering the program? I know there was -- Paul Margiotta said he adjudicates, but he doesn't really administer. As far as just the day-to-day, looking at information or you see that there's a problem or something that's just coming in that's sort of whacky, do you -- is there a process within Public Works that can say, Somewhere's going on with that camera over there. It looks like there's accidents that are happening; is there a mechanism in place to turn off the camera, move the camera and is there someone who is in charge of kind of the day-to-day operations?

MR. HILLMAN:
Yes, TPVA is in charge of the administration of the contract.

LEG. SPENCER:
Of the contract as far as fees, but they kind of testified that as far as the running, as far as their placement and the day-to-day of the program as far as the operations of the equipment, would that be Public Works?

MR. HILLMAN:
If there is an issue with the equipment, TPVA can reach out to us and we're always there for support, absolutely.

LEG. SPENCER:
As far as intersection evaluation, though, is that an ongoing thing or is that done once a year or once every other year, making moves? How is it determined that -- you see that infractions are going down at one site, I understand that the equipment is moved to another site. How is -- how does that work? Would that be something that would come through you or is that the Administration?

03:57PM

MR. HILLMAN:
It would be initiated by TPVA, but Public Works would be involved in the conversation.

LEG. SPENCER:
All right. That's all I have for now. Thank you so much for the
information.

MR. HILLMAN:
You're welcome.

LEG. SPENCER:
I started this process -- since I've been in this Legislature, the one issue that has consistently come up has been the red light
 cameras. And I had one opportunity I think early on to kind of
approve it, but I started this pretty much as a firm no but being
open to the information. I just felt that to see the people that
were coming out and testifying so passionately that there had to be
something to it. So I went a lot deeper into this process than I
ever hoped to, and my poor staff, they really have spent hours.
I mean, we literally went to all 50 states. We looked at programs
that were in place, we looked at places that had authorized the
program, places that had authorized it and taken it down, and we
really looked at national organizations. And probably one of the
things, believe it or not, that kind of, I guess, pushed me or
tipped me the other way was listening to people testify and a lot
of them called me out by Doc, they said, Hey, you're a doctor, you
have an ultimate responsibility, and that was one of the things --
you have more of a responsibility, there's more of a burden on you
for public safety; I don't know why, I think we all share equal
burden. But I wanted to get a sense, number one, is this about
safety. And there is a huge financial component to it, when I hear
that ratings or there's a hole in the budget. I just stuck my head
in the sand, which is terrible that I did that but I just filtered
out that -- from an economic point of view and said, you know,
where do the facts lead.

I lost my life at a red light camera -- almost lost my life at a
red light camera intersection, I've shared that before, where I was
hit. My car was nearly totaled, over $10,000 worth of damage, a
rear-end accident while stopped at a red light camera, but it
turned out to be an 18-year old kid that was texting on his phone,
it had nothing to do with the camera. The facts, hearing that
almost 80% of people who get tickets get one or two tickets and
they change their behavior. But when I listen to what's happening
nationally and having concerns, I do support the program but there
are problems.

The study that was done as far as just the parameters, for whatever
reason, whether or not you're looking at 33 feet out, 200 feet out,
I do think that the passionate advocates do bring out issues, and I
think it would be foolish for me to support this program without a
commitment or knowing that I took responsibility to make
significant change.

So what are those issues? Well, number one I'll start with what is
obvious. I'm an African-American, the report that there are
disproportionate issues in African-American or minority communities
and I thought about that, but that doesn't make any sense that if
it's about revenue, why would you put the cameras in communities
that maybe would have a more difficult time paying. That didn't
add up to me. But you walk into Traffic Court and you see
predominantly people of color; why is that? Well, unfortunately, and I think that there's no secret, I'm not making -- saying that people of color are poor or whatever, but there can be that trend, that if you get a red light camera ticket and you can't afford to pay it, you're going to wind up paying more because you've got to miss a day out of work, you've got to go, you've got to sit around court. Whereas, my son's gotten a red light camera ticket, I've gotten a red light camera ticket, there's a few in my house. Guess what we; we look at the video, Oh, I didn't slow, I didn't come to a complete stop; I pull out my credit card and I pay it, and that's what happens. I looked at the issue, is this -- are these cameras in more minority communities and I think they may be in areas where there is more density perhaps, but that doesn't follow that if it's a revenue program that you would focus them in areas where there are people that would have more of an issue paying.

So then I went on to the other issues, like another big concern for me was there should be a big difference between someone that blows by a school bus or someone that blows through an intersection on a solid red versus someone that rolls through an intersection, makes a right, kind of pumps the brake but they never come to a complete stop. I met with the Administration and, you know, I looked at that. You know, I think that there should be an opportunity for someone that's a first offender where we may not be able to change the fine because that's prescribed by State, but what the administrative fee, allowing there to be an educational program where they take a course on-line or something and that administrative fee could be reduced, and that would lose us revenue but it would be about safety. I did get representation that that is something that could be committed to, and also that there are other colleagues that may speak of what they're planning to do.

The idea that although the study was not the greatest but there were intersections that stood out, we need some intersections redesigned. I'm introducing legislation that would direct Public Works to complete a study reviewing those intersections that were pulled out of the report by McLean & Associates that had an increase in dangerous accidents. And so I wanted to make sure that there are substantive changes. People that can't pay, they shouldn't have to come to court in order to get a payment plan; we should have a mechanism in place that allows that a payment plan is available with the vendor. I see that in amending the RFP that there is language that gives an opportunity for that.

So as I look at the -- the final issue for me was the increase in accidents. And is the increase in accidents because of the red light cameras? Well, my question would be if there was a police officer sitting in the bushes and someone came up to a red light intersection, I think it kind of has the same sort of impact, that people sort of -- they're careful, they slow down, they maybe slam on the brakes or whatever. But the bottom line of it is that we should be driving as if there are houses with school children, as if there are police officers at every intersection. And the red light camera, someone said earlier that it provides that immediate impact for someone to look at and change their -- and change their behavior. It's unpleasant, I don't like it, it's frustrating, it
feels like government is in your face, but when I look at places where they've taken those cameras down, it seems that accidents have gone up.

My role here is that I can't support this program the way that it is with another five-year lease, but if there are legislation that's coming down to allow for payment plans, to allow for education, to allow for the review of intersections to have a clear understanding of who is in charge of this program, I think Alex said earlier, he said it in reverse, I don't want to throw the baby out with the bath water.

So with that being said, I'll yield. But, you know, this is something that I think is very important and we've got to improve it.

P.O. GREGORY:
Doc, I love you, you know I love you like a brother, but I disagree with you.

LEG. SPENCER:
Okay.

P.O. GREGORY:
With something you said. I -- I don't necessarily a hundred percent agree that the cameras are placed in low income areas only.

LEG. SPENCER:
Okay.

P.O. GREGORY:
Or minority areas. But there's certainly, from the information I've been able to gather, that they're low income and moderate. Because there are white low income areas in Suffolk County, there's not only blacks and Latinos --

LEG. SPENCER:
Right.

P.O. GREGORY:
- that live in poor income areas. If you look at -- and I had the information at Public Safety, you know, six out of the eight most poorest communities in all the County they have cameras, you know. And I think it was like 18 out of 30 had cameras, and that 30 number is an inflated number because eight of that 12 that don't, they're not in the Police District. So it's really like 18 out of 22 most poorest communities in the County have red light cameras. Where if you go look conversely, the 30 most poorest communities -- richest communities only have one. So, and those are just intersections. Those are just -- there's 18, but they may have -- I think 18, but I think they have like 53% of the cameras. So the Police District -- you know, we don't have 53% poverty in the Police District, but there's over representation of where the cameras are as a proportionality for low-income and moderately income communities; that's a concern that I have. There is --
LEG. SPENCER:
Sure.

P.O. GREGORY:
Absolutely, if you look at the map, there isn't a red light camera from West Sayville, East Islip -- or West Islip all the way to Sayville. Why is that? My district is the second most minority district, it's like 52%, I think Sammy is like 75% or whatever. There are no cameras in the non-minority communities, or pretty much -- or right outside; East Farmingdale, a predominantly white community, there are no cameras there. There aren't cameras in Wyandanch either, but there are cameras all along the approach to Wyandanch, which is a 98% minority community, or 93%, something like that.

So there are legitimate concerns when it comes to that. So I just wanted to put that out there because I know some of the opponents, you know, are a voice in that and I don't want to say that everything they're saying is not legitimate, there is some serious concerns to that. I think with some of the stuff that Legislator Donnelly, yourself, myself and Legislator Anker and others who have joined, and Legislator Lindsay, are going to address some of those concerns in the future, but that really raises a red flag for me and that has to be addressed.

I have voiced some concerns. I asked for certain things like a payment program. The answer to your question is -- what was proposed to me was, well, maybe they want tickets from low income communities because they just don't pay the ticket, so you get the penalties and interest on it. When someone first told me that, I was like that doesn't make sense to me, but maybe there is legitimacy to that argument. I don't know, but I think it has to be looked at.

But I did ask the Administration to do certain things and they've done that and I said I would vote for it if they did that and I'm sticking to my commitment to that. That doesn't mean that I don't have concerns, remaining concerns about that, and we're going to try to address that through legislation, which you had alluded to in your comments.

LEG. SPENCER:
Absolutely.

P.O. GREGORY:
Okay? And I look forward to working with you and the rest of our colleagues to do that as well.

LEG. SPENCER:
Thank you.

P.O. GREGORY:
Legislator Fleming, you were next.
LEG. FLEMING:

Thank you, Presiding Officer Gregory. I first just wanted to address misunderstandings around why the County program isn't being implemented in the towns that I represent. It is a question of jurisdiction, it's not a question of economic disparity.

The Suffolk County Police Department has a very, very limited jurisdiction in my towns. Instead, we have eight smaller Police Departments which means we have eight separate boards of Police Commissioners that they are the ones who would have to make operational decisions on anything the Police Department does or around public safety.

04:11PM

Besides that, just on the income disparity, it -- there is a consistent kind of misunderstanding about my district. Yes, there are pockets of great affluence in my district, but out of the ten highest rates of poverty in all of Long Island, two are in my district. We do have pockets of affluence, we also have, for the most part, a very ordinary population of regular people and, yes, we have our pockets of poverty. So it's jurisdiction, it's not -- it's not economic disparity.

04:11PM

But I will support this program as a safety program. First of all, with regard to the rear-end accidents, I think it's extremely important to recognize that since this program was initially implemented there has been a 52% increase in the number of people possessing phones that are capable of receiving and sending text messages; we can't ignore that huge change in the landscape of public safety. But I do believe, from everything we've heard and we've had a lot of discussions, behavior is changing which means the program is saving lives and I believe that it will be a mistake to go back now.

04:11PM

Eighty percent of drivers who have gotten tickets for red light cameras have gotten two tickets or less; 60% have gotten one ticket only and they don't run the red lights again. They've learned that Suffolk County Police Department is serious about what we've all learned in nursery school, that red means stop and green means go and they are beginning to obey the law. More than 200 cars per day are no longer running red lights since this program's been implemented.

04:12PM

I was interested to hear also that the Insurance Institute for Highway Safety has reported that when municipalities like the ones that Legislator Spencer's staff has so diligently researched, that when those municipalities that had red light cameras turned off their cameras, those fatal red light running crashes went way up.

04:12PM

So we are saving lives with this program.

Long Island roads are dangerous. I will certainly look forward to supporting education, particularly education on distracted driving, support efforts to continue to build an understanding of where the locations are working, where they're not, and making adjustments to make that make more sense. And the payment plan, how the TPVA is operated, I support efforts for reforms and to continue to look at those. But for the safety of our highways, I am convinced from everything we've heard that this program is saving lives and I do
believe we should support it. Thank you.

MR. RUTH:
You are racist.

P.O. GREGORY:
That's inappropriate, that's very, very inappropriate. Legislator Muratore. In fact, I think it's out of order.

04:13PM
LEG. FLEMING:
Thank you.

04:14PM
LEG. MURATORE:
Thank you. Okay. You know, we sat this morning and we listened to a whole bunch of people come forward and speak their peace about the Red Light Camera Program. And, you know, I'm not going to bore you with numbers and facts and figures, but the majority, the vast majority of those people spoke against the Red Light Camera Program.

04:14PM
You know, I serve in the 4th Legislative District, I'm elected by the people in the 4th Legislative District. I serve -- I work for them; they tell me what to do and I try and get it done or do it. I think it's important for this Legislative body to listen to the people that spoke this morning and let's find a way to maybe, you know, stop the program for a while, let's come up with these educational programs and all these other ideas that people are coming forward with, enact them and see what happens. Because, you know, initially I was sold on the premise of this program that it was an arm of law enforcement, an additional arm of law enforcement. Having been a cop here in Suffolk County for 35 years, I kind of -- you know, I grabbed at that, and I really feel now that that doesn't really address that issue. It's not a law enforcement arm, it's a money grab, as everybody has been saying.

I mean, the red light camera, the people that receive them, the majority get them on a right-on-red. You know, and I say this and I don't think I'd be skirting my duties, if I was a police officer standing on the corner watching some of these red light summonses, I wouldn't issue them. You know, they do the California roll, they stop, they're doing it safely, they're not running the red light, they're slowing down. We heard about the one Korean War Veteran, you know, that he ended up getting eight of them and it stressed him out so much that he died from it. I mean, is that what you want to do to the public? We want to keep taking money from them? You have all these other ideas about, you know, discrimination, minority communities, but I think the program really, you know, got off on the wrong foot.

04:15PM
You know, I'll be voting no on this. And I ask my colleagues to listen to the people that came here, they took time out of their day. It's important to them. You know, we're getting paid as we sit here and do our job. Let's listen to them and maybe find a way to do away with this and come up with a new program. I mean, if we want money so bad, maybe we ought to think about the school buses.
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and people that passed up school buses, you know, put a heavy fine on them, maybe we can make up some of the income. Because we know it's all about the money. I mean, you're talking $40 million and if we were to do that to this County and take $40 million out of its budget we're going to have a problem, we would really have to cut some spending. And I'd like to know, where does the County Exec stand on this; anybody here that can answer me that question?

UNKNOWN AUDIENCE MEMBER:
He wants it.

P.O. GREGORY:
It's his bill.

LEG. MURATORE:
What's he saying on it?

MS. KEYES:
The County Executive supports the program. It's proven public safety protection, so we put forth the bill, we support its extension.

LEG. MURATORE:
So you say you protect public safety, yet rear-end accidents have increased. God only knows how much money that costs the insured. You know, if you have a rear-end accident your policy is going up, your premium's going to go up; there's more money that's coming out of the pockets of our residents. So not only is there a summons, which I believe is now $80, 50 and 30, and now they're getting banged more on their insurance policies. So let's think about it, Ladies and Gentlemen. Let's give the public a break and stop taking from them. You know, let's try and work with it. Okay?

Thank you.

Applause

P.O. GREGORY:
Okay. If you look at on your laid on the table packet, you may have the answer to your question that you presented. Myself and Legislator Sunderman are working together on something.

Legislator Donnelly.

LEG. DONNELLY:
Thank you, Mr. Presiding Officer, and thank you for your leadership on this issue from the Legislative side of government. Could I ask Bill to step forward? Thank you.

So I just want to thank you for all your help, you know, in helping me and my office kind of like dig through some of the data. And certainly your work as a whole in the County, you're a terrific public employee and I'm proud to know you and you work very hard.

So, you know, just right to the chase, I support the program. Everybody's entitled to their individual opinion; my individual opinion is that I think it's an effective traffic safety program.
That being said, though, based on the report, which I know some people were critical of, the report did make a comparative analysis on several intersections which has been referenced by Legislators Krupski and Spencer. So this 15 that we have to work on, right, so that's going to be -- and it's really just -- I know the answer, but that's a top priority for the Division of Public Works right now; would that be correct?

04:19PM

MR. HILLMAN:

Yes.

04:19PM

LEG. DONELLY:

So then I asked you, you know, and I'm hopeful that the language is going to be in the RFP, but as a fallback mechanism I'm laying on the table a resolution which will give this body, all 18 folks who sit around this horseshoe, and it's a rolling review report and react kind of resolution. So for the program to work as it was intended to in 2009 and then revoted on in 2014 and supported by almost all the Legislators who were here at the time, including the current County Comptroller, it's important that this program continue as a traffic safety program. So for that to work, right, it requires the Department of Public Works, at least in my view, to have better operational control over the program. At least from my view that we do now, it appears to be that the vendor has most of the operation of control, you know, and I would like to see as part of the RFP that the Division of Public Works who is responsible for the equipment has more operational control. Does that kind of make sense? Bill, I know you and I have chatted about this a little bit.

04:20PM

MR. HILLMAN:

Yeah. We can certainly, you know, talk to the Administration and talk to TPVA about that.

04:20PM

LEG. DONELLY:

Okay. All right, very good.

And once again, thank you, Mr. Presiding Officer, for your leadership. It's been a pleasure to work with you in ensuring that this program is going to address all the concerns of the Legislators who do support it. Thank you.

04:20PM

P.O. GREGORY:

Okay. All right, Legislator McCaffrey.

04:20PM

LEG. McCAFFREY:

Thank you. Bill, can I ask you to come back up again? On Tom's side, I have a couple of questions. First of all, I want to start off by saying thank you to you and Alex and your office for your work on a traffic study in Babylon there, Park Avenue. I think it's made a difference. I think there was one accident since then, but it's a lot less than the weekly ones we've been having. So thank you again for your work on that, your quick work.
I had a couple of questions. Because I wasn't at -- I went to the Public Safety meeting and we had Paul Margiotta there, the Executive Director of TPVA, and I was really disturbed more, really more than disturbed the fact that when I asked him about the report and he said he didn't read the report. And he is the Executive Director of that report, we spent almost $300,000 over it and I just found that unimaginable that he would not read that. And then -- because he said that he is not involved in anything to do with the Administration of it, only the adjudication of the summonses. Can you explain to me how this -- and I assume you read the report; I know you did, right?

MR. HILLMAN:
Yes.

LEG. McCAFFREY:
Okay, I know you did, I didn't have to ask the question. But what is -- because I hear different things. Like we talked about the placement of the cameras and the review of cameras and locations where accidents have gone up and you say you get recommendations from TPVA and then you act on them. Paul, who has not read the report, said that he doesn't act on any of this stuff because he doesn't really look at the data on accidents or anything and you wait to hear from him; can you clear that up for me?

MR. HILLMAN:
Sure. When it comes to location of the cameras, DPW is definitely involved. We are the primary department to make those decisions about where cameras go and.

MR. RUTH:
You just said it was DOT at the last meeting. At the least meeting he said it was DOT.

P.O. GREGORY:
All right. No more outbursts or you're going to be asked to leave the auditorium.

MR. RUTH:
I'm just calling the truth.

MR. HILLMAN:
So the department is the key -- Public Works is the key department in any decisions about where cameras go or relocation.

LEG. McCAFFREY:
Okay. So Doc Spencer made a comment before and I think the Presiding Officer kind of corrected him about the disbursement. He goes if you look on the map, they seem well dispersed. I think they're well dispersed in myself and Legislator Gregory's district, and even though he said they may not be in Wyandanch, they're in the borderline of our district going into Wyandanch. And specifically in my case, I have, and it was referred to as Scam Alley there by Mr. McDermott who said that we have five red light cameras in a 1.2 mile stretch of roadway. I've got to ask how that happened.
MR. HILLMAN:
Well, in response to Legislator Spencer, I outlined exactly how --
the process that we went through to select the cameras. If there
were two intersections right next to each other, that was not a
consideration. If those two intersections were in the top
intersections for having right-angle accidents, then they -- and it
was determined that they were suitable for red light cameras then
they were placed there. There was no consideration as to
geographics.

04:23PM

LEG. McCAFFREY:
So when you read this I guess you have a report in front of you,
right?

MR. HILLMAN:
Yes.

LEG. McCAFFREY:
Could I get that report that showed that?

04:24PM

MR. HILLMAN:
I don't know that we have -- well, I'm sure we have it somewhere in
some file. It was hundreds of intersections.

LEG. McCAFFREY:
I'll take the time because I don't know how it was pointed out some
areas only have one camera in their district, some have none, and
to have five in a 1.2 mile area is beyond me.

04:24PM

And then secondly, if you're staying in that little stretch there
of roadway, two of these intersections, one of them being Great
East Neck Road and 109, has been identified as one that should be
removed. And in fact, every year since the camera has been there,
accidents have gone up generally about 100% each year. I mean,
each year they build on cumulatively each year and it's been going
on for several years. In fact, as soon as they put that in that
intersection it became a problem. The first year we had I think it
was a 300% increase in accidents with injuries. I remember
standing there giving a report to News 12 about that intersection
and I know you're familiar with it, it's kind of a crazy -- it's an
X intersection, there's long roadways where people build up speed,
etcetera, and it really became a problem early on. And I've got to
wonder why that wasn't a red flag right away that said, Hey, we may
have made a mistake here, we might have done more damage than we've
done good here. Why was that not looked at right away?

04:25PM

MR. HILLMAN:
Well, the first traffic study that was completed was completed not
more than six months ago. So, I mean, at the completion of that
traffic study, we've made recommendations for these 15 to continue
-- you know, to be investigated further.

04:25PM

LEG. McCAFFREY:
But don't we get reports every year? I mean, every year you get
the accident data and you look at it and every year, from the time
we put in that camera, it continued to go up and accidents with
injuries went up, and significant amounts. Do we have to wait for
a traffic report to say Hey, I think -- we don't have to look any
further. Let's -- we need to take this out because things have
gotten bad, we get reports from the West Babylon Fire Department,
etcetera, that they're going there more frequently, we have bad
accidents since they put in the camera. And I think we all can
agree, you're the traffic engineer, I'm not, I was just a truck
driver one time so I spent a lot of time on the road. But some
roadways are different and they're -- and their site lines are
different, the speeds, and some just may not be good candidates for
these red light cameras. And so my question is that's an odd
intersection. We know it's an odd intersection and as soon as we
put it in accidents went up. Why did we wait so long to raise the
red flag and why as we're sitting here today that that camera is
still operating?

MR. HILLMAN:
Again, there's -- the only traffic study was completed six months
ago. Those were --

LEG. McCAFFREY:
Bill, I don't mean to interrupt, but there's got to be a mechanism
for each year when the accidents are going up to say Hey, we need
to take a look at this. And it should be just maybe based on
accident data to say that this isn't an anomaly here, this is
something that is continuing to happen. And as soon as we put this
up we had these accidents increase and injuries -- accidents with
injuries increase. And I don't know that we had to wait for a
traffic study to say, Hey, let's stop the presses here because
we've done more harm than we've done good. Is that -- and in the
future, would that be a recommendation to say that we just have to
look at this annual data and be able to not wait for a traffic
study and not wait three years, four years or five years to ensure
the public safety.

MR. HILLMAN:
Again, we can definitely talk to the Administration and TPVA about
that.

LEG. McCAFFREY:
Okay. I don't want -- TPVA is -- I've had it with TPVA. He didn't
even read the report. He didn't even read the report. I don't
know why they were -- because he says I have nothing to do with the
placement of cameras, I have nothing to do with reviewing the data,
I have nothing to do with anything other than making sure people
pay their fines and they do a very good job of that. The other
intersection is Bergen and Great East Neck Road and Montauk
Highway, a 300% increase in accidents last year and it continues to
go up each year, how long are we going to wait until we say that's
got to go?

MR. HILLMAN:
Well, we'll be putting out an RFP and it'll be a complete review
starting fresh, all the hundred intersections will be evaluated all
over again and decisions will be made.
LEG. McCAFFREY:  
I can't -- each day that goes by, at the very least at those two  
intersections which have been identified by a previous route to be  
taken down, why are we waiting for an RFP? Why are we waiting for  
-- can't you make the recommendation to TPVA and say, Hey, we got  
this report, or whoever you make it to. And this is the problem  
here is that we don't know what's going on, we're in the dark here.  
And if you asked anybody that's here or anybody on the street and  
you say, Hey, accidents are up 300% and it's been going on for five  
years or a hundred percent and we've identified in the report that  
we spent $375,000 on, but we still have to do another report. Most  
people would say, Let's shut them down today and take them out. I  
mean, can you do that? Do you have the ability to call TPVA and  
say, Hey, the ones that are in there now, get them out; they're  
hurting people, they're doing more damage than they are good.

04:29 PM  

MR. HILLMAN:  
Well, I would say that the indications are that the accidents have  
gone up. Obviously it's not the indication, the data shows that  
accidents have gone up at those intersections and that red light  
cameras could be contributing. There's no indicate -- no firm  
indication that it's the red light cameras that are creating those  
increases in accidents, that's why we say we need to further  
investigate. When we've completed that further investigation, if  
that yields that the red light cameras will be -- should be  
removed, then we'll definitely make that recommendation.

04:29 PM  

LEG. McCAFFREY:  
But you don't think that an increase of 300% in accidents or 100%  
increase in accidents cumulatively each year is enough to say that  
we need to take those cameras out?

04:30 PM  

MR. HILLMAN:  
I have not made a link between those cameras and those increases.

04:30 PM  

LEG. McCAFFREY:  
Why are we compiling the data then? If it's not just data -- but  
we're free to say that, oh, overall the accidents are down 20% in  
fatalities, or whatever we're saying, or serious accidents are  
down, just by data that we should keep it going. But reporting to  
individual intersections that the evidence, based on the data that  
we have that we paid $300,000 for to review, says the accidents are  
up 300% in one, 100% in another and more staggering other  
locations, in some cases even more significantly. And we can't  
look at that data and just say Hey, I can't explain it, but  
something's going on here and we don't have time to do this traffic  
study that we think it's going up. It's not helping it's hurting  
that we can't pull the trigger right away as soon as we get that  
data information, you're saying that we can't right now.

04:31 PM  

MR. HILLMAN:  
I'm not saying we can't. What I'm saying is that I don't believe  
that that's appropriate --

04:31 PM  

LEG. McCAFFREY:  
So --
MR. HILLMAN: -- to make a jump that it's the red light cameras creating those accidents.

LEG. McCAFFREY: All right. Where the McLean report identified those two locations in my district as they should be removed, is that --

MR. HILLMAN: No, I don't believe that's correct. They said that they should be considered for further investigation and removal.

LEG. McCAFFREY: Okay.

MR. HILLMAN: Further investigation and then removal, potential removal.

LEG. McCAFFREY: Okay. So every time there's an increase in accident/injuries, you would propose, if you were writing this RFP report, right, or you are setting the -- or had input into this RFP, that it would not be data-driven, that we'd have to look at the data, if there was an increase in accidents then we'd have to do a traffic study to determine whether or not that camera should go in there.

MR. HILLMAN: Yes.

LEG. McCAFFREY: Or should be removed, rather.

MR. HILLMAN: Yes.

LEG. McCAFFREY: Okay. And conversely, when you do put a camera in, what kind of study do you do? You said you do an evaluation, a 24-hour study. What would you look for at that intersection, the 109 and Great East Neck Road?

MR. HILLMAN: Well, you pointed out one of the key things is probably geometrics at that intersection.

LEG. McCAFFREY: Right.

MR. HILLMAN: They are skewed there, so that could be contributing.

LEG. McCAFFREY: Could it be -- and there's a higher speed because those roadways are coming down --
MR. HILLMAN:
Right.

LEG. McCAFFREY:
-- right?

MR. HILLMAN:
Exactly.

LEG. McCAFFREY:
So wouldn't that be based on the amount of accidents that we've
had there? And you're a traffic engineer and I'm just a truck
driver here, that we're going down the road, we spend a lot of time
on the road, look and say, You know what, the accidents that go up
there, this is an odd-shaped intersection; do you think we really
need to do a traffic study to be able to say Hey, let's pull this
thing out, I think we made a mistake here?

MR. HILLMAN:
Yes, I think we do.

LEG. McCAFFREY:
We still have to do a traffic study.

MR. HILLMAN:
Yes.

LEG. McCAFFREY:
And that traffic study would do what?

MR. HILLMAN:
That traffic study would look at the --

LEG. McCAFFREY:
Data?

MR. HILLMAN:
No, it would look at a deeper dive into the data. We now -- we've
looked at a hundred intersections at a fairly high level. And I --
you know, everybody keeps quoting the $300,000 report; a $300,000
report for a hundred intersections. I mean, there's times where we
spend $50,000 on one intersection; we spent 300,000 on a hundred.
This is not a deep dive. So what we've done is we've done a high
level review, a traffic study, and we found that 15 intersections
need further investigation. When we do that further investigation,
I can come back and give this body the findings of that study, of
those studies.

LEG. McCAFFREY:
So when -- do we do the same deep dive when we put these -- when we
put these cameras installed there?

MR. HILLMAN:
I went through the process by which we --
LEG. McCAFFREY:
Right, but is it as extensive to put them in as it is to take it out?

MR. HILLMAN:
No.

LEG. McCAFFREY:
Okay. How come?

MR. HILLMAN:
I -- it's data-driven and then --

LEG. McCAFFREY:
Shouldn't the removal be data-driven as well?

MR. HILLMAN:
The link between the increase -- we know that red light cameras in
04:34PM general, in almost all cases, will have a reduction in right-angle
accidents; that's what they do. If there is an anomaly at
particular intersections, it needs to be investigated. We don't
need to investigate that red light cameras reduce right-angle
accidents, that's not -- that's a given.

LEG. McCAFFREY:
Is it fair to say that we do a deeper dive taking them out than we
do putting them in?

MR. HILLMAN:
Yes.

LEG. McCAFFREY:
Okay, and I think that's wrong. I think that's wrong. And the
fact that we have deemed or chose that we may have made a mistake
there, I don't know why it would take so long to undo something
that we already know is a problem. Are you going to be involved in
this RFP process, do you believe?

MR. HILLMAN:
When you say involved in the RFP process, I mean, the department --

LEG. McCAFFREY:
Well, we're going out to an RFP I think for a new vendor, and I
would think that we would change -- I believe I heard you say
before that we will look into changes or modifications to the RFP
that would allow more involvement from DPW or the County based on
safety and accidents, etcetera, to be able to change locations.

MR. HILLMAN:
Well, DPW is involved in the site selection, that includes removal
of them.

LEG. McCAFFREY:
Okay.
MR. HILLMAN:
And relocation of them.

LEG. McCAFFREY:
So is there a penalty, are you aware of, to the County if you
remove it from one location and there is -- and you put in an
another location and the revenue is less in one than another?
No, there's no guarantee in terms of what revenue is?

LEG. TROTTA:
Yes, there is.

LEG. McCAFFREY:
I think somebody should read the contract then. Okay.

Yeah, I'm just really concerned about, you know -- like you were
saying TPVA gives you recommendations and they're saying We have
nothing to do with it, we just make sure that the fines are paid.
Okay. Thanks, Bill, appreciate it.

I just want to say, Mr. Presiding Officer, one thing. You know, I
think we all go around, as Legislators we go to schools and the
kids always ask the strangest questions. You know, they ask What
do you do? You know, what's the most important thing you do, and
you kind of get caught off-guard, you should know that. And I
instinctively, my fallback is say provide public safety to our
communities. And, you know, when I look at even just the accidents
from County-wide, not just my district which I focused on, almost
60% have gone up at red light camera locations. I can't find -- I
can't find myself saying that we're doing right thing. I can't see
how we could be here saying that we know this program is bad, as
everybody is saying it, or that it's not fairly dispersed, these
cameras. And myself and you agree, Presiding Officer, about this
because of our -- and it doesn't have to be the color of your skin
but it could be a working class community, etcetera, and to have
five in a 1.2-mile stretch -- and I really want to see that report.
And Bill, I am sure you can get that for me somewhere, because I
can't imagine how those came out worse and there were no
intersections between Sayville and Islip that warranted that as
well. And there's not one single camera in an Incorporated
Village, and the reason for that is because the revenue would have
to be split with those municipalities, which was mentioned before.

Without solid recommendations, without me seeing an RFP to extend
the program, or any of us. I don't know how anyone could be
sitting here and saying I'm going to extend this red light program,
but we don't have an RFP in front of us to say that this is what
it's going to be. I think we're delinquent in our duty if we were
to do that. Because with a hope and a prayer that, Oh, they're
going to work out something that's going to be nice and it's going
to take care of all our concerns; we don't know if Xerox is going
to be -- or whoever the vendor is going to be is going to say these
are where these intersections are, or that you're going to have to
make up the revenue if you move a camera based on safety and you
lose revenue, because that's what the contract says now. Until we
see an RFP with all these safeguards which we all -- everybody in
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this room and the people after me that spoke before me and
everybody that's going to speak after me is going to say it's
important to them. Unless we see that in writing, I don't know how
you can vote on the extension of a program when you don't see that
RFP in front of you that includes those safeguards.

Applause

So I can't support this at this point. This program has been
veiled in secrecy. I couldn't get a straight answer out of the
person that was the Executive Director who couldn't be bothered to
read the report and who couldn't even admit what his role was in
this program. And the fact that we cannot take out these cameras
that are deemed to be unsafe, we all know they're unsafe, that we
spend less time putting cameras in than we do taking them out as
our people, our residents and our constituents are being injured,
involved in accidents more and more. So I cannot vote on this
until those safeguards we're all talking about are in place.
Thank you, Mr. Presiding Officer.

04:39 PM

P.O. GREGORY:
All right, thank you. Legislator Gonzalez.

LEG. GONZALEZ:
Hi. I'm also -- listen, I'm in agreement, especially when I'm the
district that has 14 particular cameras; seven in Central Islip,
six in Brentwood and just one in North Bay Shore, and that is
extremely, extremely troubling to me. But I am also -- are given
some hope here that the improvements, especially from the
Administration, into this RFP is put into a particular place.
So I'm hoping that that actually really happens, Bill, because we
need better administration, we need better overseeing and the
implementation, the disbursement of these particular cameras.
I know that the cameras in my district have been in place there
since the beginning when this plan was put into there. I know that
the ones on Suffolk Avenue and Brentwood corner, which I can stand
there and see how many people actually walk across that street, I
can probably count with one hand. I also know that that particular
intersection, I have not seen any major accidents or accidents and
I really don't understand why that particular cameras are still
there. So to me, going forward, the implementation and
disbursement of these particular cameras must be better monitored,
because I cannot continue bearing the blunt of the costs for the
majority of Suffolk County.

I understand that there are things in place right now that would
help me and alleviate LD 9, but I need to see that in black and
white. I need to see that this thing is going to be implemented,
hearsay to me is not going to work. So I'm just saying that I
understand, based on all these cameras that are put into my
community, I understand that there is now going to be in place a
payment plan which is very, very important for my community. I
just want to be put on record that I need all this to be put into
this new RFP moving forward. Again, I cannot continue, my
constituents can't continue with 14 cameras and the constant
tickets that are being given. I just wanted to be put that on the
record. Thank you.

P.O. GREGORY:
Okay. Legislator Lindsay.

LEG. LINDSAY:
Thank you, Mr. Presiding Officer. You know, this is an issue that obviously we've spent a considerable amount of time on. I look at it -- I'm very data-driven and I try to make my decisions from an educated perspective rather than from an emotional perspective.

The number one complaint that I get from my constituents in every community group that I attend is driver safety, whether it's in their local roads and people driving through stop signs or speeding through the neighborhoods, I don't think there's anybody in this room that could stand up and say that people drive in a safe manner anywhere in Suffolk County or on Long Island as a whole. And how do you address that? You either increase the amount of enforcement with policing, which we have done, but we have -- we can only do it so much, we can't put a policeman on every corner, or we use electronic devices like red light cameras in order to increase that enforcement.

Now, with the statistical information that we have seen, I know Legislator -- I think it was Legislator -- I'm sorry. I apologize, one of the Legislators quoted the Insurance Highway Institute Safety Study.

MS. SIMPSON:
Bridget.

LEG. LINDSAY:
I'm sorry, Legislator Fleming, thank you. And in that study she didn't give you the exact statistics, but we know in areas that they have stopped the red light program, they have had a 30% increase in accidents, a 16% increase in fatal crashes; that's a pretty telling number as we talk about wanting to protect public safety and wanting to reduce the number of fatalities that we see.

We also know that from 2011 to 2016 that there's been a million more accidents in the country. And why is that? It's solely because of distracted driving. We have telephones that can do everything from social media to live stream video, we'll see Facebook Live videos of talking on Facebook while they're driving their car, so we know that drivers are terribly distracted while they're operating their vehicles and that's a behavior that obviously needs to change.

In addition, we've looked at a number of different intersections, I looked at in my own district, and I have -- and the number changes because they moved the cameras around, but I believe we have about nine cameras in district right now. I have three cameras within a two-mile stretch of Patchogue-Holbrook Road from Broadway Avenue to the South Service Road of Sunrise Highway. Anybody that drives on Patchogue-Holbrook Road in that area will tell you that there's an excessive amount of speeding that goes on there. We've had a number of fatal accidents in that stretch of...
road, we've had a number, a large number of accidents in that stretch of road. As someone who is a First Responder, I've seen the damaging effects of people that are in right-angle collisions at intersections.

And just to answer some of the comments that were made earlier, in a rear-end collision, the person who's at fault when it comes to insurance, in all due respect to Legislator Muratore, it's the person who hits you in the rear that is charged with the accident and their insurance is the one that goes up. So just to clear up that measure.

Now, with all this said, the camera program has not been perfect. I think there is a lot of room for improvements. I think it can be a more effective tool with those improvements. So this morning we put a piece of legislation that'll be coming out later today to make it about safety, that the first violation that you receive, if you decide to take a defensive driving cost, you can avoid paying the fine. And as we heard earlier, most of the people that are getting the tickets are only getting one ticket, so that would allow 60% of the people who are getting these tickets to avoid ever having to pay a fine.

Now, a defensive driving course should help to reeducate them in the proper ways, in the proper rules of the road. Maybe they just roll through, made a right on a red, but when you're doing that, you know, you don't realize you're looking to the left as you're making the right-hand turn, you're not looking in the crosswalk where there could be a bicyclist, there could be a pedestrian, and those are back to the basic skills that we're taught early on in life when we learn how to drive. A lot of us have been driving a for a long time, you tend to forget some of these early lessons that we learned and maybe we need to be reeducated on them. It's probably one of the few functions that we have that we learn in school that we never go back and get any kind of formal education on and that's driving. And you think about it, it's probably one of the most dangerous things that we do on a daily basis.

So in addition to that, I know there is a payment plan option that is going to be put out in legislation, and there's also some number of changes. I would like to see greater oversight over the intersections that we are -- we put these cameras in. I would like to have more control over it as a Legislator in my district on which intersections have them. I've had some communities call me and ask me if they can get a camera at their intersection because it's so dangerous just trying to get out of their neighborhood. Nicolls Road and Greenbelt Parkway, when you have Costco on one side and you have a community on the other, constant speeding going on there and we've had a lot of fatal accidents that have occurred in that stretch of land; on that stretch of road, I should say.

So in addition to defensive driving, the greater control, the accountability that I think needs to happen, I think we could definitely improve upon the program. But I do not believe the program should be tossed out. I think it's something that we need to -- we need to continue, if nothing else for the 60% increase in
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fatalities that could occur if we do away with the program, I think we have a responsibility.

Another statistic, piece of information that no one has brought up is the number of violations that we've gotten. We have seen them go down, but of the total number of violations in 2017, only half of them went to County residents, the other half went to non-County residents. Now, does that mean that we don't care about the non-County residents? No, obviously of course we do. But when we talk about how it's affecting our constituents, only half of the violations that are issued are actually our constituents.

And then the final -- on a final note, just to a greater issue at hand, when did we stop becoming responsible for our actions? When did we -- when have we made -- when have we done something and it's somebody else's fault, it's the camera's fault, it's the County's fault. We all should have control, full control of our vehicle at all times in every kind of driving condition. And I do remember drivers ed, what we were taught, that you have to maintain control of your vehicle based on the conditions of the road at the time. So if someone stops in front of you, you have to be prepared to stop. The fact that there's a camera there or there's not a camera there at the intersection should not change the way that you drive. You should drive the same way as if there's a camera or a policeman sitting at every intersection. I believe it was Legislator Spencer who said earlier what would you do if you were speeding towards an intersection and the light turns yellow and there's a police car sitting there? The person would slam on their brakes. So the camera or a police car almost act in the same measure in terms of the type of enforcement that can be done.

So I would urge my colleagues to support this with the caveat that we will be making some changes to it and we will be responsible for making sure those changes are adhered to, and I fully plan to support the program.

P.O. GREGORY:
Okay. Thank you, Legislator Lindsay. Legislator Trotta.

LEG. TROTTA:
I equate this a lot to -- a large majority of the tickets of something that every one of us in this room did today, we broke the law. Every one of us in this room I guarantee you broke the law today, because we drove more than 55 miles an hour, we drove more than 30 miles an hour. So that's my problem with this, is when you come up to a light and there's no one coming and you just don't stop all the way, or you're doing 56-miles an hour or 30 miles an hour in a zone, that's what it's reduced to. It's not about safety, because if it was about safety, we would take the money and we would improve the intersections; we don't do that. This is a joke, it's not about safety at all. It's about filling budget holes, plain and simple.

Now, if we were to do away with -- if we had an officer sitting at that monitor and we watched that guy go through the light -- make the right on red and he just didn't stop, I mean, there's cops in

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here that would say they would never ever -- I've watched hundreds
and I would never write someone for that. An 87-year old Korean
War Vet who's never gotten in an accident, never gotten a ticket,
served this country, gets seven tickets for just not stopping.
So why don't we put a computer in everyone's car and when we hit
56 miles an hour, you know, a ticket comes out. Because guess
what, we'd be a lot safer and we'd have piles of money.

It's about taking responsibility for your actions. Spending too
much, getting involved in contracts we can't pay, we do these
things. So why don't we put something in our cars that at 56 miles
an hour a ticket spits out and then when you go down to a 30-mile
an hour zone and you're doing 31 we can spit a ticket out, too,
because that's what we're talking about here. We're not talking
about safety.

I mean, Bill, would you come up here a minute? I thought of a lot
of information. Do you know that Nassau County, all their reports,
all their engineering reports are all stamped and certified by an
engineer? Why aren't they; what do you think, why aren't they?

MR. HILLMAN:
You just said they were stamped.

LEG. TROTTA:
Nassau County's are.

MR. HILLMAN:
Yes.

LEG. TROTTA:
Why aren't ours?

MR. HILLMAN:
I have explained that; it's not necessary.

LEG. TROTTA:
Okay. Well, according to -- you read one part of the law, but the
other part of the law, Section 7201, it talks about the practice of
professional engineering. And there was a complaint filed with the
State of New York about this in 2017; we never heard anything so I
went and I talked to the Chief Investigator and they told me, in
sum and substance, of course it has to be stamped and certified.
We sent it up to the Board of Engineering, some kind of Regents
Board that takes their findings and acts on them, and you know what
they said? They've never seen anything like this. They've never
heard a word about it, it went into never never land.

So it talks about connection with utilities, structures. Now, I
think Stephen Ruth could tell you there's a structure, there's a
pole that's hooked up to utilities. Now, it's a matter of
semantics. Do you think it's because when an engineer stamps
something and certifies it, he's guaranteeing that it's a safe
mechanism and now he's got some liability. I don't know the law;
is that true?
MR. HILLMAN:
I think he's -- whether he's stamped it or not his license is on
the line; if it's an individual firm, their firm liability is on
the line. I don't think that the stamping it or not stamping has
anything to do with the liability.

LEG. TROTTA:
Who does ours; who designs ours?

04:53PM

MR. HILLMAN:
I believe Nelson & Pope designed ours.

LEG. TROTTA:
Did they get the design from Xerox or did they design them
themselves?

MR. HILLMAN:
I can't answer that question, do not know.

04:54PM

LEG. TROTTA:
Does the camera company have any input as to where the cameras go?

MR. HILLMAN:
Only with regard to say site lines for cameras, if they say it's
unsuitable for a particular camera on things that the department
really has no knowledge of, they have that kind of input.

LEG. TROTTA:
Now, you talked about analyzing the reports. I'm looking at the
Traffic Violations Bureau website, I mean, you've been here before
when we complained about Sarah Anker's intersection where there was
a 750% increase in accidents. I've had them -- I think there was
34 locations where accidents with injuries increased a hundred
percent. Now, isn't this a liability on the County that we have
unstamped, uncertified diagrams where accidents are increasing a
hundred percent and we do nothing about it? Nothing.

I mean, I know you're not a lawyer, but wouldn't you think that we
are now putting ourselves in a position where someone could sue us
and say, Look, you have the report for three years in a row, they
increased a hundred percent, you did nothing. For instance, on the
reports from -- the annual reports, I'll use that one because I
know it well, Miller Place Road and 25A. Our reports, I mean the
Traffic Violations Bureau Report, said there were ten accidents
prior to the installation, '07 to '09, and then 54 total accidents
after. Now, the new report we just paid $300,000 for said there
was 86 total accidents and 104 accidents after. Can you explain
the difference?

04:55PM

MR. HILLMAN:
I do not know the protocols that were set up for the data. And we
call it a data dump, the report, the TPVA Report is not a study.
We stand behind our study that was completed.

LEG. TROTTA:
What's the difference between the two?
MR. HILLMAN:
One, again, is a look at one-year, just a complete data dump; the
other -- do you have a question?

LEG. TROTTA:
Well, no, the -- just to stop you, our reports are based upon three
years also.

MR. HILLMAN:
I don't know that. Again, it's a TPVA report.

LEG. TROTTA:
There's so many variables here.

MR. HILLMAN:
Is theirs three years ago?

MR. PREGO:
Yes.

MR. HILLMAN:
Oh, okay.

LEG. TROTTA:
Sorry, go ahead.

MR. HILLMAN:
No, that's okay. Go ahead.

LEG. TROTTA:
What I have here, you know, to analyze them, the numbers don't
match.

MR. HILLMAN:
Yeah, it's apples and oranges, I agree.

LEG. TROTTA:
Yeah, but total pre-enforcement '07 to '09, TPVA says there was
ten. This new report says there was 80 -- 86. I mean, that should
be a constant.

MR. HILLMAN:
I don't agree.

LEG. TROTTA:
Oh, so you don't think the report for pre-enforcement at one
intersection, one says 10 and one says 86, a thousand percent
increase, that's okay?

MR. HILLMAN:
I have no idea the protocols of that report that was done. We
stand behind the protocols that were set up and followed by the
engineer that did our study.
LEG. TROTTO:
So what -- so maybe if they expanded it, you said, like if they expanded -- you know, look, I filled out a thousand accident reports, you just put at the intersection. You know, maybe you put -- if it's far away, you might put 200 feet to the west, or whatever, but, generally, you just put the intersection. So are you saying that maybe the report that we commissioned took a larger view?

MR. HILLMAN:
That could be one, one of the reasons.

LEG. TROTTO:
Well, at other locations there's actually the opposite effect, there's less accidents than the other report. This Legislature voted to do this report, correct?

MR. HILLMAN:
Yes.

LEG. TROTTO:
It was basically, I would think, it would -- it's our report. Sarah, I think you'd agree that we put this together. So I pulled the contract and in the report it says, "The format and final document shall be determined after above sections are completed with further discussions with DPW and the consultant project managers." Why weren't any of us there? I mean, I don't -- we didn't -- you know, this was our report, we wanted data, but yet we were left out of it; do you know why?

MR. HILLMAN:
Well, you provide funding for every project that we do. I don't believe we consult you on every project.

LEG. TROTTO:
Well, this is something very unique, you know, and we spent a lot of money on it and I'd like to know. It talks about a preliminary report. Do you have a copy of the preliminary report that you were provided with?

MR. HILLMAN:
I'm sure we do.

LEG. TROTTO:
I'd like to get a copy of that. I mean, look, I don't think anybody argues if someone runs through a red light and there's a camera there they should get a ticket, and it's a dangerous situation. But the reality is that happens so infrequently at these camera locations it wouldn't be profitable, coupled with the fact we don't use any of this to improve the intersections, to even mow the intersections to make them cleaner. I'm sure you have trouble getting, you know, roadways mowed on the side of the road. I mean, I have -- I have, you know, people calling me up here for
roads. County roads that the grass is three feet high. None of 
this affects it. So it's sort of disingenuous for us to vote on 
even a new proposal. We don't have an RFP, right?

MR. HILLMAN:
There's an RFP.

LEG. TROTTA:
Oh.

MR. HILLMAN:
It's my understanding there is.

LEG. TROTTA:
And everybody -- could we get a copy of that before we vote on it?

(*Applause*)

I mean, the RFP you would think would have all these new improved 
things you're going to do. I mean, how could you expect anybody to 
vote on this without an RFP?

And just for the record, I think Legislator Calarco should recuse 
himself, since his wife works for the company --

(*Applause*)

-- who got paid $300,000. So I think Legislator Berland would 
agree.

LEG. BERLAND:
No, I wouldn't agree.

LEG. TROTTA:
Because money comes --

LEG. BERLAND:
I don't think there's any nexus.

LEG. TROTTA:
Oh, really?

LEG. BERLAND:
The money came to you specifically.

LEG. TROTTA:
Oh, and that money is not going into his paycheck -- to her 
paycheck?

LEG. BERLAND:
No. And his wife is not affiliated --

LEG. TROTTA:
I'm not going to get into this with you.
LEG. BERLAND:
-- with any part of this at all. We just --

LEG. TROTTA:
Through Counsel, I think that whatever --

LEG. BERLAND:
He asked me a -- you asked me a question, and I disagree with you tremendously.

LEG. TROTTA:
Also, is there any -- Bill, is there any guarantees of revenue if the camera doesn't produce enough tickets?

MR. HILLMAN:
I'm not aware, I don't have that information.

LEG. TROTTA:
Well, Article I, Section 4A authorizes Xerox to install between 50 to -- where does it say it? I'm sorry. It says at least 25 tickets between 6 a.m. and 10 p.m. This is the only criteria to install a new camera. If the camera does not generate at least 25 tickets a day, then Suffolk County must pay $2,132 per month and $17.25 per ticket given; is that correct?

MR. DRESCH:
I'll speak on it. Good evening. By the way, Dan Dresch, Suffolk County DPW. Going back to the contract back in approximately a decade ago, when the 50, the second 50, the program expanded from 50 to 100, in the event that we could not find 100 locations for red light cameras, and if there was a push by the Legislature to use all 100 cameras. Let's say we identified 85 locations and the Legislature comes back and says, "Well, we have 15 of these enforcement devices that we should have out on the street," however, they were not -- they were to be at low locations, basically, we were going to revert for those 15, or whatever the number, to a leasing arrangement like Nassau County had at that time. So, basically, we -- as a failsafe, it was never used, but we had a failsafe that was never used.

LEG. TROTTA:
But there was a quota system.

MR. DRESCH:
It was never used.

LEG. TROTTA:
But there was a quota system.

MR. DRESCH:
There was a clause in there so that in the event we needed to --

LEG. TROTTA:
Now --
MR. DRESCH?
-- put out all 100 locations --

LEG. TROTTA:
This is simplistic.

MR. DRESCH:
-- you could not find 100 locations that were --

LEG. TROTTA:
You were authorized for 100 intersections or 100 cameras?

MR. DRESCH:
A hundred intersections. A hundred intersections.

LEG. TROTTA:
How many cameras?

MR. DRESCH:
That we were authorized by New York State, yes.

LEG. TROTTA:
And how many cameras at those -- was it 100 cameras or 100 intersections?

MR. DRESCH:
It was 100 intersections. It's independent. The number of cameras is independent. We're authorized for 100 intersections.

LEG. TROTTA:
I'd like to -- well, not that it has anything to do with you, but I'd like to read it.

MR. DRESCH:
It was a clause that was never used, because it was -- like I said, it was a failsafe in case there was pressure from the Legislature --

LEG. TROTTA:
Okay.

MR. DRESCH:
-- to use all 100 intersections.

LEG. TROTTA:
Can -- do you have a copy of that RFP that we can see? And are there changes in it with like taking --

MR. DRESCH:
From 2009?

LEG. TROTTA:
No, the one now, the one you're expecting us to vote on.

MR. DRESCH:
It's TPVA. That's an RFP from TPVA.
LEG. MC CAFFREY:
He has nothing to do with it.

LEG. TROTTA:
It's like I thought he had nothing to do with this. He sat there and told us he had nothing to do with this.

MR. HILLMAN:
We're not saying we had nothing to do with it.

LEG. TROTTA:
No, I'm not saying you, he did.

LEG. MC CAFFREY:
Paul Margiotta said.

MR. HILLMAN:
We're not saying we had nothing to do with it.

LEG. TROTTA:
You're right, you didn't.

MR. MARGIOTTA:
Legislator, I never said I had nothing to do with the RFP.

LEG. TROTTA:
You're right, you didn't.

MR. MARGIOTTA:
The RFP is issued. DPW will again pick locations.

P.O. GREGORY:
Paul, is your mic on?

MR. MARGIOTTA:
And we will again adjudicate. If anything's added to the contract that requires us to work with DPW or refer to DPW, we'll be happy to do that.

LEG. TROTTA:
Well, does this new RFP have provisions for taking cameras out if accidents increase, or moving them around? I mean, is there something we could look at?

MR. MARGIOTTA:
I think there's confusion as to what an RFP is. An RFP is a Request For Proposals. That is for a company to say, "This is what we can do. Everything you asked are we capable of? We are and more." Then we negotiate a contract. When that time comes, then we tell them what we want them to do, and that would be part of the contract, not the RFP.

LEG. TROTTA:
I mean, it seems to me the RFP should have specific guidelines, because they can't give you a price without knowing those
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guidelines.

MR. MARGIOTTA:
Again, that's not what's in an RFP. If you ever issued an RFP, that wouldn't be part of it.

LEG. TROTTA:
Maybe that's why we're in the position we're in.

05:03PM

MR. MARGIOTTA:
So that's what an RFP is. You do an RFP for proposals. It's not a bid and it's not a contract, it's a Request For Proposals.

LEG. TROTTA:
Okay. So shouldn't the Request For Proposal have detailed analysis of what you want done and what --

05:03PM

MR. MARGIOTTA:
That would be in their presentation, and in our questioning of them when they respond to the RFP, and then that would take place during contract negotiations. We would tell them what we want, what we expect. If they can provide it, we move forward. If they can't, we'd go to the next person.

LEG. TROTTA:
Why wouldn't you put that in the RFP so they knew what to say?

05:04PM

MR. MARGIOTTA:
Again, I don't think you're understanding the RFP part.

LEG. TROTTA:
I'm understanding it perfectly.

MR. MARGIOTTA:
It's their chance to give us their credentials and tell us what they can do. Then it's up to us to have a committee to meet. There are people on that committee, they're not just from us, and we will discuss it and we will choose one. Then the process will begin with the person we choose, which could take months before we actually agree on anything.

05:04PM

LEG. TROTTA:
And then -- so this is not our chance. So then it would to the Waiver Committee, and the Waiver Committee will approve it, if only one person responds.

05:05PM

MR. MARGIOTTA:
It's an RFP, it's not a waiver. If they --

LEG. TROTTA:
Okay.

MR. MARGIOTTA:
If you went into an RFP, if you went to the Waiver Committee, that
makes no sense.

LEG. TROTTA:
Okay. So my question is why wouldn't you put specifics so that we knew what you were doing, so now you're not -- you're negotiating what you want, not what we want.

MR. MARGIOTTA:
You asked that three times and I explained that an RFP is an RFP.

LEG. TROTTA:
Okay. Well, look --

MR. MARGIOTTA:
Request for Proposals. You'd like to create something --

LEG. TROTTA:
Yes.

MR. MARGIOTTA:
-- that's not an RFP, then -- well, then you'd have to create a State Law that tells us how to pick vendors.

LEG. TROTTA:
A specific, a more specific RFP. The RFP is specifically for what we want, then come in and tell us how much it costs to do it. This isn't brain surgery.

MR. MARGIOTTA:
Negotiating with them is going to take months. You would not be able to create an RFP that would cover everything you're going to negotiate with any vendor, plus you're not going to know what that vendor can do that you didn't ask for. So they're going to tell you everything in their RFP, and then you're going to pick the one that could do everything you want, and hopefully more.

LEG. TROTTA:
I disagree with you. If I'm -- if I'm building a house, I tell the people what I want. I want --

MR. MARGIOTTA:
That's a contract, this is an RFP.

LEG. TROTTA:
Same thing.

MR. MARGIOTTA:
No, it's not.

LEG. TROTTA:
Do we need to extend this contract to get an RFP?

MR. MARGIOTTA:
It will depend on whether or not they're chosen. They go through the process. A contract is negotiated and signed prior to the end of the extension of this contract. So if it takes longer, yes.
LEG. TROTTA:
Okay. I can't support this in any form.

P.O. GREGORY:
Okay. Legislator Berland.

(*Applause*)

05:06PM
LEG. BERLAND:
Okay, one second. I just wanted to refer more to the Insurance Institute for Highway Safety's report, which was quoted by AAA, who also did their report recommending the continuation of red light programs throughout the country. And it says that red light cameras reduced the fatal red light running crash rate in large cities by 21%. The Insurance Institute for Highway Safety reported that cameras reduced the rate of all types of fatal crashes at intersections with signals by 14%. “Deaths caused by red light running are on the rise,” said Jessica Cicchino, IIHS Vice President for Research. “Cameras increase the odds that violators will get caught, and well-publicized camera programs discourage would-be violators from taking those odds. Camera enforcement is a proven way to reduce red light running and save” -- "saves lives."

I've done a lot of research into the program and the pros and the cons, and I do believe that red lights save lives, the red light cameras. I also think there needs to be more oversight and input on locations, and I'm in favor of the payment plan. But when you're talking about rolling through a stop light, you're talking about something that breaks the law that you shouldn't do.

05:08PM
My son got a ticket the other day at a red light camera, and he said, "I go there every day, I go to work, there's a camera, and I stopped and then I turned right." I said, "Well, watch the video and see what you did." And he watched the video and he said, "Oh, well, I almost stopped." Well, you know, it's like almost doesn't count, you have to stop. And if you stop, you don't get a ticket. If you don't stop, you get a ticket. So my son is paying his ticket because he didn't stop.

05:08PM
And I just think that if everybody is going to pay attention to traffic regulations, stop when they're supposed to stop, have enough space between the car that you're driving and the car in front of you, anticipate the stop. If you use your Waze, Waze will say to you, "You are approaching a red light camera." Now, in my car we have Cookie Monster that talks to you through Waze and he says, "Red light is approaching," and it's so jarring that you know the red light is going to approach. So if everybody had Waze on your phone and listened to it, it would tell you when the red light is coming. And if you put Cookie Monster on, he will tell you "Ca is for careful and also for cookie," and then you stop. So it's a little silly, but it is very jarring and it wakes everybody up in the Berland car. So it's a great tool to have, so you can't say that you don't know what's happening and you don't know that it's coming.
And the thing that is so clear is that when people get these tickets, and then they realize they have to stop. And you know that same intersection that you're going to, if you got a red light camera there before, if you got a ticket, you're going to make sure you stop.

There are 15 cameras in the 16th District. There are a few of them that I do not believe should be where they are. I don't think that they specifically do the job of public safety. So that's why I think that input over the locations for each of the Legislators is an important tool to have, and we should, you know, make sure that we have that input going forward.

And what's interesting is when Legislator Trotta said we should have things in our cars that give us tickets as soon as we go over the speed limit, I guess he doesn't drive much in New York City who now has the speed cameras everywhere. So if you go over 10 miles over the speed limit, you're going to get a ticket in New York City. So it does exist, and either you abide by the speed limit and you abide by stopping or you don't.

So I think it's really important that we fix the issues in the program that need to be fixed. But you don't revoke the program, you continue the program, and you continue the public safety aspects of this program and you work to make it better. So I am planning on supporting the continuation of the program. Thank you.

**P.O. GREGORY:**
Okay. Legislator Calarco.

**D.P.O. CALARCO:**
Thank you, Mr. Presiding Officer. And, I guess, let me first start with the allegations made against myself and my wife that, I guess, continue to be made. My wife has worked for LKMA for the last five years. I disclosed that on the record at Public Works last week, because I wanted to do that out of an abundance of transparency. We disclose it on our disclosure forms every year since she started working there. And she doesn't do traffic engineering. She had nothing to do with this report. She didn't work on this report, and, quite honestly, she's never worked on any County project while at that firm. And I know some of my colleagues sitting around the horseshoe here today can speak to her professionalism, because she worked prior in the Town of Smithtown, and was a very well respected employee while there. So I find it appalling that people feel that just because she is my wife, that she is not capable of being a smart, intelligent, capable woman, of having her own career as an engineer. It's quite actually disrespectful.

So having said that to the program at hand, I know that there are a lot of concerns people had about issues and the way the program is implemented. Certainly, we don't want people who have lesser means to go to bankruptcy because they got a red light camera ticket. It's -- you know, we don't want people running red lights, but we also don't want people going bankrupt because they did it. It's not that major of a violation in the grand scheme of things, of course, unless they kill somebody. So that's why we worked, we got
language into the RFP that's going to ensure there's a payment
program there, so that if there's somebody who can't pay the $80 up
front, they can make that -- a payment and pay that down as they
can afford to.

I know that the Administration is working hard. And I think
Legislator Anker is going to be sponsoring a resolution that's
going to create a comprehensive education distracted driving
program to talk about the needs to address the fact that we all
have a million more things in our car today that distracts us while
we're driving than we did when I first learned how to drive. I
won't say how many years ago that was now, but the reality is, is
everybody has got a touch screen in their car, if you have a newer
vehicle. Everybody's got a phone, everybody's texting. You're
trying to hook up your kids' -- the DVD player so your kid could
watch a movie, and you just get distracted, and we need to have a
better comprehensive program about that.

My understanding is the RFP is going to require that we start from
scratch in picking the intersections, because there's concerns
about intersection placement, whether it's that we are picking
intersections that the camera operation just isn't appropriate for,
or they are too packed into one community, that we're going to do a
full soup-to-nuts reanalysis of the 100 intersections which we feel
is appropriate to place these cameras. That is going to be done by
the Department of Public Works, following the protocol they spoke
to earlier. I think that if there are questions in terms of how we
can make that protocol tighter, I think we should sit down with
them. And, certainly, if anybody, I know myself, and Legislator
Cilmi has a resolution already on the table about the issue, and I
think Legislator Donnelly was looking to work on something to help
make that tighter and give us better review of where those
placements go, then by all means let's do that as well.

At the end of the day, this is a camera that takes a picture when
somebody approaching an intersection appears to be running through
a red light. And there is a review period to make sure that that
person actually proceeded through the intersection, both by the
vendor and by the TPVA to ensure that that actually happened before
the violation is issued.

There's nowhere in State Law that I know of that says you're
allowed to run through a red light. I've asked this multiple
times, and sure, I guess even emergency responders are allowed to
go through intersections without their lights on, and even then,
they're supposed to proceed through with caution. And I've sat
through enough lawsuits that the County had to settle to know that
when our first responders, predominantly police officers, proceed
through those intersections without their lights on, or even with
their light on at times, we still are liable for the accident
that's caused when those accidents occur.

So you're supposed to stop your car. You're supposed to travel at
a safe distance, so that if somebody slams on their brake in front
of you, either because they don't want to run a red light, or some
kid's ball rolls into the street and they don't want to run that
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child over, the person behind them is supposed to be able to stop. That is also what you're all taught when you're -- when you're taught how to drive, at least you should have been.

So I don't understand why this is so, quite honestly, controversial in that you're supposed to stop your car before you go through an intersection. And I know that there's a resolution on the table for cameras at school buses, and I just wait until those tickets start getting issued and people start coming in and saying, "But there's never been a kid hit by a car driving past a school bus before. I went by and went slowly, I looked, there was nobody coming, I was safe, why am I getting this ticket?" Because people don't like getting tickets, I get it. I don't like getting tickets either, that's why I stopped, you know, doing stupid driving and became a better driver. You know, when I was young, I made a lot of accidents, too.

On the report itself, is Mr. Hillman still here? I have a couple of questions for you.

MR. HILLMAN:
Yes, sir.

D.P.O. CALARCO:
So in comparing some of the numbers and looking at the issue in terms of this, the report that LKMA did, my understanding is that that report was done. We authorized or directed the Department of Public Works to go out and hire a company to do a third party analysis; is that accurate?

MR. HILLMAN:
Yes.

D.P.O. CALARCO:
Okay. And in doing that, the Department put together an RFP, that RFP was issued. An RFP Review Committee was put together, which typically is a member of your Department, since you're involved, a member of the Budget Office, if I'm not mistaken, a member of the County Executive's Office, and then a person from the Presiding Officer's Office; is that accurate?

MR. HILLMAN:
Yes.

D.P.O. CALARCO:
And that there were a number of respondents and the Review Committee scored the respondents and picked a firm to do the report.

MR. HILLMAN:
That's correct.

D.P.O. CALARCO:
Okay. And in determining how to do the report, was that done under your guidance?
MR. HILLMAN:
Yes.

D.P.O. CALARCO:
In terms of the methodology they used?

MR. HILLMAN:
Yes.

D.P.O. CALARCO:
Okay. And the thought process here, in looking at accidents and how they're caused, and I know that we were looking, I think, for a more detailed and in-depth analysis in terms of looking at those motor vehicle accident reports, and trying to determine why those accidents happened, whether it was because somebody was looking at their cell phone, or somebody pulled out in front of another person, or somebody slammed on their brakes because they were trying to stop at a red light, and you guys felt that that was too extensive or too difficult to glean, and that's why that report wasn't done in that fashion?

MR. HILLMAN:
I don't -- I don't believe that, no. The funding that was provided would not allow, nor the time frame that was provided would allow if that type of detail.

D.P.O. CALARCO:
So you didn't have either enough time or money in order to take that deep of a dive into the -- into the report, into the data?

MR. HILLMAN:
That's correct.

D.P.O. CALARCO:
Okay. So, instead, what you tried to do is tried to create a baseline of accidents in the County, across the entire County, to try to come up with some sort of constant in terms of how much growth in accidents should have occurred, because accidents are going up all around the country, Suffolk County is no exemption from that, so you tried to create a baseline; is that accurate?

MR. HILLMAN:
Yes. And the primary goal of the report was to try and give some guidance to this body with respect to the overall program, not individual intersections.

D.P.O. CALARCO:
Sure. Well, I just want to go through the methodology of the report quickly.

MR. HILLMAN:
Okay.

D.P.O. CALARCO:
And I appreciate your indulgence. So in doing that, the whole idea of red light cameras stopping accidents, predominantly the T-bone,
those right-turn accidents -- those collisions, head-on collisions, is because those typically happen from somebody entering an intersection while somebody else is going through the intersection, they typically happen in the middle of the intersection, and if people are running a red light, that is the most typical type of accident to happen?

MR. HILLMAN: That's correct.

D.P.O. CALARCO: And the camera doesn't actually stop anybody from entering the intersection, right, like, as we know, otherwise you wouldn't get a ticket, right?

MR. HILLMAN: Correct.

D.P.O. CALARCO: Okay. So the idea here is people get a ticket, they don't run the red light, those crashes tend to reduce?

MR. HILLMAN: Yes.

D.P.O. CALARCO: And we saw that at these intersections, correct?

MR. HILLMAN: Overall, the program, that was the major result, yes.

D.P.O. CALARCO: Okay. The theory behind these cameras, because other than somebody actually crashing into a pole, the camera itself is not involved in any kind of accident, or doesn't cause any kind of accident, but the theory behind the camera causing an accident is that people now are changing their driving behavior, they don't want to run through the red light and get that a ticket, so they're stopping hard and the car behind them is failing to stop in time and they rear-end them.

MR. HILLMAN: That's correct.

D.P.O. CALARCO: Or the guy behind decides he's going to try to make it anyway, so he tries to go around and he side-swipes them.

MR. HILLMAN: That could happen, yes.

D.P.O. CALARCO: Okay. So those type of accidents typically happen further back from the intersection, right?
MR. HILLMAN:
Yes.

D.P.O. CALARCO:
Okay. So in establishing your constant in terms of how much growth we were expecting to see, you looked at all intersection data as reported by the State DMV, correct?

MR. HILLMAN:
Yes.

D.P.O. CALARCO:
And that intersection data is based on a 33-foot radius, correct?

MR. HILLMAN:
Yes.

D.P.O. CALARCO:
Okay. But in order to try to get a better picture in the red light camera intersections, you guys pulled back to a 200-foot radius; is that accurate?

MR. HILLMAN:
That's correct.

D.P.O. CALARCO:
And I understand that. That's because a lot of these intersections are a lot bigger, and they have the potential, especially for those rear-end accidents, that the 33-foot radius is simply not even going to go far back enough to capture those, right?

MR. HILLMAN:
That's correct.

D.P.O. CALARCO:
Okay. But by not looking 200 feet back at all intersections, a similar size intersection, County Road 83 at County Road 99, versus County Road -- County Road 99 at New York State 112, about the same size, one has cameras, the other doesn't, the one that doesn't at 83, we're not getting those rear-end accidents; is that probably accurate to say?

MR. HILLMAN:
I don't know the answer to that, we'd have to look at that.

D.P.O. CALARCO:
You'd have to look at it, but the chance of rear-end accidents that are happening at the intersection are not happening at the 33-foot radius?

MR. HILLMAN:
That is -- I would say that is accurate. Rear-end accidents generally don't happen within a 330-foot radius.

D.P.O. CALARCO:
Okay. So by counting the constant using the 33-foot, and then
applying it to the 200-foot radius, we are probably undercounting rear-end accidents at the other intersections, at the constant intersections.

MR. HILLMAN:
Yes. But we --

D.P.O. CALARCO:
Okay, that's fine. So when we look at the actual numbers --

MR. HILLMAN:
Let me be clear, we use 200 across the board.

D.P.O. CALARCO:
You use 200 at the red light intersection.

MR. HILLMAN:
At every intersection.

D.P.O. CALARCO:
All -- that's not what the -- that's not what they said -- testified at. They did not look at -- they used the 33-foot to set the constant, Mr. Hillman.

MR. DRESCH:
Generally speaking, at our traffic studies are typically at a discreet intersection, and we would look at that discreet intersection to determine what the appropriate setback is --

D.P.O. CALARCO:
Yes.

MR. DRESCH:
-- for the radius. Because we're looking -- we were looking at 100, really 118 intersections, we came up with a 200 is the broad stroke that was --

D.P.O. CALARCO:
Yeah. No, I understand that and I get it, I can understand why you did that. But in setting that constant, in terms of the number of -- the percentage of increase of accidents at countywide intersections, did you look at 33-foot data or did you look at 200-foot data for every single County intersection? Because they -- the consultant, in their -- in their testimony last week, said they used 33-foot data.

MR. PREGO:
Yes.

D.P.O. CALARCO:
What I'm saying is that you created -- the consultant created a constant.

MR. PREGO:
Yes.
D.P.O. CALARCO:
The expected increase of accidents is 12.1%.

MR. PREGO:
Yes.

D.P.O. CALARCO:
That was using the New York State DMV data of 33-foot at an
intersection.

MR. PREGO:
Yes.

D.P.O. CALARCO:
Okay. So that means at County Road 83 and County Road 99, which is
a four-lane highway in each direction, that has -- 33 feet isn't
even getting you out of the middle of the intersection, you used
33 feet to establish how many accidents occurred at that
intersection.

MR. PREGO:
Yes, that's correct.

LEG. CALARCO:
Okay. So the chances are you undercounted your rear-end accidents
at that intersection.

MR. PREGO:
Yes.

D.P.O. CALARCO:
Okay. Which means that your constant probably undercounts the
number of rear-end accidents at an intersection.

MR. HILLMAN:
Yes. Now I -- now I know your point.

D.P.O. CALARCO:
Okay. So, overall, by increasing the 200 feet, you actually added
about 550 accidents every year that got counted at the red light
camera intersections; did you know that?

MR. HILLMAN:
I did not do the math, no.

D.P.O. CALARCO:
Okay. That's based on the data that I was provided, that that's
what that delta is. You know how many extra rear-end accidents
happened at these intersections, as per the consultant, on an
average basis, yearly basis? Four hundred and twenty. So that's
less than what we counted extra by expanding out. And so that is
the concern I had with the report, was that we woefully
undercounted those rear-end accidents. And the people sitting here
today saying that the program is ineffective at being a safety
program are specifically citing rear-end accidents. They're not
citing the T-bone accidents, which we know have decreased
dramatically. They're not citing accidents involving injuries, because we know those have decreased at a -- in a dramatic fashion. The accidents that increased were the rear-end accidents and the side-swipes, those people who decided to drive around the person, which is probably one of the most dangerous maneuvers you could possibly do, and I hope we give those people a ticket. And, actually, I hope a cop is sitting there, because he's going to pull them over every time, at least a good one will, anyway. I don't know. Now I guess some of my colleagues had opinions on how to police than I think what you're taught in school.

All right. So I think I got all the questions I need on that. Thank you, Mr. Hillman.

So in my review of this, I think this program is working. The fact that the number of tickets we issue goes down every year shows that fewer people are running the red lights. Eventually, I hope that gets to zero. And if that means we get no revenue anymore from the program, so be it. I'd rather people not run red lights anymore, and that's what we should be -- the ultimate goal here. But I think we got a lot of concessions in terms of improvements to the program, to make sure that we make it as effective and fair in implementation as possible. And, at the end of the day, I'm sorry, I was taught you stop at a red light. Thank you.

P.O. GREGORY:
Legislator Sunderman.

LEG. SUnderMAN:
Thank you. My first question is I think I respect everyone's idea of how to fix the program, but why are we discussing this on the day of a vote? It just concerns me. Like we should be discussing on how we would fix a program prior. I mean, that would maybe make us have a different discussion, so that's a concern to me.

Second is, you know, I talked about this in committee, but 50% of the red light cameras in the district I represent have an approximately 150% increase in accidents. This just doesn't make sense if this is a safety concern. So how do we fix that? That concerns me.

And then, you know, I teach at the Fire Academy at one point, and first responder safety is a number one priority for Fire, EMS and Police, and tow truck drivers. And it talks very simply here. It says, "Incident responders are at risk of being struck by passing vehicles as they are performing their duties." I don't understand. If we're concerned about safety, are we concerned about the first responder safety? Because if I have an increase of accidents of over 150%, where is our safety and concerns for the first responders? That bothers me very much. Thank you.

P.O. GREGORY:
Legislator Anker.

LEG. ANKER:
Okay. This -- you know, we have been talking about this for a long time, I mean, this has been ongoing. But it's, you know, coming to
a point where, you know, we're having to make this decision. And I will remind folks how frustrated I am with the recent report that was released, which I co -- I sponsored two years ago. So, yes, we should have gotten those numbers last year to be able to make a decision on whether we want to keep this program or not.

My colleagues have made some really good points, both pro and con, regarding the red light camera program. I think everyone will agree with me, there needs to be improvements. The program that is in place right now, in my mind, is not acceptable, there needs to be improvements.

Going back to the report, in the resolution, the report basically was focused on the review of the intersections to identify in the red camera safety setting since the program's been -- the program's inception. So the company, McLean, was supposed to review the intersections, which they did. The second goal was to determine the causes of the increase in accidents at these -- at these intersections. I -- that was not in the report. So, again, I really would have appreciated for the consulting firm to follow basically the mandates asked by the resolution, but, again, I don't have that information, and evaluate the efficacy of the camera program, and to recommend whether the camera should be retained at the intersection where accidents have increased.

So what the report basically said was we have some problems, and those problems are increase in rear-end crashes up 40%, increase in overtaking, and those are the pass -- when you're passing a car, crashes, 54%, and a 78% property damage increase. Now those are concerns, those are very concerning. However, the other side of the coin, there was a decrease in right-angle crashes by 56%, a decrease in left-turn crashes by 17%, and, most importantly, a decrease in injuries and fatal crashes by 11%.

The difference between the two reports, the internal report and the engineer's report, from what I understand, and, Legislator Calarco, you went into depth with it, and then, Legislator Trotta, you also brought that up, was the 200-foot spans that -- versus a 300-foot area that determined where the crashes were. So, of course, you're going to have more crashes in a 200-foot spans versus a 33 area and -- at intersections.

And, again, these are -- these are points that need to be considered, especially when we're trying to evaluate, well, are there more crashes, are there less crashes. You know, what are the numbers? And this is what's frustrating. This report that I sponsored two years ago was supposed to provide those statistics. And now we're comparing apples to oranges and they're supposed to be apples to apples.

So, you know, as I sit here as a Legislator, and in one of the most dangerous districts in Suffolk County, having two very severe traffic roads, Route 25 and Route 25A, I now have to make a decision if this program is going to be safer for us to have or not safer for us to have.
And on the other side is the money. So we are getting about $20,000,000 from this program. I've been told that some of the money will go towards education and safety programs, and that's a good point. But my question is why can't all of the money go towards these programs? If this is a safety program, if we're doing this, we implemented this program for safety reasons, why can't the money, $20 million, go towards the safety program? And I'll tell you what's concerning, too. We've already committed this program in the budget, and if we don't put the money in the budget, our bond rating could go down; that's a problem, too. We might have to lay off additional employees; that's a problem, too.

Either way, we have a problem.

So in improving this program, there has to be more education programs, because in the report, I feel the main problem with our -- with the traffic issues is distracted driving. And, again, we've all been through this. We've all heard testimony from the Legislators and from the folks that have come in today. As a parent of three kids, and they all drive, I have told them, "You have to be a defensive driver. You can't count on the person next to you not crashing into you or driving as well as you do."

There is an opioid epidemic going on this County right now that also has increased the issue of traffic crashes. That wasn't mentioned, again, in the report. I wanted to know the causes of the crashes so we can try to prevent those crashes.

A payment plan has been added into the program, which is a good thing. It's concerning. Again, there's so many cameras in certain -- in certain Legislative Districts. Why? And then we've had that explained to us, because those are the places that have more crashes than other areas. But what are we doing to prevent those crashes? In other words, if we're putting 14 cameras, you know, in Brentwood, or in Sammy's district, what are we doing to reduce those crashes, you know, other than putting more cameras in there? To me, there needs to be more done with that, and, again, that's something we're going to look at.

We need to have a Legislative report reviewing the program every single year. You know, we're here to decide a very important determination. This program brings in revenue. And, by the way, this program is, I believe, being done by a vendor that's out of state. This program needs to be done, if it's to be done, by local people, they need to be the residents of Suffolk County. And from what I understand, this company is putting in a substation here in Suffolk County. Is there anyone that can comment on that?

**MR. MARGIOTTA:**

Again, in the RFP that we issued, we required them to have an office in Suffolk County.

**LEG. ANKER:**

That's good to know. All right. Don't go away, let me just ask you a few more questions.
Again, we know the methodology was different with both, you know, with your report from the Traffic Bureau, and also versus the engineering. The engineering firm used projected numbers, and, again, it makes it hard to understand the number of crashes. But in your professional understanding, and I know you adjudicate the program, but do you feel this program is making Suffolk County safer?

05:36PM

MR. MARGIOTTA:
I do, based on the fact that serious physical injuries went down, and that I could see such a decline in the number of citations issued that it's -- the only explanation is people are changing their behavior.

05:37PM

LEG. ANKER:
Are we saving lives with this program?

05:37PM

MR. MARGIOTTA:
I believe we are. And I believe that the four major traffic safety organizations have said that when you turn them off people die.

05:38PM

LEG. ANKER:
And why is that?

05:39PM

MR. MARGIOTTA:
From my understanding, and the people I talk to that come to the agency, red light cameras create a lot of conversation. Whether they hate them or they love them, people are talking about red lights and red light cameras. Before this kind of program, no one was talking about stopping at a red light, and whether you should and how far, and can you get a ticket. It has created a huge awareness, at the very least, that you need to stop at a red light, whether it's because you think you're going to get a ticket from a camera that you don't believe you deserve, or from a police officer. Whatever the reason is, we're talking about red lights. And my belief is if we're talking about violations, and people are becoming aware of violations, you're going to see a decrease in those violations. And that's what our numbers show as far as the decrease in citations issued, and the fact that almost 80% of the people -- of the cars that get violations only receive one or two. So you see the great majority of people, they make a mistake, they learn, they don't do it again.

05:39PM

LEG. ANKER:
You know, I read an article in Newsday, there's -- someone had gotten 71 violations. How could that happen?

05:39PM

MR. MARGIOTTA:
They're not alone. There's some very egregious numbers out there. People have gotten 50, 60, 70. People run red lights, some people, with impunity, and they don't pay the tickets. Some of them are told by Legislators or elected officials, "Don't pay them," so they keep running them.

05:39PM

LEG. ANKER:
But can the -- can law enforcement or, you know, the Bureau impound
their car? Because they're basically a -- they're creating a safety hazard situation.

MR. MARGIOTTA:
We began a program, I believe it was this year or late last year, where for the most egregious offenders, we called them in, we have a hearing is, and we request DMV review it and suspend the registration to any vehicle that is repeatedly running red lights. So we have suspended many registrations at this point.

LEG. ANKER:
Okay. I feel there needs to be stronger penalties. You know, you have to keep these people off the roads. It's our children that are out there, you know, learning to drive, and then they have to deal with folks that literally are abusing their privilege.

You know, I had said, when you -- when you drive a car, it's really -- it's like it's a weapon, it's like a firearm. If you don't know how to use it, it is incredibly dangerous. It kills people, it injures people, and it's, you know, extremely important that you know what you're doing. And we have laws for a reason, and if you don't follow the law, there's penalties.

So, again, the concern with the right on red, we had someone here with a bicycle organization, and when's the last time that you made a right on red, but you didn't completely stop, whether there's a camera there or not? What would happen if there was a bicyclist coming, crossing over, and you did not stop? I'll assume you would hit that bicyclist, you would hit that person.

So, you know, again, I didn't think too much into the idea, well, right on red, you don't -- you know, so you don't stop all the way. But, you know, working on Rails-to-Trails, which is a bike path, you know, knowing that there's so many parks here in Suffolk County, knowing that our population of residents are going towards more pedestrian type of transportation, we need to make it work. And if people are not stopping when they need to stop, if they're not aware, and if they're distracted, we're going to continue to see an increase, whether there's a red light camera or not, at our intersections and on our highways.

So, again, this program, in speaking with, of course, you, Paul, and also the County Executive and my colleagues, we are going to improve this program. And understanding, too, when you get a ticket and you go to court, and that Judge is not there, we need to make sure that the Judge is there, that the process is facilitated efficiently.

You know, when I first went to the Traffic Bureau, I saw folks waiting outside in the rain, waiting to get in, because the doors weren't open. You know, it was cold, it was wet, and I was shocked. There probably was 50 people waiting outside. And I went in and I told the folks who I was, and I said, "Well, can you let" -- "open the doors and let the folks come in and get out of the rain?" And yes, you changed that. You've changed it because you've had some positive input. We need to continue with positive
input. Will this program ever be perfect? Probably not perfect, but the bottom line is we need to make the program better and that will be safer. So I thank you, Paul, for answering.

MR. MARGIOTTA:
Thank you.

LEG. ANKER:
Thank you.

05:43PM

P.O. GREGORY:
Okay. Legislator Flotteron.

LEG. FLOTTERON:
Could I speak to Bill Hillman? Thank you. I was looking at the resolution from years ago, when they first implemented the program about ten years ago, and one final part of the sentence is, the intent was to reduce the incidents of red light running, and thereby enhance public safety. So the main reason for this was, of course, public safety, and to get rid of, I guess, T-bone type accidents; is that what I understand?

MR. HILLMAN:
Correct.

05:43PM

LEG. FLOTTERON:
Before this, I mean, your job is re-engineer -- part of your job, or your Department, is, you know, re-engineering, making roads, and intersections, and walkways, and everything, bikeways safer.

That's -- and this is just -- if anything, if was a new tool that was invented that you -- in your arsenal. And like just like when we have -- worry about speeding, we -- there's traffic-calming techniques, such as, you know, putting islands up, or narrowing the lanes, using the striping, and putting trees in the side of the road, just like -- what other tools did you use prior, or even still present, besides red light cameras, to maybe help improve a situation like this?

MR. HILLMAN:
Really, it goes on an intersection-by-intersection basis. There is -- before red light cameras, I really can't think of anything that would prevent someone from running a red light. The red light is just that, it's the indication to stop. There's a yellow clearance in advance to give you warning that a red light is coming. We use standards for setting those protocols. You know, I mean, engineer -- there's three E's, engineering, education and enforcement. Engineering can only go so far.

05:44PM

LEG. FLOTTERON:
Well, I actually agree with you on that. But, again, this was a new tool that you were to find that in certain locations it might work. I guess one of my bigger concerns here is in some locations, and I think you would agree with me, is maybe it worked. But it seems like a large percent, it maybe made other types of problems, like a side effect. Like this was like a new -- a new wonder drug, a new silver bullet that was going to solve locations, and we found
out, no, there's some bad side effects in some places, such as rear-end accidents.

And I guess I have -- a bigger problem with this resolution is that trying to have 100 locations. Maybe this is good for a dozen locations or 30. But we're trying to jam this, like say, drug on solving every location, which maybe need other types of education and engineering.

So I'm just -- I just want to clarify by asking you again, you know, but you've already answered, is that, again, this is a new tool, but it doesn't seem like -- any tools are not magic bullets or a magic drug for all locations, and sometimes they could have worse side effects in certain places, and we should just unplug them, or maybe reduce the requirement, if we even are going to do an RFP.

And the question with that, also, people were questioning before about RFP, which if some people don't know in the audience, it's just Request For Proposals. Can't you have in that Request For Proposal literally cases, some things you're looking for? And I think that's what maybe started coming out and didn't come out perfectly in the questions before, is like we're looking for certain things. So, in this way, when they answer the requests, it might not be exact, but they make sure we're sort of leading on some of the things we're concerned about, because, right now, you're putting in a proposal that we're looking for new vendor to manage the red light camera things. There should be other bullets in there of some of our -- some other things we're looking in -- some concerns we have, and could you address that also in your RFP? I mean, couldn't that be added, some other language to maybe make a little fuller RFP?

MR. HILLMAN:
Again, maybe TPVA wants to comment on that, but they drafted the RFP.

LEG. FLOTTERON:
Okay. But is -- but with an RFP in general, you're allowed to add other wordings like that, and sometimes you do -- you do that probably in almost every RFP.

MR. HILLMAN:
Sure. When we put out RFPs for specific intersections and roadway designs, we're specific in our -- it seems to me that the proposal that's being requested by TPVA might be a performance-based proposal. Again, I --

LEG. FLOTTERON:
Probably is, how it sounds, and to me, that --

MR. HILLMAN:
It seems like it, yes.

LEG. FLOTTERON:
I just think with performance base, you know, we should probably
just give you a little idea of some things we're looking for, because sometimes some of them we won't waste the time with, because it might -- they might sound great on the cover, but they're not going to be able to do certain things. And, also, maybe these other people find out what we're looking for, just, I think, we get a better candidate.

Okay. Well, thank you. But, again, it seems like from all this, for these numbers, with a 60% increase in a lot of intersections, this is not the magic pill or the silver bullet. And, again, in its present form, I could not approve this.

P.O. GREGORY:
Legislator Cilmi.

LEG. CILMI:
Thank you very much, Mr. Chair. Could we ask Paul Margiotta to join us for another moment or two?

LEG. KENNEDY:
Just sit in the front, Paul.

LEG. CILMI:
He must like walking down that aisle. I'm not sure what's going on there.

MR. MARGIOTTA:
I am ecstatic to be here.

(*Laughter*)

LEG. CILMI:
Paul, I just -- a couple of questions for you. I won't keep you long. First of all, with respect to this RFP question and -- I mean, clearly, when you issue an RFP, you set some baseline criteria for -- in there. I don't remember at this point what Legislator Trotta was asking in terms of if you could put that into the RFP or not, but I recall Legislator Calarco mentioning just moments ago that the RFP had been just amended or recently amended to add some, you know, requirements that it didn't contain in the first place. So whatever it was that he was asking about, clearly, you have the ability to set some criteria within an RFP that you wish people to propose on, correct?

MR. MARGIOTTA:
Correct.

LEG. CILMI:
Okay. Because it seemed like when you were -- when you were going back and forth with Legislator Trotta, that you were saying you couldn't do that, and an RFP is just a Request For Proposals, and you want the company to propose what they can do, and then you, you know, negotiate with them after the fact, but, really, that's not the case.
MR. MARGIOTTA:
No. What I was saying is there is -- you could put in every little
detail about everything you think you're going to want.

LEG. CILMI:
And, clearly, that limits, probably, the responses that you're --

05:49PM
MR. MARGIOTTA:
Yes. And my -- the way I issue an RFP is I want as many companies
as possible to submit requests. We don't know what's out there.
We don't know who the best one will be. And I want everyone to
give us everything they can, because I could look at one proposal,
see they do something, and find out if the other ones do that. I
may have not -- I may have not have thought of that. But I'm going
to drag a big net and get as many proposals as we can, so we're not
dealing with two or three.

05:50PM
LEG. CILMI:
Right. But, clearly, if there are baseline requirements that the
County is looking for, you're going to include those in the RFP as
baseline requirements.

MR. MARGIOTTA:
Yes, they were.

05:50PM
LEG. CILMI:
Okay.

05:50PM
MR. MARGIOTTA:
Yes.

05:50PM
LEG. CILMI:
I just want to take you back to the Public Safety Committee meeting
from last week for a moment. You mentioned during that committee
meeting that moving forward, your role is sort of changing in
this -- with this program a little bit, right?

05:50PM
MR. MARGIOTTA:
Well, it definitely seems that way from the conversations.

05:50PM
LEG. CILMI:
Well, certainly, we don't have any -- I mean, we haven't directed
that change, I don't think, but, certainly, we've asked about your
role. You did say that, right, that you --

05:50PM
MR. MARGIOTTA:
So far, my understanding is I've issued the RFP for the first time,
okay? The first one was issued by DPW --

05:51PM
LEG. CILMI:
Right.

05:51PM
MR. MARGIOTTA:
-- a long time ago, which means I will be involved in negotiating
the contract.
LEG. CILMI:
Okay.

MR. MARGIOTTA:
Which I was not involved with before, which will include a lot.

LEG. CILMI:
Despite that you signed it, though, right?

MR. MARGIOTTA:
I only signed amendments, and when you sign an amendment, I'm not the one approving it, I'm just signing it as TPVA. It's the Deputy County Executive, the County Attorney. Those amendments made little changes to the contract.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
I can't tell you what each one was, but I know that there was one done to extend it after the Waiver Committee --

LEG. CILMI:
Right.

MR. MARGIOTTA:
-- for another year. I haven't signed that.

LEG. CILMI:
Right, okay.

MR. MARGIOTTA:
But it's only for that one purpose, though it may include other language.

LEG. CILMI:
I understand. I understand. So, previously, Department of Public Works wrote the RFP, issued the RFP, selected the successful proposer, and you're left with -- and you're left with adjudicating, as you said, the violations, correct?

MR. MARGIOTTA:
Yes. I began in 2013. The program had been in effect for, I think, four years.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
Thirteen, 2013.

LEG. CILMI:
Now, insofar as your -- TPVA is issuing the RFP, or issued the RFP this time. Once the County receives those proposals back, you will be directly involved in, engaged in the selection process.
MR. MARGIOTTA:
Absolutely.

LEG. CILMI:
And you will be directly involved in and engaged in the contractual process.

MR. MARGIOTTA:
Absolutely.

LEG. CILMI:
Does the Legislature have the opportunity at that point to approve the contract, or is that something that happens administratively; do you know?

MR. MARGIOTTA:
It is administratively, but everything anyone has brought up that they’re concerned about, I’ve heard you. I’m going to talk to them when we negotiate the contract.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
The biggest role of that contract is procedure.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
When it comes to what intersections and the rest of that, we’re going to rely on DPW. But the rest of it, all the procedures, the time, you know, giving people time to pay, all that stuff is the -- are the things that we're going to be dealing with in that contract.

LEG. CILMI:
There are, I believe, and you or DPW may correct me if I’m wrong, but I believe that in the current contract, there are some stipulations with respect to minimum levels of revenue from each location.

MR. MARGIOTTA:
Okay. My understanding, again, this was, I think, the Levy Administration in 2009 that created this. What I have been told was that provision was put there if the County wanted to put these cameras at intersections where they weren't warranted, for whatever the reason. They would pay a penalty for doing that, and they would have to pay the vendor to do that, because the vendor wasn't willing to put them somewhere where they weren't warranted. That's what they told me, I wasn't there.

LEG. CILMI:
But warranted, warranted is a -- sort of is in the eyes of the beholder. Like how do you define warranted? Warranted by the number of violations that happened, warranted by the number of...
crashes that have happened at that particular intersection?

I sent DPW an email a day or two ago from a constituent who wondered to me why a camera was at a particular intersection, and suggested to me that in her experience, she lives right near that intersection, there had not been many accidents at that intersection. So she was perplexed as to why a camera was there. I haven't heard back on that email yet. But I wonder whether or not -- how you plan on negotiating that, or how you envision the contract, this next contract moving forward, if it moves forward, with respect to the selection of the intersections, and with respect to penalties to the County if a particular intersection is not performing.

MR. MARGIOTTA:
I would -- I would say that in the contract it should be clear that an intersection must meet the criteria to be a public safety issue based on whatever evidence DPW does with their studies, which will have nothing to do with me. That would be the only intersection the cameras would be at. I would not support any clause that says they can go at in other intersections, and we pay penalties or anything like that. I don't -- I don't see the purpose of it.

LEG. CILMI:
I'm not sure I understand it.

MR. MARGIOTTA:
But the clause that says if we -- if they're put at intersections, certain intersections, the County could pay penalties, my understanding is that was if, to be blunt, a particular elected official says, "I don't really care, I want it at my" -- "at this intersection, because I'm getting complaints."

LEG. CILMI:
Okay.

MR. MARGIOTTA:
That may not be an intersection that either DPW or the vendor believes it belongs there. They protected themselves in saying if we tell them to put it there, we're going to pay a penalty, they're not footing the bill. That's my understanding. Again, I wasn't there.

LEG. CILMI:
Right.

MR. MARGIOTTA:
But I would see no reason for that kind of clause in a contract.

LEG. CILMI:
Okay. So you don't -- you don't envision entering into a contract that would include penalties for nonperforming? And when I say "performing", I mean revenue-generating intersections.

MR. MARGIOTTA:
Absolutely not.
LEG. CILMI:
Okay. So last question I have for you. I just want to give you an opportunity to clarify, or perhaps reiterate, with respect to the report that McLean did. When you were here for Public Safety, we talked with you about the report, and you had indicated at one point that you hadn't read the report, and then you indicated that you had looked at the summary of the report. I just want to give you an opportunity to -- you know, to reiterate for the full Legislature what, what, if any, involvement in reading that report you had. I mean, clearly, if you're -- if TPVA is going to be involved in administering the contract or signing a contract, you know, issuing the RFP, etcetera, I would think that the data from that report, or the report itself, rather, would be of interest to you in -- you know, and would sort of inform some of your decision-making process with respect to the RFP and with respect to the contract.

MR. MARGIOTTA:
Thank you for letting me clarify. So I did not read the entire report, which was very big and had a lot of --

LEG. CILMI:
Entire report, being -- meaning the appendixes and all that other -- appendices.

MR. MARGIOTTA:
I did read the summary, and when I learned that they were using 33 feet in part of their study and 200 feet in another part of their study, I didn't believe that report can give me any information that I could rely on. I don't know how you can do that.

(*Applause*)

MR. MARGIOTTA:
So that's what I was trying to say. When it said that certain intersections should be looked at, and there are serious questions about that, I agree with that. But I was asked if I would say remove the camera, and as DPW said, you can't ask me to jump to that conclusion. What I would say is you need an in-depth look at that. And I think DPW would be most qualified, though that's a lot of work. And if it's determined that a red light camera is contributing to any kind of danger, of course, it should be removed.

LEG. CILMI:
So you read the summary?

MR. MARGIOTTA:
Absolutely.

LEG. CILMI:
And is it fair to say that -- that you discounted the conclusions of the summary based on some of the methodology of the report, of the analysis?
MR. MARGIOTTA:
I discounted how they projected the accidents should be.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
I think the way they projected what they should be, and then they
said this is what they are, I think that projection was seriously
flawed. So of me, it was -- to me, it was of no import.

LEG. CILMI:
Okay. Thank you very much, Paul, for --

MR. MARGIOTTA:
Okay.

LEG. CILMI:
I appreciate those answers. So at the risk of being redundant
based on what I saw -- what I said at Public Safety, listen, we all
interpret this information in different ways. From my perspective,
there are zero additional fatalities or -- and, rather, the number
of fatalities at intersections with red light cameras didn't
increase, nor did they decrease, comparing those intersections
pre-camera and with camera. There was 17 fatalities in both cases.
Allegedly, there are fewer accidents with injuries at those
intersections. We know that there were more than 1,000 additional
rear-end accidents or takeover accidents at those intersections
subsequent to the installation of the cameras. Those more than
1,000 additional accidents potentially involved thousands, multiple
thousands of people, senior citizens, young people like me and Rob
Calarco.

(*Laughter and Applause*)

Come on, it's a little bit of a -- a little levity. Babies. The
advocates for this program like to credit the program for reduced
accidents involving injuries, but, on the other hand, don't like to
blame the program for increased rear-end accidents at those
intersections. You can't have it both ways, it's one or the other.
Either you're going to -- either you're going to rely on the
cameras or you're not going to rely on the cameras. But you can't
suggest that they're improving safety at some locations, and then
dismiss the deterioration of safety at other intersections, and
say, well, it might have had something else to do with it, some to
do other than the cameras.

You know, the way this whole program was presented initially back
in 2009, I was not part of the Legislature back then, but I
remember the discussions, and there's no doubt in my mind that Bill
Lindsay, Sr. --

LEG. LINDSAY:
Junior, I'm the Third.
LEG. CILMI:
Junior. You're the -- Bill Lindsay, Jr., who I had the pleasure and privilege of serving with, there's no doubt in my mind that he intended with all of his heart and soul for this to be a public safety program. I think what happened is that the County got a taste of the revenue and sort of went into tunnel vision, and has since ignored the multitude of problems that exist with this program; has ignored the rear-end accidents and the potential harm to public safety that those accidents cause; the financial damage that those accidents cause; the fiscal implications to the County that those accidents cause due to increased police responses; the potential injury to First Responders as they have to respond to those accidents; the fact that most people who are receiving these violations, and paying the County money, are doing so because they very cautiously rolled through a red light, perhaps slowly moving forward to look to see if there was any oncoming traffic before they proceeded.

We're waiting for Mr. Margiotta to get us information with respect to the exact percentages of act -- of, rather, violations that involved rights on reds, and straight through, and -- oh, sure, if you have information, please come forward.

MR. MARGIOTTA:
I'm sorry. I sent it to Legislator Kennedy because she asked me. 2018, the last full year, was 54% right turns.

LEG. CILMI:
Okay.

MR. MARGIOTTA:
It had been much higher in the past, and it has gone to 54%.

LEG. CILMI:
Okay. Thank you.

MR. MARGIOTTA:
You're welcome.

LEG. CILMI:
If you could forward that to me, Paul, I'd appreciate that.

MR. MARGIOTTA:
Absolutely.

LEG. CILMI:
It seems -- it seems to me that there's, at the very least, increased risk at these intersections. And given the fact that I believe that that increased risk is potentially very detrimental to the public, to public safety, to the health and welfare of drivers, there is no way that I can support this program moving forward. Perhaps if the program was brought to us in a different format, you know, there may be some, some configuration that I might -- that I might approve of, but I am certainly not going to approve the extension of this program with the hope, and I think Legislator McCaffrey characterized it as pie in the sky hope, that the -- all
of the concerns that I have and that my colleagues on both sides of
the aisle have here are going to be addressed. That's all I have
to say. Thank you, Mr. Presiding Officer.

P.O. GREGORY:
Okay. Legislator Spencer.

LEG. SPENCER:
Thank you. And it's the -- it's been a long debate, and this is my
second bite at the apple. I did have just a couple of quick
questions for Paul that are very important for me, if you could
come back one last time, hopefully

LEG. CILMI:
Walking down that aisle again. You got any kids that are getting
married, Paul?

MR. MARGIOTTA:
I feel like that. Sir.

LEG. SPENCER:
Paul, I guess my question is related to when people are going
through an intersection and they are issued a citation for running
a red light camera, what actually triggers -- and I've had people
ask me, but I wasn't 100% sure. And I guess my question is like if
you start into the intersection and the light is yellow, and it
turns red while you're in there, are you issued the summons, or it
has to be red as you enter the intersection?

MR. MARGIOTTA:
The way the system works is it anticipates by your speed and by
your distance to the light whether or not you're going to go
through the light. Now, obviously, you don't always go through the
light, but that's when it begins filming. As soon as you get to
the stop bar, the stop bar is the big white line in the street, it
takes another picture, and in that picture you must be behind the
stop bar and the light must be red. Then there's a second picture
of you on the other side of the stop bar with the light red. Then
when you watch the video, the video will show that before you got
to the stop bar, the light had already run through the yellow cycle
and turned red, and after it turned red you passed the stop.

LEG. SPENCER:
So if I'm driving and I'm at the threshold of the intersection, the
light changes yellow, I don't have slam on my brakes. And if I'm
in that intersection at any point and that light turns red, I'm not
issued a summons. I'm only issued the summons if I'm behind the
stop bar and the light is red and I proceed.

MR. MARGIOTTA:
That's correct.

LEG. SPENCER:
Okay. So it is -- and there's -- so the camera, it does what it
does, it's programmed, but then these are always looked at and a
decision is made, is my understanding.
MR. MARGIOTTA:
Yes. The instances, is what we call them, are much greater than
the issuance. So there's lots of instances, then they're sorted
through by the company. Then they're sent to us, where I have an
employee review them to make sure they didn't make a mistake.

LEG. SPENCER:
I guess what I'm getting at here is there -- there's a couple of
circumstances that were -- that came up, and there was testimony
this morning, where if there is, for instance, an emergency, and I
guess some emergency vehicles have the ability to change the
intersection, and if in those situations the emergency vehicle,
they need to have their lights on if they're going to go through
the red light. But what about other drivers that the cadence has
changed, is there -- where the light has just turned red, but
because an emergency -- I mean, has just turned green, but because
an emergency vehicle is approaching, they change the cycle and they
turn it, are cars in that situation given some amnesty or some
consideration because they're -- that flow was interrupted because
the signal was changed by the emergency vehicle?

MR. MARGIOTTA:
My instructions to our employees are if there is an emergency
vehicle with lights on in the intersection at all, then a red light
camera ticket is not issued, because people will go through a red
light because there may be a police officer behind them. They may
go through a red light because the intersection is blocked or
there's an accident. So if there is police activity or emergency
vehicle activity, none of those should be issued during that period
of time while those emergency lights are flashing in that
intersection.

LEG. SPENCER:
So, in your experience, and you described this, as adjudicator, as
you officially described yourself --

MR. MARGIOTTA:
Yes.

LEG. SPENCER:
-- then you're primarily driven by -- what's your goal, safety,
revenue? What are you driven by? And do you -- are you at odds at
points? But you're the final say so. But what's your goal with
this program and when making decisions?

MR. MARGIOTTA:
My goal for the agency is to make the streets safer, and we take
that approach, whether it be for moving violations or for red light
cameras. The only -- the only issue for revenue that comes into
our mind is, is the fine going to change behavior. Can we get
people to change behavior by fining them, or do we need to have
them get points on their license, etcetera. So as far as the
revenue goes, honestly, it changes nothing for me, it drives
nothing for me. What I'm looking at, and if I -- I would like to
leave being considered successful because traffic deaths went down
while I operated that agency. And I'm happy to say that since
2013, for the first time in a decade-and-a-half, Suffolk County has watched accidents with deaths go down. We're very, very proud of that.

LEG. SPENCER:
And one last question, and is -- and if you see, for instance, there's snow, or the highway is wet, people should be driving slower to begin with. But if you see someone that triggers a red light camera, and you see that they're braking, but they slide into the intersection, and, you know, it seems -- it appears -- you can't really tell what was going on before then, but in those circumstances, do you, you know, look at the video and I guess rule accordingly if you see that there was just kind of extenuating weather conditions? Do you make adjustments in those circumstances?

MR. MARGIOTTA:
I try not to make a call whether or not the citation should be issued if the vehicle went through the red light. I try to leave that to a Judge, but that doesn't mean a prosecutor won't say, "Judge these are the conditions, it appears that they slid through the intersection. It doesn't look like they were going that fast but they did go through it." And then the Judge could say, "All right, I'm going to dismiss it." But I would say that if they're sent to me, and if it's really clear that this was -- they weren't going fast, it was unavoidable, then I would administratively dismiss it and put it on a calendar for a Judge to confirm my dismissal, I will.

LEG. SPENCER:
Thanks, Paul. I appreciate your help throughout this process. Just one brief thing, and that is you can see how this is going down, that you could take whatever you want to out of this program, and you can decide that it's safe or not safe, you can decide the study was good or bad. You can -- you can get whatever you want. And one thing I do think that you have to sometimes -- you know, we were criticizing Paul because he brought in national information, and I can understand the criticism. But I do think that in situations like this, and I'm a scientist, is that when you look at situations where you can take a study and pull whatever information you want, you have to get rid of the confounding variables, and that is I can tell you when -- ice cream sales go up when people are swimming. Well, it's warmer and ice cream sales and swimming have nothing to do with each other. Ice cream sales go up, more people drown.

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

LEG. SPENCER: (Cont'd)
The confounding variable here is distracted driving, and we see that at the basis of all national reporting, all states, everything across the board, and we see that there's an epidemic with distracted driving. I think we can debate it, I think we can say, you know, we can't have it both ways. But I think that when you pull out and you look across the country and you look at these
types of programs, I searched my heart, I was prepared to take a
hard line no against this, but I think it's saving lives. And, you
know, I think, again, we have to improve it, but we could discuss
these studies all day long, but I do think we are -- we're saving
lives.

P.O. GREGORY:
All right, Legislator Berland.

06:16PM

LEG. BERLAND:
I just wanted two more quick points, because I think that even the
study that we did, I really disagree with the numbers because of
the number of feet that they went back that they shouldn't have and
I think are taking more accidents into consideration, especially
the rear-end ones. But that being said, the AAA report clearly
says that the number of rear-end accidents on non-red light camera
intersections has increased over a hundred percent. So I think
it's clear that the red light cameras are saving people and are
benefiting public safety, because there's half the number of
accidents at red light cameras than there are at non-red light
camera signals.

06:17PM

And also, the comments about the insurance industry that, you know,
that all this extra money is being spent with the rear-end
accidents, the insurance industry supports the red light cameras
and they would not be doing that if that didn't help their bottom
line. If they were paying more for accidents they wouldn't be
supporting it, but they're supporting it so it seems to me that
they're paying out less money now than they were prior to the
installation of red light cameras. So, that's it.

06:17PM

P.O. GREGORY:
Okay. All right, that's all we have. We have a tabling motion and
an approval motion; the tabling motion goes first. Roll call.

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

LEG. TROTIA:
Yes.

(Brief pause)

06:18PM

LEG. McCAFFREY:
He said yes.

LEG. FLOTTERON:
Yes; sorry.

(*Laughter*)

06:18PM

LEG. KRUPSKI:
No to table.

LEG. FLEMING:
No.

LEG. SUNDERMAN:
Yes.
LEG. MURATORE:  
Yes.

LEG. HAHN:  
No to table.

LEG. ANKER:  
No.

LEG. LINDSAY:  
No to table.

LEG. GONZALEZ:  
No to table.

LEG. CILMI:  
Yes to table.

LEG. KENNEDY:  
Yes.

LEG. McCAFFREY:  
Yes.

LEG. BERLAND:  
No.

LEG. DONNELLY:  
No.

LEG. SPENCER:  
No.

D.P.O. CALARCO:  
No.

P.O. GREGORY:  
No to table.

MR. RICHBERG:  
Seven.

P.O. GREGORY:  
Okay. Motion to approve; all in favor? Opposed? Raise your hands.

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

Abstentions?

MR. RICHBERG:  
Eleven.

P.O. GREGORY:  
Okay, IR 1663 is approved.
LEG. HAHN:
Presiding Officer, in addition to the two other bills I was hoping
to take out of order, would it be okay if we reconsidered -- I'd
like to make a motion to reconsider -- as long as everyone is here.

P.O. GREGORY:
You can't make the motion.

LEG. HAHN:
Oh, darn. I request someone to make a motion to reconsider.

P.O. GREGORY:
I'll make a motion to reconsider --

LEG. HAHN:
1611.

P.O. GREGORY:
-- IR 1611.

LEG. HAHN:
So that I can vote for it since I wasn't able -- I wasn't here.

D.P.O. CALARCO:
Second.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. (1611-19 - Adopting Local Law No. -2019, A Local Law to
prohibit the release of helium filled balloons (Anker). Motion to
approve by Legislator Anker. Motion to approve by Legislator
Anker. I think Fleming was the second on that, originally.

LEG. MURATORE:
(Raised hand).

P.O. GREGORY:
Second by Legislator Muratore, okay. All in favor? Opposed?
Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay.

LEG. HAHN:
Thank you. I appreciate that. I'm sorry.
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LEG. ANKER:
And thank you, everybody.

P. O. GREGORY:
You have another request?

LEG. HAHN:
Yes, I was hoping that we could take out of order IR 1720.

P. O. GREGORY:
Which page?

LEG. HAHN:
Which is on page seven. Yes, make a motion to take out of order.

P. O. GREGORY:
Motion by Legislator Hahn to take IR 1720(-19) out of order, Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection and amending the 2019 Capital Budget and Program, and appropriating funds in connection with the Stormwater Mitigation Project on Stony Brook Creek, Town of Brookhaven (CP 8240.126/.341) (County Executive). Seconded by Legislator Calarco. All in favor to take out of order? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

LEG. HAHN:
So motion on --

P. O. GREGORY:
Motion to approve.

LEG. HAHN:
Motion to approve.

P. O. GREGORY:
Second by Legislator Krupski. Any questions? All in favor? Opposed? Abstentions?

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

LEG. HAHN:
And then the other I was hoping to take out of order -- I would like to make a motion to take out of order 1671 on page nine, the bottom of page nine.

P. O. GREGORY:
Okay. Motion to take 1671(-19) out of order, Adopting Local Law No. -2019, A Local Law to require Installation of Advanced Wastewater Treatment Systems at auctioned parcels (Hahn). Second by Legislator Anker. All in favor? Opposed? Abstentions? This is to take it out of order.
MR. RICHBERG:
Seventeen (Not Present: Legislator Donnelly).

LEG. HAHN:
And then I'd like to make a motion to approve.

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

LEG. CILMI:
On the motion.

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

LEG. KRUPSKI:
On the motion.

LEG. CILMI:
Motion to table.

P.O. GREGORY:
Okay, motion to table by Legislator Cilmi. Is there a second?

LEG. FLOTTERON:
Second.

P.O. GREGORY:
Second by Legislator Flotteron. On the motion, Legislator Krupski.

LEG. KRUPSKI:
So I had some reservations about that because I thought, well, it's going to impact the sale of auctioned parcels. But, you know, I've given it a lot of thought and we do have, as a County, the Grant & Loan Program that was set up a couple of years ago that's been successfully run by the Health Department and Planning, and New York State has contributed ten and a half million dollars to help fund the Grant & Loan Program to help people renovate their existing systems. And I think because of that program, this is going to be -- this will be sustainable for auctioned parcels and you'll be able to -- people will be able to replace their systems moving forward.

P.O. GREGORY:
Legislator Sunderman.

LEG. SUNDERMAN:
Yeah, I had a question on this earlier. I'm questioning -- a lot of houses in mind on this auction are being bought by speculators. So I'm concerned with this 15-month rule, who's going to take the responsibility of it. So a person buys the home after six months or eight months on a flip, now there's a responsibility of the new person that just took over this home to get it in a shorter time span. I'm concerned that we're moving forward on this bill without, you know, my input being allowed to be given on this bill.
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right now. Originally when I asked about this bill I was going to be able to get some input and I really didn't.

P.O. GREGORY:
I want to recall that Legislator Browning made -- because I had done a similar bill in my district. There was restrictions that were made, and I'm not sure if it was all of her district, but certainly --

LEG. HAHN:
I think -- yeah, didn't we have to owner occupy it for ten years, whoever buys it at auction?

P.O. GREGORY:
Yeah, there's a covenant and restriction on auctioned properties that you can't -- if you -- if a County property is at an auction, that they have to be owner occupied and not bought by speculators, a specific request she had asked for her area. I think it might have been all of Brookhaven, it certainly was in Bellport, I think.

LEG. SUNDERMAN:
Only in Bellport, I looked it up already and only in the Bellport. We were looking to do something for that Mastic/Shirley area, that's what I'm concerned about. And I understand that, but --

P.O. GREGORY:
You can put a bill in to do that.

LEG. SUNDERMAN:
All right. So be it. Sarah?

(*Laughter*)

MS. SIMPSON:
Tomorrow.

LEG. SUNDERMAN:
Thank you.

P.O. GREGORY:
Okay. Anyone else? So we have a motion and a second on IR 1671. All in favor? Opposed? Abstentions?

LEG. CILMI:
Opposed.

MR. RICHBERG:
Mr. Presiding Officer, we have a tabling motion and an approval.

P.O. GREGORY:
Oh, I'm sorry. Sorry, sorry, sorry, sorry, my apologies. So motion to table by Cilmi and Flotteron, I think it was, Or Cilmi --

MR. RICHBERG:
Yes, we have that, right.
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P.O. GREGORY:
Tabling motion goes first. All in favor to table? Opposed?
Opposed. Abstentions?

D. P.O. CALARCO:
You should do a roll call.

MR. RICHBERG:
Okay.

06:25PM

P.O. GREGORY:
Okay, you want to do a roll call? All right. I can't help it if
they have short hands, they can't raise. All right, tabling
motion, roll call.

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

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KRUPSKI:
No to table.

LEG. FLEMING:
No.

LEG. SUNDERMAN:
Yes to table.

LEG. MURATORE:
Yes to table.

LEG. HAHN:
No to table.

LEG. ANKER:
No.

LEG. LINDSAY:
No.

LEG. GONZALEZ:
No.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. McCAFFREY:
Yes.

* Index Included at End of Transcript 178
LEG. BERLAND: No.

LEG. DONNELLY: No.

LEG. SPENCER: No.

D.P.O. CALARCO: No to table.

P.O. GREGORY: No.

MR. RICHBERG: Seven.


P.O. GREGORY: Okay, 1671 is approved.

LEG. HAHN: So if you can just stick with me.

P.O. GREGORY: Yep.

LEG. HAHN: There's also one that happens to be a CN, it's Introductory Resolution 1857. I was hoping -- I would like to make a motion to take that out of order.

P.O. GREGORY: Okay, 1857 in the red folders. Motion by Legislator Hahn to take IR 1857(-19) out of order --

LEG. CILMI: Second.

P.O. GREGORY: -- which is Authorizing use of Old Field Farm County Park by Ward Melville Heritage Organization authorizing use of Old Field Farm County Park (Hahn). Second by Legislator Cilmi. All in favor? Opposed? Abstentions to take out of order?

MR. RICHBERG: Seventeen (Not Present: Legislator Muratore).
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P.O. GREGORY:
Motion to approve by Legislator Hahn. Second by Legislator Sunderman. On the motion, anyone? All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay.

LEG. HAHN:
Because I -- I would like to also make a motion to take 1678 out of order.

P.O. GREGORY:
Okay.

LEG. HAHN:
On page nine.

P.O. GREGORY:
IR 1678(-19) on page nine, Directing the Department of Public Works to take sea level rise into consideration when constructing and reconstructing County roadways (Krupski).

LEG. KRUPSKI:
(Raised hand).

P.O. GREGORY:
Legislator Krupski, thanks for the assist; he seconds the motion to take out of order. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
I'll let Legislator Krupski make the approval motion for his reso.

LEG. HAHN:
Second.

P.O. GREGORY:
Second by Legislator Hahn. On the motion, anyone?

LEG. HAHN:
Yeah, no. And the reason I'm asking this one, I had done legislation like this seven years ago or so and we didn't have the support for it at the time, but I think it's pretty clear, you know, now what we were able to pass was not quite -- it didn't go quite as far as this. And so I'm very supportive of this effort, once again. I don't think Legislator Krupski was here when we tried it many years ago, so, you know, it's -- we have to be -- every time -- living here on an Island, we have to be thinking about this. So, thank you.

* Index Included at End of Transcript
LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
Legislator Krupski.

LEG. KRUPSII:
Yeah, thank you. And working with DPW on some of these road projects, it is pretty obvious what's happening. And many of us have low-lying areas in our districts and it's serious and if you -- you're going to put in the infrastructure, put it in the right way and it'll pay off in a time of, you know, high water because people will be able to get through. And it's public safety and it's a good, long-term investment. So, thank you for your support.

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

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

P.O. GREGORY:
Okay, back to Tabled motions (Resolutions).

IR 1596(-19) - Identifying County property holdings located in Sewer Districts (Hahn). Motion by Legislator Hahn.

D.P.O. CALARCO:
Second.

P.O. GREGORY:
Second by Legislator Calarco. On the motion?

LEG. HAHN:
Yeah, this just partners with the other one. I'm just making sure that it's clear that, if I remember correctly, the Department of Health identifies the properties that are in Sewer District so that we don't require those properties that are auctioned to put in the systems because they're in the Sewer District and there's no need.

P.O. GREGORY:
All right. So motion, second. All in favor?

D.P.O. CALARCO:
(Inaudible).

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay. All right, let's go. All right, Budget & Finance.

* Index Included at End of Transcript
IR 1213(-19) - Adopting Local Law No. -2019, A Charter Law to improve the process for amending the County Operating Budget (Cilmi). Motion by Legislator Cilmi.

LEG. CILMI:
I'm going to make a motion to table this.

P.O. GREGORY:
Motion to table by Legislator Cilmi.

06:30PM

LEG. FLOTTERON:
Second.

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

MR. RICHBERG:
Eighteen.

06:30PM

P.O. GREGORY:
IR 1692(-19) - Tax Anticipation Note Resolution No. -2019, Resolution delegating to the County Comptroller the powers to authorize the issuance of not to exceed $110,000,000 Tax Anticipation Notes of the County of Suffolk, New York, in anticipation of the collection of taxes levied for County purposes or returned to the County for collection for the Fiscal Years commencing January 1, 2016, 2017, 2018 and 2019, and to prescribe the terms, form and contents, and provide for the sale and credit enhancement of such notes (County Executive). Motion by -- I'll make a motion.

LEG. GONZALEZ:
Second.

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

MR. RICHBERG:
Eighteen.

06:31PM

P.O. GREGORY:
(Economic Development) IR 1676(-19) - To appoint Alice Cromarty as a member of the Suffolk County Citizens Advisory Board for the Arts (McCaffrey). Motion by Legislator McCaffrey.

LEG. FLOTTERON:
Second.

06:31PM

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

MR. RICHBERG:
Eighteen.
P.O. GREGORY:
IR 1685(-19) - Authorizing the creation of a blanket utility easement for project Phase 3 for use by selected utility service purveyors at Francis S. Gabreski Airport (County Executive).

LEG. FLEMING:
Motion.

06:31PM

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1700(-19) - Accepting and appropriating a 100% reimbursed grant from the U.S. Department of Housing and Urban Development in the amount of $1,235,079 for the Community Development Block Grant Program and authorizing the County Executive to execute agreements (County Executive). Motion by Legislator Lindsay?

LEG. LINDSAY:
Yep.

D.P.O. CALARCO:
Second.

06:32PM

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
(Education & Information Technology):
IR 1724A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of $700,000 Bonds to finance the Acquisition of an Electronic Data Content Management System. (CP 6016.510). I'll make a motion.

LEG. GONZALEZ:
Second.

P.O. GREGORY:
Second by Legislator Gonzalez. Roll call.

06:32PM

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

P.O. GREGORY:
Yes.

LEG. GONZALEZ:
Yes.

* Index Included at End of Transcript
LEG. KRUPSKI:  
Yes.

LEG. FLEMING:  
Yes.

LEG. SUNDERMAN:  
Yes.

LEG. MURATORE:  
Yes.

LEG. HAHN:  
Yes.

LEG. ANKER:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. CILMI:  
Yes.

LEG. FLOTTERON:  
Yes.

LEG. KENNEDY:  
Yes.

LEG. TROTTA:  
Yes.

LEG. McCAFFREY:  
Yes.

LEG. BERLAND:  
Yes.

LEG. DONNELLY:  
Yes.

LEG. SPENCER:  
Yes.

D. P. O. CALARCO:  
Yes.

MR. RICHBERG:  
Eighteen.

P. O. GREGORY:  
IR 1724(-19) - Appropriating funds in connection with the Purchase of an Electronic Data Content Management System (CP 6016). Same motion, same second. All in favor? Opposed? Abstentions?
MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1725A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of $175,000 Bonds to finance the Construction for the Portable Generator Hook-Up Capability for the Department Of Social Services (CP 6015.310). Motion.

06:33PM

LEG. DONNELLY:
Motion.

P.O. GREGORY:
Motion by Legislator Gonzalez. Second by Legislator Krupski. Roll call.

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

06:33PM

LEG. GONZALEZ:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

06:33PM

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

06:33PM

LEG. LINDSAY:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

06:33PM

LEG. TROTTA:
(Not present).

LEG. McCAFFREY:
Yes.
LEG. BERLAND:
Yes.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

P.O. GREGORY:
Yes.

LEG. TROTTA:
Yes.

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay, IR 1725(-19) (Appropriating funds in connection with the construction for the portable generator hook up capability for the Department of Social Services (CP 6015)(County Executive), same motion, same second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
(Environment, Planning & Agriculture):

IR 1376(-19) - Authorizing the County to enter into and execute an agreement with Community Development Corporation of Long Island Funding Corporation to create the Forge River Small Business Assistance Program (Sunderman). Motion by Legislator Sunderman.

LEG. SUNDERMAN:
Motion to table one more cycle.

P.O. GREGORY:
Oh, okay. Motion to table by Legislator Sunderman. Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1419(-19) - Adopting Local Law No. -2019, A Local Law to create a specific exemption from Open Space Preservation in the Mastic-Shirley Conservation Area (Sunderman).

LEG. SUNDERMAN:
Motion to approve.
General Meeting - September 4, 2019

P.O. GREGORY:
Motion to approve by Legislator Sunderman. Second by Legislator Cilmi.

LEG. CILMI:
On the motion.

06:34PM

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

LEG. KRUPSKI:
On the motion.

06:35PM

LEG. CILMI:
Yes, I just wanted to, for the record, clarify, or rather -- yeah, I'll say clarify my remarks at our last EPA Committee meeting with respect to this bill. I mentioned at committee that Legislator Sunderman's office was working with the Town of Brookhaven on this parcel and I was wrong. Subsequent, I e-mailed the committee to apologize and clarified with an e-mail that Legislator Sunderman sent me clarifying the intent here. So I just wanted to put that on the record. In fact, Legislator Sunderman is working with our Department of Economic Development & Planning on this and I'll let him elaborate, if he so chooses, from there. Thank you.

P.O. GREGORY:
Okay, Legislator Krupski.

LEG. KRUPSKI:
Well, I would like to hear from Legislator Sunderman first, then I'll have a question probably.

P.O. GREGORY:
Sure.

LEG. KRUPSKI:
Thank you.

P.O. GREGORY:
Legislator Sunderman?

06:35PM

LEG. SUNDERMAN:
Yeah, I asked a rep from Economic Development; Sarah, are you able to come forward on that? Thank you, Sarah. So could you enlighten us? We had some recent meetings on -- regarding Violet's Cove and our resolution that we put forward.

DIRECTOR LANSDALE:
Sure. So we met with your office recently and we look forward to working with your office to explore and work with the regulatory agencies, DEC, for instance, to explore the feasibility of redevelopment on this site, specifically Violet's Cove. And that's pursuant to, you know, exploring the development of ecotourism opportunities and the development and resiliency and the development of walkable neighborhoods, downtown revitalization.
LEG. KRUPSKI:
I do have a question along those lines. And we're very concerned about -- and I went to take a look at this area late last Winter just to be a little more familiar with the area, because I'm not that familiar with it. And it is very low and it is very vulnerable to storm surge and we have, as a County, spent a great deal of time and effort, including your efforts, with the NRCS to acquire parcels, including Legislator Sunderman's efforts with his Conservation District to keep that area from being redeveloped, or in some cases developed. And something I think in line with a -- you know, with a boat ramp, good public waterfront access would always be appropriate down there because it would be storm resilient. It would allow for -- you talk about, you know, enhancing an area, having good public access is ideal to launch a boat, a kayak or a crab boat or something like that.

And also, if you try and encourage aquaculture in the area, I know there's -- one of the problems the growers have, there's a dirth of public access for people to launch to get out to their gear, and this would be, you know, an ideal spot to put a boat ramp. To put a building there or some other major infrastructure, then you're just putting it in harm's way and we're asking for trouble and that would be difficult to support.

P.O. GREGORY:
Legislator Fleming.

LEG. FLEMING:
Thank you, Mr. Presiding Officer. Hi, Director Lansdale. I was one of the cosponsors of the original legislation that created the Conservation District and I appreciate Legislator Sunderman's leadership on that. Truly, our wetlands and our -- well, particularly our wetlands serve a critically important infrastructure function. As we see storm events increasing and with increasing severity sea levels rising, we really need to be mindful of how we are migrating wetlands, how we're preserving critical habitat and how we're protecting upland property from storm surge which is done better by wetlands, healthy wetlands than by just about anything else. So I was a little concerned when I saw this exemption to that careful plan.

So I just want to ask you with specific -- with regard to the specific language in Section A40-4 of the act, Subsection D which is where the amended language resides, the word retained has been replaced by restricted. Could you explain if you're -- if you are able, why we are no longer focused on the County retaining open space and instead -- it sounds like if we're going to restrict it instead of retaining it, that there may be a willingness to allow private development within the conservation area. I'm just wondering if that was the intention or if maybe we can just tweak the language to make it more accurately reflect the intent.

DIRECTOR LANSDALE:
I would defer to the sponsor on that, or ask the Department of Law to speak on that.
GENERAL MEETING - SEPTEMBER 4, 2019

LEG. FLEMING:
Okay, I hope that we're going to table this and maybe tighten up some of the language. I also note that the language, the amended language is very broad, it includes for the exception of any parcels included in an adopted community-based land use plan. Could you maybe guide me a little bit on the intent of that language? What is an adopted community-based land use plan? Who is the body or the entity that would be responsible for adopting it and allowing it, therefore to trigger this exemption?

06:40 PM

DIRECTOR LANSDALE:
There are a number of community-based plans already in Mastic Beach, and I know that there's a number underway currently. I know that we have a Capital Program that was approved by the Legislature to help create a community-based plan around Mastic Beach, specifically around this area. So I think that that would be one example of a locally adopted community-based plan. I know that there are others that have already been adopted by the community.

06:41 PM

LEG. FLEMING:
But when you say adopted by the community, is that a civic organization, is that the Town Board, is that a village?

06:41 PM

DIRECTOR LANSDALE:
It would be adopted either by the town, the County, the State, it depends. Some of them include the Town of Brookhaven, their revitalization plan, the Governor's Office for Storm Recovery had a New York Rising plan there as well back in 2014, there was a Mastic Beach Comprehensive Plan in 2017.

06:42 PM

LEG. FLEMING:
So, I mean, if a group of neighbors were to get together and adopt a plan, would they then be able to exempt the property from the conservation purpose of the overriding -- the underlying legislation?

06:42 PM

DIRECTOR LANSDALE:
No, it really has to be a body of government engaged in the formation of a plan. I would imagine it would be the County, Town State.

06:42 PM

LEG. FLEMING:
I'm just concerned that the language doesn't reflect that. I worry that the language is extremely broad, and considering the importance of conserving wetlands, might kind of blow a hole in the conservation intention of the original legislation. Well, thank you for your answers. Thank you, Mr. Presiding Officer.

06:42 PM

P.O. GREGORY:
Okay.

06:42 PM

LEG. KRUPSKI:
Maybe the State -- if I could, through the Chair, ask the sponsor if he'd consider tabling this and just focusing on this one location.

* Index Included at End of Transcript
06:43PM

LEG. SUNDERMAN:
So on this one location, originally that was my direction and I came back and worked with our Counsel on it and we did send it over to work with the County Executive's Office and that's how this changed to be more, I would say, open a little bit more than direct. Because I originally did have the tax map number on there. Would that be correct in what I'm saying?

06:43PM

MS. SIMPSON:
That's correct. We originally drafted this to specifically only exempt the tax map number that Legislator Sunderman was concerned about, and this language was brought to us by the County Executive staff as a request.

06:43PM

LEG. SUNDERMAN:
Amy, can you come forward and maybe help me out on what we talked about?

06:43PM

MS. KEYES:
So I think maybe the -- and I'm trying to -- because this was going back a little while. I think that the intention was to -- so that the Violet's Cove property which the town is interested in seeing developed in some sort of a compatible use way which we were interested in doing with them, that was the initial intent. And in talking about that, we talked about expanding the exemption to include other -- to possibly include other parcels that would fit the same bill that Violet's Cove fits. So that if down the line there was another property that was County-owned that similarly you wouldn't -- you wouldn't ever -- you wouldn't develop for housing or any outward obviously incompatible use, but you wanted to do something similar to what we were looking at at Violet's Cove, we wanted that flexibility. But in reading it, I can -- I think Legislator Fleming's point is well taken and we might want to consider adding like a definition or something that sort of narrows it a little bit, because I can -- I think that point is well taken, that the way it's worded right now is probably overly broad.

06:44PM

LEG. FLEMING:
I'll make a motion to table.

06:45PM

LEG. KRUPSKI:
Second.

06:45PM

P.O. GREGORY:
Okay, motion to table by Legislator Fleming. Second by Legislator Krupski. Okay. Anyone else? Anything you want to add?

06:45PM

LEG. SUNDERMAN:
No, we'll have Sarah amend it and we'll have it back for the next meeting.

06:45PM

P.O. GREGORY:
Okay. All right, so all in favor to table? Opposed? Abstentions?

LEG. McCAFFREY:
Opposed.
LEG. SPENCER:
Opposed.

P.O. GREGORY:
Okay, motion to table passes.

MR. RICHBERG:
Fifteen (Opposed: Legislators McCaffrey & Spencer - Not Present:
Legislator Krupski).

P.O. GREGORY:
IR 1675(-19) - Authorizing appraisal of land under the Suffolk
County Drinking Water Protection Program, as amended by Local Law
No. 24-2007, DiPierro property - Town of Riverhead (SCTM No.
0600-115.00-01.00-004.002)(Krupski). Motion by Legislator Krupski.
I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1681-19) - Authorizing the acquisition of Farmland Development
Rights under the New Suffolk County ¼% Drinking Water Protection
Program (effective December 1, 2007) - for the Tilden Realty, LLC
property - Tilden Lane Farm - Town of Huntington - (SCTM Nos.
0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-006.010,
0400-107.00-03.00-008.000, 0400-107.00-04.00-002.000)(County
Executive).

LEG. SPENCER:
Motion (yelled from audience).

P.O. GREGORY:
Motion by someone in the audience.

LEG. KRUPSKI:
Second.

P.O. GREGORY:
It looks like Dr. Spencer.

(*Laughter*)

LEG. BERLAND:
Second.

P.O. GREGORY:
Who was the second? Second by Legislator Berland. All in favor?
Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1690(-19) - Authorizing the acquisition of Farmland Development
Rights under the New Suffolk County ¼% Drinking Water Protection
General Meeting - September 4, 2019

Program (effective December 1, 2007) - for the Elijah Farm, Inc. Property – Fox Hollow Farm - Town of Huntington- (SCTM No. 0400-203.00-02.00-051.001 p/o)(County Executive).

LEG. BERLAND:
Motion.

LEG. DONNELLY:
(Raised hand).

P. O. GREGORY:
Motion by Legislator Berland. Second by Legislator Donnelly. All in favor?  Opposed?  Abstentions?

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1691(-19) - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County ¼% Drinking Water Protection Program (effective December 1, 2007) - for the Foglia and Freidman- Forest property – Fox Hollow Farm - Town of Huntington - (SCTM No. 0400-203.00-02.00-051.003 p/o)(County Executive). Same motion, same second?

LEG. BERLAND:
Motion. Yeah, it's Foglia.

P. O. GREGORY:
Foglia, okay. All in favor?  Opposed?  Abstentions.

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1711(-19) - Amending Resolution No. 857-2016, authorizing the construction of a Stormwater Mitigation Project at Little Creek, Village of Patchogue, using the New Enhanced Suffolk County Water Quality Protection Program funds (CP 8733)(Calarco). Motion by Legislator Calarco. I'll second. All in favor?  Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
1715(-19) - Authorizing the acquisition of land under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum – Land purchases for Open Space Preservation (CP 8732.210) - for the Lee property - Wading River Wetlands - Town of Riverhead - (SCTM No. 0600-029.00-02.00-004.000)(County Executive). Motion by Legislator Krupski. I'll second. All in favor?  Opposed? Abstentions.

MR. RICHBERG:
Eighteen.
P.O. GREGORY:
IR 1716(-19) - Authorizing the acquisition of land under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum – land purchases for Open Space Preservation (CP 8732.210) - for the Perry property - Tuthill Creek/Pine Lake - Town of Brookhaven - (SCTM No. 0204-008.00-02.00-057.000)(County Executive).

D.P.O. CALARCO:
Motion.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1719(-19) - Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection and amending the 2019 Capital Budget and Program, and appropriating funds in connection with the Wastewater Treatment System Upgrade Project at Cedar Beach East, West and the Nature Center, Town of Brookhaven (CP 8710.155/.337)(County Executive).

LEG. ANKER:
Motion.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay, we did 1720 earlier.

1722(-19) - Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2019 Capital Budget and Program, and appropriating funds in connection with the installation of two innovative alternative on-site Wastewater Treatment Systems at the Congregation of the Sisters of St. Joseph’s Brentwood Campus (CP 8722.310)(County Executive).

Motion by Legislator Gonzalez.

LEG. CILMI:
Second.

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

MR. RICHBERG:
Eighteen.
P.O. GREGORY:
IR 1726(-19) - Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection amending the 2019 Capital Budget and Program and appropriating funds in connection with the Gin Lane Stormwater Improvement Project, Village of Southampton (CP 8240.127/342) (County Executive). Motion by Legislator Fleming. Second by Legislator Krupski. All in favor? Opposed? Abstentions?

06:49PM

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1727(-19) - Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2019 Capital Budget and Program and --

MR. RICHBERG:
I'm sorry. Mr. Presiding Officer, what's the IR?

P.O. GREGORY:
1727.

MR. RICHBERG:
Thank you.

P.O. GREGORY:
Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection, Amending the 2019 Capital Budget and Program and appropriating funds in connection with authorizing the construction of a fish passage at Woodhull Dam in Riverside (CP 7180.311) (County Executive). Motion by Legislator Fleming. Second by Krupski. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1734(-19) - Amending the Adopted 2019 Operating Budget to transfer funds from Fund 477 Water Quality Protection amending the 2019 Capital Budget and Program, and appropriating funds in connection with Engineering Plan for wastewater re-use and constructed vegetative wetlands at the Mill Pond Golf Course, Town of Brookhaven (CP 8710.156) (Calarco). Motion by Legislator Calarco.

06:50PM

LEG. KRUPSKI:
Second.

06:50PM

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

MR. RICHBERG:
Eighteen.
P.O. GREGORY:

IR 1746(-19) - Authorizing certain technical corrections to Adopted Resolution No. 754-2019, authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Torkan property - Town of Huntington (SCTM No. 0400-209.00-02.00-005.006) (Berland). Motion by Legislator Berland. Second by Legislator Donnelly. All in favor? Opposed? Abstentions?

06:50PM

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1747(-19) - Authorizing certain technical corrections to Adopted Resolution No. 755-2019, authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Torkan property - Town of Huntington (SCTM No. 0400-209.00-02.00-004.001) (Berland). Same motion, same second. All in favor? Opposed? Abstentions?

06:51PM

MR. RICHBERG:

Eighteen.

P.O. GREGORY:

IR 1748(-19) - Authorizing certain technical corrections to Adopted Resolution No. 752-2019, authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Carmen property - Town of Riverhead (SCTM No. 0600-019.00-01.00-003.000) (Krupski).

06:51PM

LEG. KRUPSKI:

(Raised hand).

P.O. GREGORY:

Motion by Legislator Krupski. Second by Legislator Flemin?

LEG. FLEMING:

Yes.

06:51PM

P.O. GREGORY:

Okay. All in favor? Opposed? Abstentions?

MR. RICHBERG:

Eighteen.

06:51PM

P.O. GREGORY:

Okay, Gov’t Ops, (Personnel, Housing & Consumer Protection):

IR 1732(-19) - Granting a temporary waiver of Suffolk County residency requirements for the Employment of Alexandra Bueno (County Executive).

06:51PM

LEG. FLEMING:

Motion.
D.P.O. CALARCO:
Motion.

P.O. GREGORY:
Motion by Legislator Calarco. Second by Legislator Fleming. On the motion, all in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

06:51PM

P.O. GREGORY:
Parks & Rec(reation):

IR 1680(-19) - Approving a License Agreement for Joseph A. Rico to reside in Inlet Pond County Park, County Road 48, Greenport, NY 11944(County Executive). Motion by Legislator Krupski. Second by Legislator Fleming?

LEG. FLEMING:
Yes.

06:52PM

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1697(-19) - Authorizing use of West Hills County Park in Huntington by Bobby Jones Chiari & Syringomyelia Foundation for its Unite @ Night Dog Walk for Bobby Jones CSF Fundraiser (County Executive). Motion by Legislator Donnelly. Second by Legislator Berland. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

 incarcerations:

06:52PM

P.O. GREGORY:
IR 1643A, Bond Resolution (of the County of Suffolk, New York, authorizing the issuance of $1,000,000 Bonds to finance Acquisition and Installation of Surveillance Camera Equipment (CP 3249.510) (County Executive). Motion by Legislator Gonzalez.

LEG. BERLAND:
Second.

06:52PM

P.O. GREGORY:
Second by Legislator Berland. On the motion, anyone?

LEG. BERLAND:
On the motion.

P.O. GREGORY:
Yes, Legislator Berland.
LEG. BERLAND:
Mary Read just asked me to read a quick e-mail on her behalf. It says, "I attended the 3rd Precinct meeting last evening for the presentation of the license plate proposal to be implemented in my area. I left wanting to support this bill. Due to another commitment I had to leave the Legislative session today before speaking, therefore I request that my comments in support of the license plate bill be recorded in unity". So, that's it. Thank you. Mary Read.

06:53PM

P. O. GREGORY:
Is there -- do you have anyone that can talk about this? I see -- I think I see the Lieutenant back there. Lieutenant? Yes, I have a question for you. I see you were hiding, you didn't think we saw you (laughter).

LIEUTENANT CALANDRILLO:
Good afternoon.

06:53PM

P. O. GREGORY:
Good evening, or whatever it is. So I spoke to Legislator Gonzalez a little earlier. I know there's been some criticism from elected official and some members of the community about the program. Could you explain the technology? Because I thought I had -- from my conversation with Legislator Gonzalez, that there's two different types of technology. You know, those in Amityville where I used to live, they have a plate reader on the back of the vehicles, but this is different from what I understand than that.

06:54PM

LIEUTENANT CALANDRILLO:
Yes, sir, that's correct.

P. O. GREGORY:
Right.

LIEUTENANT CALANDRILLO:
The plate readers that we use on the police vehicles, those are directly linked in to DMV and they run plates continually. These are fixed cameras that are going to be on utility poles.

P. O. GREGORY:
Okay.

LIEUTENANT CALANDRILLO:
And these have no link to DMV. These cameras strictly store plates, locations, dates and times.

P. O. GREGORY:
Okay. So, like there was a report I want to say three months ago, four months ago, about Freeport and, you know, Freeport, I don't know, 8,000 people maybe and they had like 250,000 images of people from their plate reader, I mean, it was astronomical, and how they store them for six months and it's like a perpetual thing. So those are the ones on the vehicles, you're talking about -- s this is very different. This doesn't -- so what happens with this information?
LIEUTENANT CALANDRILLO:
This information will be stored in our database.

P.O. GREGORY:
Right. And for what -- like how is it used as a tool to fight crime? Because there aren't any license plates that says, you know, I'm a gang member. You know, like how does that help you guys with your investigations to fight those types of things?

LIEUTENANT CALANDRILLO:
Well, this database will give us searchability, analytics. We'll have the ability to run different queries, we'll have the ability to search a location and see all visits to that area. We'll have the ability to search multiple locations and compare for presence of common vehicles. We'll also be able to search for a known target vehicle and possibly ID potential associates, and we'll be able to enter a target vehicle and receive a ranked order list of best possible locations for the vehicle. And we'll also have the ability to use the vehicle year, make and model to conduct a search.

P.O. GREGORY:
So what triggers the device to capture that image of the vehicle?

LIEUTENANT CALANDRILLO:
These plates are automatically captured as the vehicles go by.

P.O. GREGORY:
Okay. So the argument is I'm Joe Blow citizen going to work, I have never had a criminal record, I don't intend to have a criminal record but I live in this community now. I got my -- You know, the Police Department has my information and I don't like that. I'm living in a surveillance state is what they'll say. So how do you -- which -- how do you retort that?

LIEUTENANT CALANDRILLO:
I don't know that they record video. It's a data --

P.O. GREGORY:
No, but you have an image of someone who --

LIEUTENANT CALANDRILLO:
Yes.

P.O. GREGORY:
-- has, you know -- these communities are terrorized by individuals, the stories are horrific, but it's a very small element. So 98%, 95% of the people that live in these communities are not criminals, but by the sheer nature of them living in the community, now their information is being --

LEG. BERLAND:
Can you stop talking for a minute? (Speaking to Legislator Trotta).

P.O. GREGORY:
The make and color of their vehicles are being captured and they
have -- you know, like that will make some people uncomfortable.
So what's the argument against that?

LIEUTENANT CALANDRILLO:
There's no driver information automatically populated from these
captures. In order to get registered vehicle information or driver
information, the plate would have to be manually entered into the
DMV system, and we would only do that if it was a case, you know,
where -- you know, where we would investigate if we were making an
investigative inquiry for that information.

P.O. GREGORY:
Yeah, but you have to realize that there's distrust because there's
been actions where in the past, you know, like, Hey, you know,
we're going to take your DNA, don't worry about it, you know, and
then they link you up to something that you did with some other
thing. I mean, there's historic distrust and I think that's going
to be -- that's an issue, that's a concern, you know, because of
that.

So but you're saying that, yes, we'll capture your -- because my
parents live in Central Islip, I'm going to my parents house, my
vehicle, my information will get captured but it won't be utilized
until you have something that says, okay, with a similar make and
model of vehicle similar to mine that you may due more further
investigation?

LIEUTENANT CALANDRILLO:
Yeah. I mean, our intent is strictly to use this as an
investigative tool for SCPD --

P.O. GREGORY:
Right.

LIEUTENANT CALANDRILLO:
-- only.

P.O. GREGORY:
So how long do you keep that information?

LIEUTENANT CALANDRILLO:
How what?

P.O. GREGORY:
How long do you plan on keeping that information?

LIEUTENANT CALANDRILLO:
Well, I mean, we'd have to store it. I don't think we have a
specific timeframe that we would keep it for, but it would have to
be stored for a significant length of time, because a lot of times,
you know, we learn of a crime or something down the road, we'd have
to have that information available.

P.O. GREGORY:
Well, how can we tighten it up? Because I know in the Village of
Freeport article, they had said, my recollection was, is that it
said six months, but that really means nothing if you're driving
through there every day, it's like a perpetual that it just keeps
moving. But they do have a timeline, so I think, you know, you
guys should consider that. Because there will be some -- some
concern. As I told Legislator Gonzalez, I got a call 8:30 this
morning, a text and then a call, so I imagine that's only the
beginning. But I'll yield the floor to Legislator Gonzalez.

LEG. GONZALEZ:

07:00PM

Yeah, especially on the timeframe that it's going to be stored.
It's actually clock-based, so that information won't be on there.
We had a meeting yesterday in the community of Brentwood, at
Brentwood Library, of where Chief Cameron was there, Inspector
Rowen and many of the police officers in the community, and even
those that are overseeing the license plate readers, okay. We
pretty much had talked with everyone in the community so far and
we've had the opportunity, speaking with Commissioner -- with the
Police Commissioner because the issues in my community were that
the information of these license plate readers were going to be
given out to ICE, especially for immigration purposes, and we
pretty much solidified that that was not the case. Like he said,
the license plate readers, the cameras are going to flash on these
license plates, like I said, the driver information, none of that
is going to be stored. But if I get -- if there's a crime at 160
Jefferson Avenue and there is a plate with the color of the
particular vehicle, and at that point put that in to the particular
system and the license plate readers would then red flag to find
out that this vehicle have passed through here and they're able to
see the picture of the vehicle, and then they can actually -- it's
going to be put in areas throughout Brentwood, Central Islip and
North Bay Shore, in strategic areas entering and exiting the
particular Legislative District or Assembly 6.

So there's 67 cameras that are going to be strategically put of
which 65 of them are going to be used with two as a backup. And
the storage is cloud-based, so it's going to be on there for quite
a bit of time because, like many, MS-13 does a crime today and it
is not being -- you're not going to be able to find the criminals
or the crime that actually happened for maybe two or three years
down the road which is what happened in 2016 and not until recently
were we able to find the bodies of these children. So being
cloud-based, it's going to be able to be able to store for quite a
while. It is not intended to spy for any particular reason, but
these license plate readers are of importance because when the
crime is committed and there's a plate or a car vehicle, they're
able to flag it. And I originally was one of the initial ones that
were really worried about these license plate readers until we were
able, Susan -- Legislator Berland and I and we were able to speak
with the Police Commissioner and the Chief of Police and everybody
involved in there and yesterday in the community there was over 250
people at that library, it was busting out at the seems.

07:03PM

So the answer is that when we tabled it, all the questions that we
had were able to answer and people were accepting the fact that,
yes, these license plate readers are of importance, all right. We
cannot -- I cannot emphasize enough that we cannot let go of -- and

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keep our hand on that jugular because MS-13 is not gone, it is not eradicated, and these gangs are still there. Prevalent enough about the young man who was killed behind one of synagogues or mosques on Suffolk Avenue in Central Islip where he was run down and he was killed behind a particular building. And these are all things that are very, very important. Vehicle used, we probably would have been able to find who it was by now and an arrest would have been made, and it's just important. I tabled it, we tabled it, but I feel that all the questions have been answered and we need to put these as soon as possible. I know it took a long time to do. But Susan, please chime in --

07:05PM

LEG. BERLAND:
Yeah.

07:05PM

LEG. GONZALEZ:
-- because it's just very, very important. It's not meant to spy, again. All right, this is run against hot lists. Also, if there's an individual who is ill.

07:06PM

LEG. BERLAND:
Alzheimer's.

LEG. GONZALEZ:
Alzheimer's, when they're able to find out that this individual, they usually go into their vehicles and they drive off an we don't know where they are. But with the license plate, these license plate readers, they're actually taking -- we can actually trace where they are, or where they were going and the direction and we're able to find these individuals. And like I said, I am totally for the license plate readers at this point. I believe that the Commissioner Cameron did a wonderful job, Rowan and everyone that was there last night, and we were able to get all these questions answered. Thank you.

P.O. GREGORY:
Okay, thank you.

07:06PM

LEG. BERLAND:
DuWayne?

P.O. GREGORY:
Legislator Berland.

LEG. BERLAND:
I just want to echo what Legislator Gonzalez said. Last night at the meeting, you know, Chief Cameron was there, made a whole presentation. And, you know, the concern and the reason that we tabled it in the first place was we wanted to make sure that the information that's being required with the license plate readers is not being fed into DMV information, and it's not. It's a separate database that, as Legislator Gonzalez said, will be kept on the cloud. And when you have a hot list of a car, whether it's a car involved in a crime or it's an Amber Alert or a person who has, you know, taken a car and is missing, by utilizing this program it's going to make it that much easier to help locate the individual
who's in the car.

And, you know, in terms of ensuring the community that this information will not be used for any other purpose other than to fight crime, it was really overwhelmingly unanimous at the community meeting that they -- you know, the people want this, they want it in the Brentwood, Central Islip community. You know, I represent part of that with Legislator Gonzalez and the community made it very clear that they want this and they want it now and they want it as quickly as possible. So I'm employing my colleagues here to vote for this and support this so that these cameras can be installed as quickly as possible and help protect, you know, our community. Thank you.

**LEG. HAHN:**

DuWayne?

**P.O. GREGORY:**

Legislator Hahn.

**LEG. HAHN:**

I'm sorry if I missed this. Is it only for one community or are they -- can they be available elsewhere?

**LIEUTENANT CALANDRILLO:**

This particular grant is for Brentwood and Central Islip.

**LEG. HAHN:**

Yeah, no, I just know that -- we had had some inquiries about license plate readers from some villages. So, you know, it would be -- will we be able to have some sort of analysis after the fact about the success of the program and, you know, how many hits it got per whatever number of days and the number of arrests that may have resulted or something like that so that we can make the case, or not, for its -- you know, for adding extra funds for this kind of purpose later on?

**LIEUTENANT CALANDRILLO:**

I'm sure we'll look at the results of it, especially in cases where it gives us the information we need to solve a crime in the area.

**LEG. HAHN:**

And will we accept --

**LIEUTENANT CALANDRILLO:**

I'm sure we'll have some feedback on it, but it may not be immediate.

**LEG. HAHN:**

And this is to not only yourself but our Counsel and maybe County Attorney's Office, but would the acceptance of these funds for license plate readers -- I'm sorry, I can't find the word -- keep us from using asset forfeiture funds for the purchase of license plate readers in the future?
LIEUTENANT CALANDRILLO:
I don't know if I can answer that question today because these are
different than the LPRs we do have on the police cars that we have
used asset forfeiture funds in the past for. So we're talking
about two different --

LEG. HAHN:
I know. Well, so I guess my question is -- and I don't want to in
any way, I'm very supportive of the use in Brentwood and the area
we're talking about. But I would hope, and certainly because we
have used asset forfeiture for license plate readers in the past,
that now acceptance of a grant wouldn't pro --

LEG. CILMI:
Preclude.

LEG. HAHN:
Preclude; thank you, that's the word I was looking for. Preclude
us from using asset forfeiture money in the future.

LIEUTENANT CALANDRILLO:
I can speak to legal and try to get an answer on that for you.

LEG. HAHN:
Could the County Attorney's Office --

MR. BRAUN:
I have no information about this at all.

MS. SIMPSON:
Bob, you need to be on the mic.

MR. BRAUN:
Regrettably I have no information about whether these programs are
in any way connected, whether this precludes a use that we've had
in the past with asset forfeiture funds, I just don't know. I
haven't looked into it and I don't know enough about this
particular grant. My gut reaction is that they're not related, but
it's a guess, it's not based on any research.

LEG. HAHN:
Hopefully you understand why I would ask that, just because --

MR. BRAUN:
Of course.

LEG. HAHN:
Sarah, would you happen to know?

MS. SIMPSON:
I tend to agree with Bob's gut, but I think it would be best if we
look at it. And I have no problem -- I mean, I can interface with
PD legal as well if you want the three of us to work on it
together.
P.O. GREGORY:
Okay. So we have a motion, a second. All in favor? Opposed?
Abstentions? Oh, I'm sorry. Oh, it's a Bond motion. We have a
motion, a second on 1643A. Roll call.

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

LEG. GONZALEZ:
Yes.

LEG. BERLAND:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.

LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
(Not Present).

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. McCAFFREY:
Yes.

LEG. DONNELLY:
Yes.

LEG. SPENCER:
Yes.
D.P.O. CALARCO:
Yes.

P.O. GREGORY:
Yes.

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

P.O. GREGORY:
Okay, IR 1643(-19) - (Accepting and appropriating a grant in the amount of $1,000,000 from the Dormitory Authority of the State of New York under the New York State Technology and Development Program (NYS Tad) and amending the 2019 Capital Budget and Program in connection with the purchase of Surveillance Camera Equipment (CP 3249). Same motion, same second. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
Okay, IR 1701(-19) - Accepting and appropriating a grant in the amount of $20,500 in Federal pass-through funding from the State of New York Governor’s Traffic Safety Committee, for the Suffolk County Police Department’s Motorcycle Safety Enforcement and Education Program with 79.59% support (County Executive). Motion by Legislator Donnelly. Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1702(-19) - Accepting and appropriating a grant in the amount of $176,411 in Federal pass-through funding --

MR. RICHBERG:
Sorry, seventeen. Last vote was seventeen (Not Present: Legislator Flotteron).

P.O. GREGORY:
-- from the State of New York Governor's Traffic Safety Committee to provide enhanced enforcement of Motor Vehicle and Traffic Laws and Regulations with 79.59% support (County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
IR 1714(-19) - Accepting and appropriating a grant in the amount of $9,171.84 from the Federal Bureau of Investigation (FBI) for the Suffolk County Police Department's participation in the Long Island Child Exploitation --
LEG. TROTTA:
Motion.

P.O. GREGORY:
-- and Human Trafficking Task Force with 79.58% support (County Executive). Motion by Legislator Trotta. Second by Legislator Donnelly. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen.

P.O. GREGORY:
IR 1721(-19) - To establish --

MR. RICHBERG:
Sixteen (Not Present: Legislators Flotteron & Hahn).

P.O. GREGORY:

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1741(-19) - Establishing A Task Force to evaluate the feasibility of a new police headquarters (Flotteron). Motion by Legislator Flotteron.

LEG. KENNEDY:
Second.

P.O. GREGORY:
Second by Legislator Kennedy. On the motion, anyone?

LEG. FLOTTERON:
I'll say something on the motion.

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

LEG. FLOTTERON:
The intent of this is not just what it says in the title, it's just more that people understand -- it's more proper a County to have a long-term plan. And one of the things that are coming up in front of us in the future, just the past year-and-a-half we have bonded out things for Police Headquarters or things nearby Police Headquarters, I mean connected to it, close to $19 million, and most times it was -- felt like it was last minute we had to take care of things. So proper planning, just like in your home, was what is your long-term plan, let's put things in order. It doesn't mean looking for a new Police Headquarters at all, but at least
we'll have a comparison. Because right now we're making decisions, last minute Certificate of Necessities for multi-million dollar things, you know, from the front entrances to bathrooms to fingerprint labs. What is the long-term plan? And we should really be doing this in all the buildings, but again, I figured let's start with this. And again, maybe -- when I saw an article in the paper out in Nassau County where they're building for -- it's educational, but a 120,000 square feet new building that's magnificent looking, it looks like something you see in CSI, for $40 million; we would have already had that half-built by now. So again, it's just trying to do some of the comparisons and go from there and it's just, again, to long-term planning.

P.O. GREGORY:
Okay. So we have a motion and a second on IR 1741. All in favor? Opposed? Abstentions?

LEG. DONELLY:
Abstain.

LEG. BERLAND:
Abstain.

P.O. GREGORY:
Okay, two abstentions.

MR. RICHBERG:
Sixteen (Abstentions: Legislators Berland & Donnelly).

(Public Works, Transportation & Energy):

P.O. GREGORY:
Okay, IR 1682A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of $1,990,000 Bonds to finance the Reconstruction Of CR 48, Middle Road (CP 5526.311). Motion by Legislator Krupski. I'll second. Roll call.

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

07:16PM
LEG. KRUPSKI:
Yes.

P.O. GREGORY:
Yes.

LEG. FLEMING:
Yes.

LEG. SUnderMAN:
Yes.

07:16PM
LEG. MURATORE:
Yes.

LEG. HAHN:
Yes.
LEG. ANKER:
Yes.

LEG. LINDSAY:
Yes.

LEG. GONZALEZ:
Yes.

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.

LEG. TROTTA:
Yes.

LEG. McCAFFREY:
Yes.

LEG. BERLAND:
Yes.

LEG. DONNELLY: 
(Not Present).

LEG. SPENCER:
Yes.

D.P.O. CALARCO:
Yes.

LEG. DONNELLY:
Yes.

MR. RICHBERG: 
Eighteen.

P.O. GREGORY:
IR 1682(-19) - Amending the 2019 Capital Budget and Program and appropriating additional funds in connection with reconstruction of CR 48, Middle Road (CP 5526) (County Executive), same motion, same second. All in favor? Opposed? Abstentions.

MR. RICHBERG: 
Eighteen.

P.O. GREGORY: 
IR 1683A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of $470,000 Bonds to finance Improvements to CR 21, from NYS Route 25 to Yaphank Avenue at L.I.E., North Service Road (CP 5138.311).
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LEG. MURATORE: (Raised hand).

P.O. GREGORY: Motion by Legislator Muratore.

D.P.O. CALARCO: Second.

P.O. GREGORY: Second by Legislator Calarco. Roll call.

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

LEG. MURATORE: Yes.

D.P.O. CALARCO: Yes.

LEG. KRUPSKI: Yes.

LEG. FLEMING: Yes.

LEG. SUNDERMAN: Yes.

LEG. HAHN: Yes.

LEG. ANKER: Yes.

LEG. LINDSAY: Yes.

LEG. GONZALEZ: Yes.

LEG. CILMI: Yes.

LEG. FLOTTERON: Yes.

LEG. KENNEDY: Yes.

LEG. TROTTA: Yes.

LEG. McCAFFREY: Yes.

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LEGI. BERLAND:  
Yes.

LEGI. DONNELLY:  
Yes.

LEGI. SPENCER:  
Yes.

07:17PM  

LEGI. DONNELLY:  
Yes.

MR. RICHBERG:  
Eighteen.

P. O. GREGORY:  
IR 1683(-19) - Amending the 2019 Capital Budget and Program and appropriating funds in connection with improvements to CR 21, from NYS Route 25 to Yaphank Avenue at L.I.E., North Service Road (CP 5138), same motion, same second. All in favor? Opposed? Abstentions.

MR. RICHBERG:  
Eighteen.

P. O. GREGORY:  
IR 1684A, Bond Resolution (of the County of Suffolk, New York authorizing the issuance of $1,100,000 Bonds to finance Improvements to CR 41, Springs/Fireplace Road (CP 5582.310).

LEGI. FLEMING:  
Motion.

LEGI. KRUPSKI:  
(Raised hand).

P. O. GREGORY:  
Motion by Legislator Fleming. Second by Legislator Krupski. Roll call.

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

LEGI. FLEMING:  
Yes.

LEGI. KRUPSKI:  
Yes.

LEGI. SUNDERMAN:  
Yes.

LEGI. MURATORE:  
Yes.

LEGI. HAHN:  
Yes.

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LEG. ANKER: Yes.

LEG. LINDSAY: Yes.

LEG. GONZALEZ: Yes.

LEG. CILMI: Yes.

LEG. FLOTTERON: Yes.

LEG. KENNEDY: Yes.

LEG. TROTTA: Yes.

LEG. McCAFFREY: Yes.

LEG. BERLAND: Yes.

LEG. DONNELLY: Yes.

LEG. SPENCER: Yes.

D.P.O. CALARCO: Yes.

P.O. GREGORY: Yes.

MR. RICHBERG: Eighteen.

P.O. GREGORY: IR 1684(-19) - Amending the 2019 Capital Budget and Program and appropriating funds in connection with improvements to CR 41, Springs/Fireplace Road (CP 5582)(County Executive).

MR. RICHBERG: Eighteen.

P.O. GREGORY: IR 1713(-19) - Amending the 2019 Operating Budget and the 2019 Capital Budget and Program to appropriate revenue within the Suffolk County Department of Public Works 2019 Budgets (County Executive). Motion by Legislator Muratore. Second by Legislator Donnelly. All in favor? Opposed? Abstentions?
MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1744(-19) - Directing the Department of Public Works to accept the return of a vehicle and directing the Comptroller to refund the net sale price of the vehicle (Fleming). Motion by Legislator Cilmi, second by -- I'll second. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Eighteen.

(Ways & Means):

P.O. GREGORY:
Okay, IR 1674(-19) - Approving payment to General Code Publishers for Administrative Code Pages(Presiding Officer Gregory). I'll make a motion.

D.P.O. CALARCO:
Second.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1686(-19) - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven - (SCTM No. 0200-984.40-03.00-026.000)(County Executive).

LEG. SUNDERMAN:
Motion.

07:19PM

P.O. GREGORY:
Motion by Legislator Sunderman. Second by Legislator Muratore?

LEG. MURATORE:
Yes.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
IR 1687(-19) - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-845.00-02.00-007.000)(County Executive). Same motion, same second. All in favor? Opposed? Abstentions?

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MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1688(-19) - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven (SCTM No. 0200-845.00-02.00-009.000)(County Executive). Same motion, same second. All in favor? Opposed? Abstentions.

07:19PM

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1689(-19) - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Richard and Roseann Santos (SCTM No. 0400-239.00-04.00-038.000)(County Executive).

D.P.O. CALARCO:
Motion.

07:19PM

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

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1717(-19) - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Howard Norton (SCTM No. 0100-083.00-02.00-079.000) (County Executive). I'll make a motion.

07:19PM

LEG. SUNDERMAN:
Second.

LEG. MURATORE:
(Raised hand).

P. O. GREGORY:
Second by -- who was that, Sunderman? All in favor? Opposed? Abstentions?

07:20PM

MR. RICHBERG:
Eighteen.

P. O. GREGORY:
IR 1736(-19) - Directing the County Attorney to study the feasibility of commencing litigation to settle responsibility for Resurfacing/Paving on the Long Island Expressway service roads (Cilmi). Motion by Legislator Cilmi.

07:20PM

LEG. KRUPSKI:
Second.

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

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Abstentions?

LEG. SUNDERMAN:
You stole that from me.

MR. RICHBERG:
Eighteen.

("Laughter")

P.O. GREGORY:
IR 1745 --

D.P.O. CALARCO:
Rudy's been working on that issue for six months and Cilmi comes in and sweeps in and steals it from him.

P.O. GREGORY:
If it's not nailed down.

("Laughter")

IR 1745(-19) - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Robert Lemon and Gregg Lojo, as tenants in common (SCTM No. 0500-321.00-04.00-043.000)(Cilmi).

LEG. CILMI:
Motion.

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

MR. RICHBERG:
Eighteen.

P.O. GREGORY:
Okay, we've got a request.

07:21PM

LEG. TROTTA:
Two minutes.

P.O. GREGORY:
If you guys indulge us, we got a request from one of our colleagues to take a two-minute recess. So we're going to recess just for two minutes and we'll be back and then we'll finish up. Okay.

(Brief Recess: 7:21 p.m. - 7:35 p.m.)

P.O. GREGORY:
Okay, please -- okay, Ms. Clerk, please -- oh, we don't have to do a roll call. Okay. All right, so we're back in session. So the point of the recess was Legislator Trotta had wanted to talk to several of our colleagues about reconsidering, what was it, IR 1575. I believe Legislator Gonzalez says he will make a motion to
reconsider 1575.

LEG. GONZALEZ:
Motion to reconsider.

LEG. SPENCER:
Second.

P.O. GREGORY:
Second by Legislator Spencer to reconsider. You want a roll call? I guess let's do a roll call.

LEG. CILMI:
To reconsider?

P.O. GREGORY:
Yes.

MS. SIMPSON:
Yes, on whether we're reconsidering.

D.P.O. CALARCO:
Why are we reconsidering?

MS. SIMPSON:
Well, people can ask questions.

D.P.O. CALARCO:
On the motion.

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

D.P.O. CALARCO:
Can I ask why we're reconsidering this after we debated it for hours on-end already today?

P.O. GREGORY:
Because two hours wasn't enough, we need more. So Legislator Trotta -- and please correct me if I misconstrue what transpired. Legislator Trotta, you know, obviously feels very passionate about this. This is --

(Timer Sounded)

Ooops, your time's up, we gotta go. This is in his Legislative District, he felt that there were some misrepresentations earlier in the discussions and in the back and forth. He did play a recording; in my opinion, it didn't really add much value other than the individual on the other end said that he had no involvement with the letter that was sent. But I don't know if -- the answer says that he was Joe, but I don't know any -- I take Legislator Trotta at face value. I'm not calling him, saying that he's not being honest, but there's no real way to authenticate that it's Joe whoever from Apex. But he did say, whoever the individual was on the other end, that he had no involvement in the letter.
Legislator Trotta says that Dorian Dale, during some portion of his comments, actually said that that person did have involvement in the letter, so he wants to reconsider IR 1575.

**LEG. TROTTA:**
And, if I may, just that I don't think we have a full understanding of the importance of making sure that area can be used to drain, because there's 26 acres that needs to be capped and it needs somewhere to be drained. Until we get that cleared up -- and which I've talked to many people, seen many reports, and especially to Joe Gavin in my office who said to me, Of course, that's the logical spot, because there's probably nowhere to drain it else -- everywhere else because of the way that that mountain is built, it tilts down to that area.

So, you know, it would be irresponsible for me to allow this to happen, to sell that property. I mean, whoever the guy was who wanted to buy it said, Look, I'm going to use that -- I'm going to buy both, I'm going to use that to drain the water and I say, Let's go, a hundred percent, let's sell it, but that's not the case. And I just want to make sure it's done properly.

I will be researching this and reaching out to every one of you and keeping you up-to-date on what's happening and providing you with a 2003 report where the DEC said the same thing, there's nowhere to drain the water. So we now have an opportunity where we spent -- the taxpayers spent, I thought it was seven but maybe it's $13 million to clean up the other property which is directly next to and will drain all the water off that polluted area once it's capped into that spot. So I appreciate your support.

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

**LEG. FLEMING:**
Through the Presiding Officer, I just want to know where the concept came from that this was the only spot and how -- are you -- have you or anyone, Legislator Trotta, conducted any kind of hydrogeologic analysis to determine the groundwater flow?

**LEG. TROTTA:**
Yes, I have, actually. I've read -- I have --

**LEG. FLEMING:**
You filled monitoring wells --

**LEG. TROTTA:**
Yes.

**LEG. FLEMING:**
-- and analyzed the results?

**LEG. TROTTA:**
They have been done and it's political.
LEG. FLEMING:
By whom?

LEG. TROTTA:
By --

LEG. FLEMING:
Someone in your office, a staff member.

LEG. TROTTA:
No, by Apex that we spent this money for, this 150 --

LEG. FLEMING:
And that shows that the groundwater flow goes toward that southeastern

LEG. TROTTA:
Yes. And I have many maps in my office where on the north shore it essentially runs from the Long Island Expressway North and then there are palloom -- plumes -- just so you know, this is not the only -- this area is historical, it's basically like Rocky Point is today, it's been sand-mined, but back then in the 70s and 80s they just dumped everything in it.

LEG. FLEMING:
No, I appreciate it. We're really late in the meeting, I just wanted to know if you have any scientific evidence that all those groundwater --

LEG. TROTTA:
Yes, and I will provide you --

LEG. FLEMING:
It still defies common sense to me that that is the only property where the groundwater can be dealt with in this 26-acre site, especially in the face of evidence to the contrary.

LEG. TROTTA:
There is no evidence to the contrary.

LEG. FLEMING:
So I'm sorry, I think you had many bites at this apple.

LEG. TROTTA:
There is no -- I can show you a photo that's dug out.

LEG. FLEMING:
Okay. Thank you, Mr. Presiding Officer, for indulging me.

P.O. GREGORY:
All right. Anyone else? Legislator Donnelly.

LEG. DONNELLY:
Just, again, this is very -- we've debated this for a long time. And I said it earlier and I'll say it again, I'm a freshman Legislator but I believe that each Legislator who represents a
specific area should get that due respect. That being said, though, we need an end-game. There has to be an end-game to this. What are we trying to achieve? If it requires calling a Land Bank to a special meeting to have this firm come in and give their analysis for question and answers, then so be it. But we can't just continue to leave it on the docket without a conclusion to resolve the issue. So the Administration has put forth a resolution to conclude it, you seem to have a difference of opinion. As the local Legislator, as agitating as you are to some of my colleagues, I'm willing to support you as the local Legislator with the caveat that this needs to be included, you know, within the next month. And this would be the last go-around from -- on a tabling motion.

**LEG. TROT TA:**
I appreciate that. I thought it was going to be tabled, it wasn't until yesterday afternoon when Sarah Lansdale -- when I finally -- I called her, she had never called me back, I finally got her on the phone and she said, "Oh, we're going to move forward." My impression was that it was being tabled.

**P.O. GREGORY:**

**LEG. SPENCER:**
I'm sure that during the meeting, as we were discussing things on the side, I have butted heads with my colleague in the past and I know we've gone across party lines and I voted last time to give this another 30-days and I do believe that we need to move this, but my colleague pulled me aside, looked me in the eye man-to-man and in a sense said that -- you know, when I saw his passion on about him truly believing that there's an issue here and asked me for 30-days, I think no matter how deep the divide is, I do believe that at any point that if I went to any of my colleagues and had something that was that important to me, then I do believe that they would do the same for me. I don't like that it's been 30 years, I think it has to end. He's given his word and represented that it will not go beyond that, I think the Land Bank is going to meet in the interim. But I think at the end of the day all of you deserve -- we deserve each other's respect and consideration. I don't agree with it, I don't like the way it's happening, I think there's inconsistencies, but I will give him that consideration.

**P.O. GREGORY:**
Okay, Legislator Gonzalez.

**LEG. GONZALEZ:**
Yeah, I also feel the same way. And, you know, though we're -- you know, we may have difference of opinions and we all decide to make our own decisions, but I have to say that, you know, my fellow Legislator and his passion for what's happening in his district -- the inconsistencies, you're correct, Legislator Spencer, is also part of this and we just -- I feel, I feel that we at least owe him, as he said, these 30 days to come across and show, show. Because, again, I've not seen this much passion in a very, very
long time and it's only -- for me, it's the right thing to do.
So I just wanted to be put that on the record.

P.O. GREGORY:
Legislator Berland.

LEG. BERLAND:
So I have a question, though. I thought the next Land Bank meeting
isn't until the end of October and we meet at the beginning of
October, so you want to give him 30 days or 60 days?

P.O. GREGORY:
There has been a request for a Special Meeting, I don't know if the
Land Bank will entertain that request, but it was mentioned
earlier, so it is possible.

LEG. BERLAND:
So if the Land Bank does not entertain that and this is not
discussed, is it going to come -- will he want another one?

LEG. TROTTA:
I will supply you with all the documentation that I have and I'm
sure you'll be very surprised by what I have.

LEG. BERLAND:
I would love to see the documentation, but I also hope that -- you
know, if this passes, and I really don't support reconsideration,
but if this passes I would hope that you keep the rhetoric to a
minimum. And instead of the attacks on the 12th floor and instead
of the leveling all the -- you know, the political reasons for X, Y
or Z.

LEG. TROTTA:
I don't know what it is, to be honest with you.

LEG. BERLAND:
No, I know, but you keep leveling them every time you talk about
this.

LEG. TROTTA:
So do you.

LEG. BERLAND:
No, I did it in response to what you say. So --

LEG. TROTTA:
You're perfect.

LEG. BERLAND:
Oh, thank you; he said I was perfect in case you missed that, so
thank you so much.

("Laughter")

That's really nice. But I would ask that you just concentrate on
the issue and not the attacks.

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LEG. TROTTA:
Absolutely.

LEG. DONNELLY:
Legislator Trotta says I'm perfect.

(*Laughter*)

LEG. BERLAND:
Yeah, right next to the meme.

P.O. GREGORY:
Okay. All right, so we have a motion, a second. Roll call on the recomconsideration.

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

LEG. GONZALEZ:
Yes.

LEG. SPENCER:
Yes.

LEG. KRUPSKI:
Yes.

LEG. FLEMING:
Yes.

LEG. SUNDERMAN:
Yes.

LEG. MURATORE:
Yes.

LEG. HAHN:
(Not Present).

LEG. ANKER:
No.

LEG. LINDSAY:
Yes for the same courtesy in return.

(*Laughter*)

LEG. CILMI:
Yes.

LEG. FLOTTERON:
Yes.

LEG. KENNEDY:
Yes.
LEG. TROTTA:  
Yes.

LEG. McCAFFREY:  
Yes for the same courtesy in return.  

("Laughter")

LEG. BERLAND:  
No.

LEG. DONNELLY:  
Yes.

D.P.O. CALARCO:  
No.

P.O. GREGORY:  
I told Rob when we were talking I wouldn't support it, but I appreciate your position, but I just can't.

07:47PM

LEG. FLOTTERON:  
So abstain.

P.O. GREGORY:  
To what?

LEG. FLOTTERON:  
Abstain.

P.O. GREGORY:  
No.

LEG. CILMI:  
So we're just -- that was just to reconsider? We haven't even reconsidered yet.

P.O. GREGORY:  
All right, so --

07:47PM

MR. RICHBERG:  
Thirteen.

P.O. GREGORY:  
Thirteen, so the reconsidering motion passes.

LEG. TROTTA:  
I would like to make a motion to table.

07:48PM

P.O. GREGORY:  
Okay, motion to table.

LEG. KENNEDY:  
Second.
P.O. GREGORY:
Wow, this is -- okay. So if the motion to table fails, then what, Counsel?

D.P.O. CALARCO:
I'll make a motion to approve.

LEG. BERLAND:
I'll second that.

D.P.O. CALARCO:
Then there's a motion to approve.

P.O. GREGORY:
All right, so we have a motion to table by Legislator Trotta.

LEG. CILMI:
Kennedy seconded.

P.O. GREGORY:
Second by Legislator Kennedy.

LEG. ANKER:
On the motion.

P.O. GREGORY:
Hold on. And there was a motion to approve by -- who was it? Calarco and a second by Berland, okay. Now, who was that; was that you? Legislator Anker.

LEG. ANKER:
On the motion. Can the County Exec's Office speak on that at all? Is there -- are there time restraints? For some reason I thought this needed to get passed. Soon; sooner than later.

MS. KEYES:
So Sarah Lansdale and Dorian Dale are obviously not here any longer because this had passed so they left. I don't -- I honestly used to be involved in the Land Bank, not anymore. I don't -- I don't know. I know they -- it was very important to them that it be passed tonight. It was tabled in June, tabled again in July to give Legislator Trotta some time, so I know that -- you know, they had the buyers here. I wish I had more info, I don't, I'm sorry. I'm trying to get in touch with Sarah but she's driving, so, and not texting.

("Laughter")

P.O. GREGORY:
Okay. All right, so we have a tabling motion and an approval motion; the tabling motion goes first. Roll call.

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

LEG. TROTTA:
Yes.
LEG. KENNEDY: Yes.

LEG. KRUPSKI: No to table.

LEG. FLEMING: No.

LEG. SUDDERMAN: Yes.

LEG. MURATORE: Yes.

LEG. HAHN: (Not Present).

LEG. ANKER: No.

LEG. LINDSAY: Pass.

LEG. GONZALEZ: Yes.

LEG. CILMI: Yes.

LEG. FLOTTERON: Yes.

LEG. McCAFFREY: Yes.

LEG. BERLAND: No.

LEG. DONNELLY: Yes to table.

LEG. SPENCER: Yes.

D.P.O. CALARCO: No.

P.O. GREGORY: No.

MR. RICHBERG: Ten.
P. O. GREGORY:
Okay, it's tabled. All right, congratulations.

All right, so **manilla folders**. We have several bills, we still have some work to do.

So we have a **Local Law 40(-2019) - Authorizing certain technical corrections to Adopted Resolution No. 731-2019 (County Executive).**
I'll make a motion to approve.

D. P. O. CALARCO:
Second.

MR. RICHBERG:
I'm sorry, what's the IR?

P. O. GREGORY:
1815. sorry. Motion by Legislator Calarco. I'll second.
All in favor? Opposed? Abstentions?

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

P. O. GREGORY:
**IR 1819(-19) - Transferring 100% grant funding in the amount of $10,998.23 awarded by the US Department of Health and Human Services/Substance Abuse and Mental Health Services Administration ("SAMHSA") to the Suffolk County Department of Probation (County Executive).**

LEG. CILMI:
Motion.

P. O. GREGORY:
Motion by Legislator Cilmi.

LEG. GONZALEZ:
Second.

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

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

P. O. GREGORY:
**IR 1837(-19) - Amending Resolution No. 732-2019, accepting and appropriating a grant from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the Parole Reentry Task Force grant program with 100% support (County Executive).** I'll make a motion. Second by Legislator Cilmi. All in favor? Opposed? Abstentions?

MR. RICHBERG:
Seventeen (Not Present: Legislator Hahn).
P.O. GREGORY:
IR 1847(-19) - Accepting and appropriating a grant in the amount of $250,000 from the New York State Division of Criminal Justice Services for the Long Island Gang Prevention 2019 Program with 100% support (County Executive). I'll make a motion.

LEG. GONZALEZ:
Second.

07:51PM

P.O. GREGORY:
Second by Legislator Gonzalez. List me as a cosponsor. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
Okay. In the red folder we have one more resolution, IR 1849(-19) - Authorizing Illumination of the H. Lee Dennison Executive Office Building for Blood Cancer Awareness Month (Sunderman). Whose is this?

07:52PM

LEG. CILMI:
Motion.

P.O. GREGORY:
Motion by Legislator Cilmi.

D.P.O. CALARCO:
Second.

07:52PM

P.O. GREGORY:
I'll second. All in favor? Opposed? Abstentions?

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

P.O. GREGORY:
Okay, waive the rules and lay the following resolutions on the table:

IR -- excuse me, Home Rule No. 2 to Parks & Rec; IR 1843 to Ways & Means; IR 1844 to Government Ops; IR 1845 to Ways & Means, set the Public Hearing for October 2nd, 6:30 p.m. in Hauppauge; IR 1846, Education & Human Services; IR 1848 to Public Safety, setting the Public Hearing for October 2nd, 6:30 in Hauppauge; IR 1815 to Public Works; IR 1851, Public Safety; IR 1852, Government Ops; IR 1853 to Public Works; IR 1854 to Public Works; IR 1855 to Health, setting the Public Hearing for October 2nd, 6:30 in Hauppauge; IR 1856 to Health; IR 1858 to Public Safety; IR 1859 to Public Works, setting the Public Hearing for October 2nd, 6:30 Hauppauge; IR 1860 to Public Works.

07:52PM

Second by Legislator Cilmi. All in favor? Opposed? Abstentions.
General Meeting - September 4, 2019

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

P.O. GREGORY:
Okay. And before we all leave, we have a little bit of sad news. This person's going to be a little embarrassed; Dr. Lipp is retiring.

(*Surprised reaction from Legislators/Audience members*)

07:53PM

MR. LIPP:
You guys are so transparent.

P.O. GREGORY:
September 13th he's retiring.

MR. LIPP:
No, Friday the 13th.

07:53PM

P.O. GREGORY:
Friday, Friday the 13th, my Mother's birthday. So Robert, wanted to thank you. We've been kind of communicating this for the past few months. Thank you for your service.

Applause & Standing Ovation

MR. LIPP:
I think you're going to be in good hands, with these guys at least. We've got lots of new people that are going to do also, so we won't miss a beat.

LEG. CILMI:
Bound to happen eventually, I suppose.

P.O. GREGORY:
So Roz and Benny will be -- or Roz will be, and certainly with the assistance of Benny, running the show until we find a replacement. Go enjoy those beautiful twins in Hawaii.

07:54PM

MR. LIPP:
I'll be either here or Maui or San Francisco.

Applause

Okay. We stand adjourned. Thank you. Good night. Get home safe.

(*The meeting was adjourned at 7:54 p.m.*)

{ } - Denotes Spelled Phonetically

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