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**GOVERNMENT OPERATIONS, PERSONNEL,
INFORMATION TECHNOLOGY & DIVERSITY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

A meeting of the Government Operations, Personnel, Information Technology & Diversity Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on July 15, 2020.

MEMBERS PRESENT:

Legislator Samuel Gonzalez, Chairperson
Legislator Jason Richberg, Vice-Chairperson
Legislator Susan A. Berland
Legislator Tom Donnelly
Legislator Leslie Kennedy
Legislator Kevin J. McCaffrey
Presiding Officer Robert Calarco - Ex Officio

ALSO IN ATTENDANCE:

Sarah Simpson, Counsel/Suffolk County Legislature
Dan Dubois, Chief Deputy Clerk/Suffolk County Legislature
Benny Pernice, Budget Review Office
Lora Gellerstein, Chief of Staff/P.O.'s Office
Jerome Bost, Aide to Presiding Officer Calarco
Stephanie Rosen, County Executive's Office
Nicole Amendola, County Executive's Office
Stephanie Rubino, County Executive's Budget Office
And all other interested parties

TAKEN BY:

Lucia Braaten, Court Stenographer

(**The meeting was called to order at 10:02 a.m.**)

CHAIRMAN GONZALEZ:

Good morning. Good morning, Ladies and Gentlemen. Welcome to the Government Operations, Personnel, Information Tech and Diversity Committee meeting. If we could please rise for the Pledge of Allegiance, led by Legislator McCaffrey.

(**Salutation**)

I'd like everyone just to remain standing for a moment of silence for Private First Class Vanessa Guillén, to keep her in our memories, and to all those who are going through their problems, especially our women veterans in the Armed Forces.

(**Moment of Silence**)

Thank you. Please be seated. All right. Ladies and Gentlemen we do not have any correspondence. And due to the COVID-19 pandemic and in accordance with the Governor's Executive Order, in-person public comments will not be permitted during this meeting.

We're going to be moving on to the agenda. We have three appointments today.

APPOINTMENTS

I.R. 1549 - Approving the reappointment of Luis Valenzuela, Ph.D., to the Suffolk County Human Rights Commission. (Co. Exec.) Do I have a motion?

LEG. RICHBERG:

Motion.

LEG. KENNEDY:

Second.

CHAIRMAN GONZALEZ:

Motion by Legislator Richberg, second by Legislator Kennedy. All those in favor? Opposed? Abstentions? I.R. 1549 is approved. (*Vote: Approved 7-0-0-0*)

I.R. 1550 - Approving the reappointment of Lynda Perdomo-Ayala, to the Suffolk County Human Rights Commission. (Co. Exec.) I motion.

LEG. RICHBERG:

Second.

CHAIRMAN GONZALEZ:

Second by Legislator Richberg. All those in favor? Opposed? Abstentions?

MR. DUBOIS:

Seven.

1 **CHAIRMAN GONZALEZ:**

2 I.R. 1550 is approved. (*Vote: Approved 7-0-0-0*)

3

4 (*I.R. 1551*) - *Motion to reappoint Lynda Perdomo-Ayala as Chair of*
5 *the Suffolk County Human Rights Commission. (Co. Exec.)* Can I have
6 a motion?

7

8 **LEG. RICHBERG:**

9 Motion.

10:03AM 10

11 **CHAIRMAN GONZALEZ:**

12 A motion by Legislator Richberg. Second?

13

14 **LEG. KENNEDY:**

15 (Raised hand)

16

17 **CHAIRMAN GONZALEZ:**

18 Second by Legislator Kennedy. All those in favor?

19

10:04AM 20

21 **LEG. KENNEDY:**

22 Whoa, whoa.

23

24 **CHAIRMAN GONZALEZ:**

25 Hello? Question on the motion?

26

27 **LEG. KENNEDY:**

28 I have nothing against Ms. Perdomo-Ayala. I just want to ask a
29 question. Is this position voted on by the group or by us?

10:04AM 30

31 **LEG. RICHBERG:**

32 By them.

33

34 **LEG. KENNEDY:**

35 It's by them.

36

37 **LEG. RICHBERG:**

38 Yeah, they --

39

40 **LEG. KENNEDY:**

41 So they've already voted and we just confirm?

10:04AM 42

43 **LEG. RICHBERG:**

44 Yeah, we confirm their -- their election.

45

46 **LEG. KENNEDY:**

47 All right, thank you.

48

49 **P.O. CALARCO:**

50 Ms. Perdomo had been the Vice-Chair for a long time under Rabbi
51 Moss. And, as you know, Rabbi Moss last year decided that he was
52 doing a lot of things and decided it was time for him to retire
53 from this position, and she took over the helm at that time. And
54 so it is a yearly reappointment that needs to occur.

10:04AM 55

56 **LEG. KENNEDY:**

I just wanted to make sure it was done by the people, not just us.

1 Okay.

2

3 **CHAIRMAN GONZALEZ:**

4 So can I have a second?

5

6 **LEG. MC CAFFREY:**

7 (Raised hand)

8

9 **LEG. KENNEDY:**

10:04AM 10 (Raised hand)

11

12 **CHAIRMAN GONZALEZ:**

13 Second by Legislator Kennedy. All those in favor? Opposed?
14 Abstentions?

15

16 **MR. DUBOIS:**

17 *Seven.*

18

19 **CHAIRMAN GONZALEZ:**

10:05AM 20 I.R. 1551 is approved. (*Vote: Approved 7-0-0-0*)

21

22 **TABLED RESOLUTIONS**

23

24 Moving on to Tabled Resolutions. *I.R. 1099 - Adopting a Local Law,*
25 *a Charter Law to establish an Independent Office of Inspector*
26 *General for Suffolk County. (Trotta) Can I get a motion?*

27

28 **LEG. BERLAND:**

29 Motion to table.

10:05AM 30

31 **CHAIRMAN GONZALEZ:**

32 Motion to table.

33

34 **LEG. RICHBERG:**

35 Second.

36

37 **LEG. KENNEDY:**

38 Motion to approve.

39

10:05AM 40

41 **CHAIRMAN GONZALEZ:**

42 There is a motion to approve by Legislator Kennedy. The motion to
43 approve goes first, correct?

43

44 **LEG. BERLAND:**

45 Table.

46

47 **CHAIRMAN GONZALEZ:**

48 To table?

49

50 **MS. SIMPSON:**

51 You need a second.

52

53 **CHAIRMAN GONZALEZ:**

54 Can I get a second?

55

56

1 **LEG. RICHBERG:**
2 Second on the tabling.

3
4 **CHAIRMAN GONZALEZ:**
5 Is there a second on the approval? Okay. So that's withdrawn.
6 There's a second on the approval --

7
8 **MS. SIMPSON:**
9 Table.

10:05AM 10
11 **CHAIRMAN GONZALEZ:**
12 -- by Legislator Richberg?

13
14 **MS. SIMPSON:**
15 Table.

16
17 **CHAIRMAN GONZALEZ:**
18 On the tabling?

19
10:05AM 20 **LEG. RICHBERG:**
21 On the tabling.

22
23 **CHAIRMAN GONZALEZ:**
24 Okay. All those in favor? Opposed? Abstention?

25
26 **MR. DUBOIS:**
27 *Seven.*

28
10:06AM 29 **CHAIRMAN GONZALEZ:**
30 It is approved for tabling. (*Vote: Tabled 7-0-0-0*)

31
32 **INTRODUCTORY RESOLUTIONS**

33
34 Moving on to Introductory Resolutions. *I.R. 1554 - Requiring*
35 *diversity and inclusion training for all County employees*
36 *(annually). (Richberg)* I motion. Can I get a second?

37
38 **LEG. BERLAND:**
39 (Raised hand)

10:06AM 40
41 **LEG. RICHBERG:**
42 Second.

43
44 **CHAIRMAN GONZALEZ:**
45 Second by Legislator Berland. Sorry, sir. All those in favor?

46
47 **LEG. KENNEDY:**
48 Wait.

49
10:06AM 50 **CHAIRMAN GONZALEZ:**
51 On the question. On the motion.

52
53 **LEG. KENNEDY:**
54 I just want to know, do we have a -- I didn't see a Financial
55 Impact Statement to the training. Do we have that?

1 **MR. PERNICE:**

2 Yes, it was -- you should have got the email, I think --

3
4 **LEG. KENNEDY:**

5 I should have --

6
7 **MR. PERNICE:**

8 -- yesterday or today. It's -- you know, it's -- the financial
9 impact will -- it directs Civil Service to come up with a training
10 program. So depending on how that's done, if it's done completely
11 inhouse, the training will -- you know, the cost will just be
12 whatever, you know, minor materials that they need. But if they
13 go -- decide to go through contracting, it just doesn't say how
14 they're going to do it. So depending on how it's accomplished,
15 there could be a cost, or very minimal.

16
17 **LEG. KENNEDY:**

18 That's my only concern with this bill. Jason, would it be possible
19 for you to add into the bill that it be done inhouse so that
20 there's minimal cost?

21
22 **LEG. RICHBERG:**

23 So we had about an hour or so conversation last week. So I met
24 with Tom Melito, and Retha Fernandez, and Nicole Amendola, and
25 Vanessa Baird. And so it's not going to be just one static
26 training. So what they're going to do is they're going to design
27 an original training, and then where we see there are peaks and
28 valleys of where we need to work on as a County, as a County
29 workforce, will change. So it's not going to be the same training
30 every year, because what we found and what they found, basically
31 the same thing, is that people just know what to answer, so they'll
32 just start clicking through. So the idea is to make it more
33 dynamic, as opposed to static.

34
35 **LEG. KENNEDY:**

36 Okay. But will the training be done inhouse? Will the questions
37 be done inhouse, as opposed to a cost for the County?

38
39 **LEG. RICHBERG:**

40 Yeah, yes, it will.

41
42 **LEG. KENNEDY:**

43 It will? Okay, thank you.

44
45 **CHAIRMAN GONZALEZ:**

46 Legislator McCaffrey.

47
48 **LEG. MC CAFFREY:**

49 And if I can, just to Budget Review, to Benny, even if this is done
50 inhouse, is there a cost associated with doing training every --
51 we're talking about -- and, Jason, correct me if I'm wrong. We're
52 talking about like an hour of training, is that what it's looking
53 at? Or what are they --

54
55 **LEG. RICHBERG:**

56 It could be a little more than an hour, but it's going --

1 they're -- so what's going to happen is Commissioners, Department
2 Heads and Section Heads will have in-person training, but everybody
3 else is going to have a digital training, so all other employees
4 will be digital.

5
6 **LEG. MC CAFFREY:**

7 Okay. I thought I read that said that everybody the first year,
8 everybody is going to be in person.

9
10:08AM

10 **LEG. RICHBERG:**

11 That was the original, that was the original bill, and it was
12 amended on Monday.

13
14 **LEG. MC CAFFREY:**

15 Okay.

16
17 **LEG. RICHBERG:**

18
19
20:09AM

18 And because the idea is -- and it was a little give and take, but
19 the idea is that we want to make sure that the -- at least the
20 leadership has an in-person training, and this way it can flow
21 through, you know, all of our departments.

22
23 **LEG. MC CAFFREY:**

24 Okay. And if we had digital training, it's still over an hour,
25 like to take this training, right? So the cost involved an hour
26 time for every one of our employees, that cost would be?

27
28 **MR. PERNICE:**

29
30:09AM

29 Yeah. Well, it assumes that they're not doing something else. I
30 mean, they're not going to be paid any -- their paycheck is going to
31 remain the same. So it's really an opportunity cost as to the time
32 they're spending doing that is time they're spending not doing
33 their regular job.

34
35 **LEG. MC CAFFREY:**

36 What do we do about Police Officers?

37
38 **LEG. RICHBERG:**

39
40:09AM

39 So the Police Department already has their -- has implicit bias
40 training, and they actually do it in person for all of their
41 officers. A number of us actually went to the training a couple of
42 weeks ago.

43
44 **LEG. MC CAFFREY:**

45 Right. So it's already being done.

46
47 **LEG. RICHBERG:**

48 Yes.

49
50:10AM

50 **CHAIRMAN GONZALEZ:**

51 Yeah.

52
53 **LEG. MC CAFFREY:**

54 Police Department is already doing it, okay. And what about -- one
55 other concern I had was the Department shall -- and let me know if
56 this one changed, too, looking at the old version. "Department

1 shall establish passing and failing scores and shall have the
2 authority to penalize employees who" --

3
4 **LEG. RICHBERG:**

5 That has been -- that has been taken out.

6
7 **LEG. MC CAFFREY:**

8 Very good. Okay, thank you.

9
10 **CHAIRMAN GONZALEZ:**

11 Legislator Berland.

12
13 **LEG. BERLAND:**

14 Thank you. I had had a discussion with the sponsor, because if
15 it's all employees, and it's also County Attorneys, and, you know,
16 any employees who may be attorneys are required to do continuing
17 legal education, and one credit of which is in implicit bias. So I
18 wanted to see if they can offer a CLE certified course, so that
19 people who are attorneys in the County are not taking two courses,
20 which are virtually the same thing. So if it's inhouse, chances
21 are it's not going to be CLE certified. So maybe there's some way
22 to, you know, work with the County Attorney's Office, maybe, to
23 find access to some CLE certified class, which there are like, you
24 know, dozens of them which can be offered to attorneys who are
25 employed by the County to satisfy this requirement.

26
27 **LEG. RICHBERG:**

28 But we also have -- oh, I'm sorry. We also have the ethics
29 training, which is in -- which is done by the County, is CLE --

30
31 **LEG. BERLAND:**

32 No. The first time I took the ethics training, it was CLE
33 certified. The next time it was not, because they went with an RFP
34 with a company that was not. So the first time, which was in
35 person, we got CLE credits. On the computer, you don't. So I had
36 to do that for the County, and then I had to do CLE credits, you
37 know, for -- you know, as a Continuing Legal Education.

38
39 **LEG. RICHBERG:**

40 So I think one of the things I'm going to do is I'm going to
41 reach -- we're going to be reaching out to the Administration,
42 because there are CLE credits for those who are attorneys, there's
43 also continuing education credits for those who are social workers
44 and mental health counselors and some other things. So we should
45 take those things into account when we're doing it, because I know
46 they're trying to create a training center. So we should make sure
47 that all those things are sort of rolled in, so it's easier for
48 employees. Instead of doing 10,000 trainings, let's try and, you
49 know, minimize, and let's be economical and conservative in our
50 trainings.

51
52 **LEG. BERLAND:**

53 Yeah. I guess my point being, if it's inhouse, then -- you know,
54 then maybe we have to work with somebody inhouse who can be
55 certified to do that, so that, you know -- and maybe employees, if
56 they -- you know, the attorneys especially, if they're not

1 supervisors, but maybe they can elect to do the in-person training,
2 if the in-person training is CLE certified and not, you know, the
3 computer one, that they can elect to do that, so they can
4 participate and get those credits.

5
6 **LEG. RICHBERG:**

7 I think this creates the floor for what everybody can do. And I
8 think if the department is able to come up with an in-person
9 function for CTE, I have no problem with that. And let's figure
10 out -- like I say for everything, let's figure out a way to do
11 that.

12
13 **LEG. BERLAND:**

14 Yeah, I'd be -- you know, I'm totally supportive. I'll be happy to
15 work with you on that to make sure that, you know, they put that
16 stuff in play.

17
18 **LEG. RICHBERG:**

19 Perfect. Thank you.

20
21 **LEG. BERLAND:**

22 All right. Thanks.

23
24 **CHAIRMAN GONZALEZ:**

25 Legislator Kennedy.

26
27 **LEG. KENNEDY:**

28 Jason, just a request, that when you go to the County Attorney and
29 discuss CLE's and all continuing eds for social workers and nurses,
30 that it doesn't cost the County additional funds for the CLE, or
31 that the individuals can pay out of pocket if it does.

32
33 **LEG. RICHBERG:**

34 Right. If there -- so if something is above and beyond what we're
35 doing?

36
37 **LEG. KENNEDY:**

38 Correct.

39
40 **LEG. RICHBERG:**

41 Okay.

42
43 **LEG. KENNEDY:**

44 Thank you.

45
46 **LEG. RICHBERG:**

47 And, Leslie, I wouldn't let you out of the conversation, you could
48 always come, too.

49
50 *(*Laughter*)*

51
52 **CHAIRMAN GONZALEZ:**

53 Any other questions? Legislator, what is -- you're still motioning
54 to approve?

1 **LEG. RICHBERG:**

2 Yeah.

3

4 **CHAIRMAN GONZALEZ:**

5 Is there a second?

6

7 **LEG. BERLAND:**

8 Yeah.

9

10:14AM 10 **CHAIRMAN GONZALEZ:**

11 All right. Second by Legislator Berland. All those in favor?

12 Opposed? Abstention?

13

14 **MR. DUBOIS:**

15 *Seven.*

16

17 **CHAIRMAN GONZALEZ:**

18 Okay, so approved. (*Vote: Approved 7-0-0-0*)

19

10:14AM 20 The next Introductory Resolution is *I.R. 1572 - Instituting a*

21 *suspension of step and salary increases in Fiscal Years '20 and '21*

22 *for employees excluded from Bargaining Units (Management) to*

23 *address revenue shortfalls. (Co. Exec.)* Motion to approve.

24

25 **LEG. RICHBERG:**

26 Second.

27

28 **CHAIRMAN GONZALEZ:**

29 Second by Legislator Richberg. On the motion, Legislator Kennedy?

10:14AM 30

31 **LEG. KENNEDY:**

32 Motion to table.

33

34 **CHAIRMAN GONZALEZ:**

35 There's a motion to table. Do I have a second?

36

37 **LEG. MC CAFFREY:**

38 Second.

39

10:14AM 40 **CHAIRMAN GONZALEZ:**

41 Second by Legislator McCaffrey. On the motion, Legislator.

42

43 **LEG. KENNEDY:**

44 I have to be perfectly honest about this bill. I have no problem

45 with it, other than the fact that it only affects certain

46 employees, as any County Executive staff or appointee or department

47 person that's been hired in the last three or four months have

48 already gotten raises. So if the County Executive is willing to

49 take away those raises, I'm for this bill. Otherwise, I think it's

10:15AM 50 unfair. We have to -- we have to cut all around, not just from

51 certain sectors. That's just my opinion.

52

53 **CHAIRMAN GONZALEZ:**

54 Legislator McCaffrey.

55

56

1 **LEG. MC CAFFREY:**

2 Yeah, I would just echo the comments by Legislator Kennedy. This
3 is kind of like closing the barn door after everybody's been out,
4 and, you know -- and we're pulling the bridge back after you got
5 yours. So I don't think it's fair that way, and I think that's a
6 very good remedy, rescind the raises that were given prior to
7 introducing this resolution, and I'd be supportive of it.

8
9 **CHAIRMAN GONZALEZ:**

10 So we're going to take a -- the vote on the tabling motion. All
11 those in favor of tabling?

12
13 **LEG. BERLAND:**

14 (Raised hand)

15
16 **LEG. RICHBERG:**

17 (Raised hand).

18
19 **LEG. DONNELLY:**

20 (Raised hand)

21
22 **LEG. MC CAFFREY:**

23 (Raised hand)

24
25 **LEG. KENNEDY:**

26 (Raised hand)

27
28 **P.O. CALARCO:**

29 (Raised hand)

30
31 **CHAIRMAN GONZALEZ:**

32 Okay, tabling wins.

33
34 **MR. DUBOIS:**

35 *Six. (Vote: Tabled 6-1-0-0/Opposed: Chairman Gonzalez)*

36
37 **CHAIRMAN GONZALEZ:**

38 One second. I actually -- I actually wanted to speak on this here.
39 Of course, the County Executive Office understands how -- what I
40 feel as a union member. But there's part of me that also says
41 that, you know, everything that can be done has to be done
42 across --

43
44 **LEG. KENNEDY:**

45 Yes.

46
47 **CHAIRMAN GONZALEZ:**

48 -- the board. I think, at this moment, I wanted to actually try
49 and put a motion to discharge without recommendation, but the
50 voting is already done, right?

51
52 **MS. SIMPSON:**

53 Dan called it.

54
55 **MR. DUBOIS:**

56 Yeah.

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10:16AM

10:17AM

10:17AM

10:18AM

10:18AM

P.O. CALARCO:
He called it. Can I speak on the issue?

CHAIRMAN GONZALEZ:
I'm sorry?

P.O. CALARCO:
Can I speak on the issue?

CHAIRMAN GONZALEZ:
Yes, sir, Legislator Calarco.

P.O. CALARCO:
Yeah, let me just say this. I think you're absolutely right, Legislator Gonzalez, we have to have everything on the table. The urgency of this particular measure isn't one that needs to move today, so to speak, because the July 1 deadlines have past. The County Executive, through emergency order, suspended all steps for this year for exempts as it is, so this is affecting employees moving into next year.

I certainly don't think that we are sitting here saying that there's no way I would vote for this. I think that this is a very real and, in some ways if you look at it, fair compared to what we've done in the past type of action. I mean, to say that the employees will in three years time revert back to whatever step they would have been at and get compensated on their way out is far more that what we have gotten in the past when we've done similar things. As a staffer, I've lived through three lag payrolls, so it's not -- I think this is not trying to really be onerous, but being realistic about our economic condition. And so I'm willing to table it this cycle, but next cycle I think we may need to move it forward.

CHAIRMAN GONZALEZ:
Okay. So I had asked if I could put that forward, but the voting was already done, correct?

MR. DUBOIS:
(Nodded yes)

MS. SIMPSON:
The vote was done.

CHAIRMAN GONZALEZ:
All right. So the tabling motion, all those in favor? I said it again, right, and they won?

MS. SIMPSON:
Yes.

CHAIRMAN GONZALEZ:
Okay. So I.R. 1572 is tabled. That is our agenda. We are adjourned.

(*The meeting was adjourned at 10:18 a.m.*)

INDEX

[Occurrence of Word] - Page Number:Line Number

•	agenda [2] - 2:23, 12:53	board [1] - 11:48	3:5, 10:23	credits [5] - 8:35, 8:36, 8:42, 8:43, 9:4
'20 [1] - 10:21	ago [1] - 7:42	Bost [1] - 1:32	comments [2] - 2:21, 11:2	CTE [1] - 9:9
'21 [1] - 10:21	Aide [1] - 1:32	Braaten [1] - 1:39	Commission [3] - 2:29, 2:44, 3:5	cut [1] - 10:50
1	Allegiance [1] - 2:7	bridge [1] - 11:4	Commissioners [1] - 7:1	cycle [2] - 12:33
1 [1] - 12:18	ALSO [1] - 1:27	Budget [3] - 1:30, 1:35, 6:49	COMMITTEE [1] - 1:3	D
10,000 [1] - 8:48	amended [1] - 7:12	Building [1] - 1:14	Committee [2] - 1:12, 2:6	Dan [2] - 1:29, 11:53
1099 [1] - 4:24	Amendola [2] - 1:34, 6:24	BY [1] - 1:38	company [1] - 8:34	deadlines [1] - 12:18
10:02 [1] - 2:1	annually [1] - 5:36	C	compared [1] - 12:25	decide [1] - 6:13
10:18 [1] - 12:56	answer [1] - 6:31	Calarco [3] - 1:25, 1:32, 12:12	compensated [1] - 12:28	decided [2] - 3:50, 3:51
15 [1] - 1:15	appointee [1] - 10:46	CALARCO [5] - 3:48, 11:28, 12:2, 12:8, 12:14	completely [1] - 6:10	Department [4] - 7:1, 7:39, 7:54, 7:55
1549 [2] - 2:28, 2:40	appointments [1] - 2:24	Caracappa [1] - 1:13	computer [2] - 8:35, 9:3	department [3] - 7:56, 9:8, 10:46
1550 [2] - 2:43, 3:2	APPOINTMENTS [1] - 2:26	center [1] - 8:46	concern [2] - 6:18, 7:55	departments [1] - 7:21
1551 [2] - 3:4, 4:20	approval [2] - 5:5, 5:6	certain [2] - 10:45, 10:51	condition [1] - 12:32	Deputy [1] - 1:29
1554 [1] - 5:34	approve [5] - 4:38, 4:41, 4:42, 9:54, 10:23	certainly [1] - 12:23	confirm [2] - 3:40, 3:43	design [1] - 6:26
1572 [2] - 10:20, 12:53	approved [5] - 2:40, 3:2, 4:20, 5:30, 10:18	certified [6] - 8:18, 8:21, 8:23, 8:33, 8:55, 9:2	conservative [1] - 8:49	digital [3] - 7:3, 7:4, 7:24
2	Approved [4] - 2:41, 3:2, 4:20, 10:18	Chair [2] - 3:4, 3:49	continuing [3] - 8:16, 8:43, 9:29	directs [1] - 6:9
2020 [1] - 1:15	Approving [2] - 2:28, 2:43	CHAIRMAN [42] - 2:3, 2:38, 2:49, 3:1, 3:11, 3:17, 3:23, 4:3, 4:12, 4:19, 4:31, 4:40, 4:47, 4:53, 5:4, 5:11, 5:17, 5:23, 5:29, 5:44, 5:50, 6:45, 7:50, 8:10, 9:24, 9:52, 10:4, 10:10, 10:17, 10:28, 10:34, 10:40, 10:53, 11:9, 11:31, 11:37, 11:47, 12:5, 12:11, 12:35, 12:45, 12:52	contracting [1] - 6:13	discharge [1] - 11:49
6	Armed [1] - 2:14	Chairman [1] - 11:35	conversation [2] - 6:23, 9:47	discuss [1] - 9:29
6-1-0-0/Opposed [1] - 11:35	associated [1] - 6:50	Chairperson [2] - 1:19, 1:20	correct [4] - 4:42, 6:51, 9:38, 12:37	discussion [1] - 8:14
7	assumes [1] - 7:29	chances [1] - 8:20	correspondence [1] - 2:19	diversity [1] - 5:35
7-0-0-0 [5] - 2:41, 3:2, 4:20, 5:30, 10:18	ATTENDANCE [1] - 1:27	change [1] - 6:29	cost [9] - 6:11, 6:15, 6:20, 6:37, 6:50, 7:25, 7:26, 7:31, 9:30	DIVERSITY [1] - 1:3
725 [1] - 1:14	Attorney [1] - 9:28	changed [1] - 7:56	Counsel/Suffolk [1] - 1:28	Diversity [2] - 1:12, 2:5
A	Attorney's [1] - 8:22	Charter [1] - 4:25	counselors [1] - 8:44	done [16] - 3:56, 6:10, 6:19, 6:36, 6:37, 6:49, 7:45, 8:29, 11:41, 11:50, 12:26, 12:29, 12:37, 12:43
a.m [2] - 2:1, 12:56	Attorneys [1] - 8:15	Chief [2] - 1:29, 1:31	COUNTY [1] - 1:7	DONNELLY [1] - 11:19
able [1] - 9:8	attorneys [5] - 8:16, 8:19, 8:24, 8:42, 8:56	Civil [1] - 6:9	County [26] - 1:12, 1:28, 1:29, 1:33, 1:34, 1:35, 2:29, 2:44, 3:5, 4:26, 5:35, 6:28, 6:37, 8:15, 8:19, 8:22, 8:25, 8:29, 8:36, 9:28, 9:30, 10:46, 10:48, 11:39, 12:19	Donnelly [1] - 1:22
absolutely [1] - 12:15	Auditorium [1] - 1:13	Class [1] - 2:12	course [2] - 8:18, 11:39	door [1] - 11:3
abstention [2] - 5:24, 10:12	authority [1] - 8:2	class [1] - 8:23	couple [1] - 7:41	dozens [1] - 8:24
Abstentions [2] - 2:40, 2:51	Ayala [3] - 2:43, 3:4, 3:27	CLE [10] - 8:18, 8:21, 8:23, 8:29, 8:32, 8:35, 8:36, 8:42, 9:2, 9:30	create [1] - 8:46	DUBOIS [7] - 2:53, 4:16, 5:26, 10:14, 11:34, 11:55, 12:39
abstentions [1] - 4:14	B	CLE's [1] - 9:29	creates [1] - 9:7	Dubois [1] - 1:29
access [1] - 8:23	Baird [1] - 6:25	Clerk/Suffolk [1] - 1:29	credit [1] - 8:17	due [1] - 2:19
accomplished [1] - 6:14	Bargaining [1] - 10:22	clicking [1] - 6:32		during [1] - 2:21
accordance [1] - 2:20	barn [1] - 11:3	closing [1] - 11:3		dynamic [1] - 6:33
account [1] - 8:45	Benny [1] - 6:49	Co [4] - 2:29, 2:44,		E
action [1] - 12:26	benny [1] - 1:30			easier [1] - 8:47
add [1] - 6:19	BERLAND [10] - 4:28, 4:44, 5:38, 8:13, 8:31, 8:52, 9:13, 9:21, 10:7, 11:13			echo [1] - 11:2
additional [1] - 9:30	Berland [4] - 1:21, 5:45, 8:11, 10:11			economic [1] - 12:32
address [1] - 10:23	beyond [1] - 9:34			economic [1] - 8:49
adjourned [2] - 12:54, 12:56	bias [2] - 7:39, 8:17			eds [1] - 9:29
Administration [1] - 8:41	bill [5] - 6:18, 6:19, 7:11, 10:44, 10:49			education [2] - 8:17, 8:43
Adopting [1] - 4:24				Education [1] - 8:37
affecting [1] - 12:20				elect [2] - 9:1, 9:3
affects [1] - 10:45				election [1] - 3:43

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>email [1] - 6:2 emergency [1] - 12:19 employed [1] - 8:25 employees [12] - 5:35, 7:3, 7:26, 8:2, 8:15, 8:16, 8:48, 8:55, 10:22, 10:46, 12:20, 12:27 especially [2] - 2:14, 8:56 establish [2] - 4:25, 8:1 ethics [2] - 8:28, 8:32 Ex [1] - 1:25 excluded [1] - 10:22 Exec [4] - 2:29, 2:44, 3:5, 10:23 Executive [5] - 2:20, 10:46, 10:48, 11:39, 12:19 Executive's [3] - 1:33, 1:34, 1:35 exempts [1] - 12:20</p>	<p>GONZALEZ [42] - 2:3, 2:38, 2:49, 3:1, 3:11, 3:17, 3:23, 4:3, 4:12, 4:19, 4:31, 4:40, 4:47, 4:53, 5:4, 5:11, 5:17, 5:23, 5:29, 5:44, 5:50, 6:45, 7:50, 8:10, 9:24, 9:52, 10:4, 10:10, 10:17, 10:28, 10:34, 10:40, 10:53, 11:9, 11:31, 11:37, 11:47, 12:5, 12:11, 12:35, 12:45, 12:52 GOVERNMENT [1] - 1:1 Government [2] - 1:11, 2:5 Governor's [1] - 2:20 group [1] - 3:28 guess [1] - 8:53 Guillén [1] - 2:12</p>	<p>inclusion [1] - 5:35 increases [1] - 10:21 Independent [1] - 4:25 individuals [1] - 9:31 INFORMATION [1] - 1:3 Information [2] - 1:11, 2:5 inhouse [8] - 6:11, 6:19, 6:36, 6:37, 6:50, 8:20, 8:53, 8:54 Inspector [1] - 4:25 instead [1] - 8:48 Instituting [1] - 10:20 interested [1] - 1:36 introducing [1] - 11:7 INTRODUCTORY [1] - 5:32 Introductory [2] - 5:34, 10:20 involved [1] - 7:25 issue [2] - 12:3, 12:9</p>	<p>8:31, 8:39, 8:52, 9:6, 9:13, 9:18, 9:21, 9:33, 9:40, 9:46, 10:1, 10:7, 10:25, 11:13, 11:16, 11:19 LEG. KENNEDY [23] - 2:35, 3:14, 3:20, 3:26, 3:33, 3:39, 3:45, 3:55, 4:9, 4:37, 5:47, 5:53, 6:4, 6:17, 6:35, 6:42, 9:27, 9:37, 9:43, 10:31, 10:43, 11:25, 11:44 LEG. MC CAFFREY [12] - 4:6, 6:48, 7:6, 7:14, 7:23, 7:35, 7:44, 7:53, 8:7, 10:37, 11:1, 11:22 legal [1] - 8:17 Legal [1] - 8:37 Legislative [1] - 1:13 Legislator [29] - 1:19, 1:20, 1:21, 1:22, 1:23, 1:24, 2:7, 2:39, 2:50, 3:12, 3:18, 4:13, 4:41, 5:12, 5:45, 6:46, 8:11, 9:25, 9:53, 10:11, 10:29, 10:41, 10:54, 11:2, 12:12, 12:16 LEGISLATURE [1] - 1:7 Legislature [4] - 1:12, 1:14, 1:28, 1:29 Leslie [2] - 1:23, 9:47 lived [1] - 12:30 Local [1] - 4:24 look [1] - 12:25 looking [2] - 6:52, 7:56 lora [1] - 1:31 Lucia [1] - 1:39 Luis [1] - 2:28 Lynda [2] - 2:43, 3:4</p>	<p>Memorial [1] - 1:14 memories [1] - 2:13 mental [1] - 8:44 met [1] - 6:23 minimal [2] - 6:15, 6:20 minimize [1] - 8:49 minor [1] - 6:12 moment [2] - 2:11, 11:48 Moment [1] - 2:16 Monday [1] - 7:12 months [1] - 10:47 morning [2] - 2:4 Moss [2] - 3:50 motion [24] - 2:30, 2:33, 2:39, 2:44, 3:6, 3:9, 3:12, 3:24, 4:26, 4:29, 4:32, 4:38, 4:41, 5:36, 5:51, 10:23, 10:29, 10:32, 10:35, 10:41, 11:10, 11:49, 12:46 Motion [1] - 3:4 motioning [1] - 9:53 move [2] - 12:17, 12:33 moving [4] - 2:23, 4:24, 5:34, 12:21 MR [10] - 2:53, 4:16, 5:26, 6:1, 6:7, 7:28, 10:14, 11:34, 11:55, 12:39 MS [6] - 4:50, 5:8, 5:14, 11:52, 12:42, 12:49</p>
<p style="text-align: center;">F</p> <p>fact [1] - 10:45 failing [1] - 8:1 fair [2] - 11:5, 12:25 far [1] - 12:28 favor [9] - 2:40, 2:50, 3:18, 4:13, 5:24, 5:45, 10:11, 11:11, 12:46 Fernandez [1] - 6:24 figure [2] - 9:9, 9:10 Financial [1] - 5:54 financial [1] - 6:8 First [1] - 2:12 first [4] - 4:42, 7:7, 8:32, 8:34 Fiscal [1] - 10:21 floor [1] - 9:7 flow [1] - 7:20 Forces [1] - 2:14 forward [2] - 12:33, 12:36 four [1] - 10:47 function [1] - 9:9 funds [1] - 9:30</p>	<p style="text-align: center;">H</p> <p>hand [9] - 3:15, 4:7, 4:10, 5:39, 11:14, 11:20, 11:23, 11:26, 11:29 hand [1] - 11:17 happy [1] - 9:14 Heads [2] - 7:2 health [1] - 8:44 held [1] - 1:13 hello [1] - 3:24 helm [1] - 3:52 Highway [1] - 1:15 hired [1] - 10:47 honest [1] - 10:44 hour [5] - 6:23, 6:52, 6:56, 7:24, 7:25 Human [3] - 2:29, 2:44, 3:5</p>	<p style="text-align: center;">J</p> <p>Jason [4] - 1:20, 6:18, 6:51, 9:28 Jerome [1] - 1:32 job [1] - 7:33 July [2] - 1:15, 12:18</p>	<p style="text-align: center;">M</p> <p>Management [1] - 10:22 materials [1] - 6:12 McCaffrey [5] - 1:24, 2:7, 6:46, 10:41, 10:54 mean [2] - 7:30, 12:26 measure [1] - 12:17 meeting [5] - 1:11, 2:1, 2:6, 2:21, 12:56 Melito [1] - 6:24 member [1] - 11:40 MEMBERS [1] - 1:18</p>	<p style="text-align: center;">N</p> <p>need [4] - 4:51, 6:12, 6:28, 12:33 needs [2] - 3:53, 12:17 New [1] - 1:15 next [4] - 8:33, 10:20, 12:21, 12:33 Nicole [2] - 1:34, 6:24 nothing [1] - 3:27 number [1] - 7:41 nurses [1] - 9:29</p>
<p style="text-align: center;">G</p> <p>Gellerstein [1] - 1:31 General [1] - 4:26 Gentlemen [2] - 2:4, 2:18 given [1] - 11:6 Gonzalez [3] - 1:19, 11:35, 12:16</p>	<p style="text-align: center;">I</p> <p>I.R [10] - 2:28, 2:40, 2:43, 3:2, 3:4, 4:20, 4:24, 5:34, 10:20, 12:53 idea [3] - 6:32, 7:18, 7:19 Impact [1] - 5:55 impact [1] - 6:9 implicit [2] - 7:39, 8:17 IN [1] - 1:27 in-person [6] - 2:20, 7:2, 7:20, 9:1, 9:2, 9:8</p>	<p style="text-align: center;">L</p> <p>Ladies [2] - 2:4, 2:18 lag [1] - 12:30 last [3] - 3:50, 6:23, 10:47 Laughter [1] - 9:50 Law [2] - 4:24, 4:25 leadership [1] - 7:20 least [1] - 7:19 led [1] - 2:7 LEG [39] - 2:32, 2:46, 3:8, 3:30, 3:36, 3:42, 4:28, 4:34, 4:44, 5:1, 5:20, 5:38, 5:41, 6:22, 6:39, 6:55, 7:10, 7:17, 7:38, 7:47, 8:4, 8:13, 8:27,</p>	<p style="text-align: center;">O</p> <p>occur [1] - 3:53 OF [1] - 1:5 offer [1] - 8:18 offered [1] - 8:24 Office [8] - 1:30, 1:31, 1:33, 1:34, 1:35, 4:25, 8:22, 11:39 Officer [2] - 1:25, 1:32</p>	

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>Officers [1] - 7:36 officers [1] - 7:41 Officio [1] - 1:25 old [1] - 7:56 one [9] - 6:25, 7:26, 7:54, 7:56, 8:17, 8:40, 9:3, 11:38, 12:17 onerous [1] - 12:31 OPERATIONS [1] - 1:1 Operations [2] - 1:11, 2:5 opinion [1] - 10:51 opportunity [1] - 7:31 opposed [3] - 4:13, 6:33, 6:37 Opposed [4] - 2:40, 2:50, 5:24, 10:12 order [2] - 2:1, 12:19 Order [1] - 2:20 original [3] - 6:27, 7:11 otherwise [1] - 10:49</p>	<p>2:5 Ph.D [1] - 2:28 play [1] - 9:16 Pledge [1] - 2:6 pocket [1] - 9:31 point [1] - 8:53 Police [3] - 7:36, 7:39, 7:54 position [2] - 3:28, 3:52 possible [1] - 6:18 PRESENT [1] - 1:18 Presiding [2] - 1:25, 1:32 Private [1] - 2:12 problem [2] - 9:9, 10:44 problems [1] - 2:13 program [1] - 6:10 public [1] - 2:21 pulling [1] - 11:4 put [3] - 9:15, 11:49, 12:36</p>	<p>4:22, 5:32 Resolutions [2] - 4:24, 5:34 Retha [1] - 6:24 retire [1] - 3:51 revenue [1] - 10:23 revert [1] - 12:27 Review [2] - 1:30, 6:49 RFP [1] - 8:33 Richberg [7] - 1:20, 2:39, 2:50, 3:12, 5:12, 5:36, 10:29 RICHBERG [28] - 2:32, 2:46, 3:8, 3:30, 3:36, 3:42, 4:34, 5:1, 5:20, 5:41, 6:22, 6:39, 6:55, 7:10, 7:17, 7:38, 7:47, 8:4, 8:27, 8:39, 9:6, 9:18, 9:33, 9:40, 9:46, 10:1, 10:25, 11:16 Rights [3] - 2:29, 2:44, 3:5 rise [1] - 2:6 Robert [1] - 1:25 Rogers [1] - 1:14 rolled [1] - 8:47 Rose [1] - 1:13 Rosen [1] - 1:33 Rubino [1] - 1:35</p>	<p>SIMPSON [6] - 4:50, 5:8, 5:14, 11:52, 12:42, 12:49 Simpson [1] - 1:28 sitting [1] - 12:23 Six [1] - 11:35 Smithtown [1] - 1:15 social [2] - 8:43, 9:29 sorry [3] - 5:45, 8:28, 12:6 sort [1] - 8:47 spending [2] - 7:32 sponsor [1] - 8:14 staff [1] - 10:46 Staff/P.O.'s [1] - 1:31 staffer [1] - 12:30 standing [1] - 2:11 start [1] - 6:32 Statement [1] - 5:55 static [2] - 6:25, 6:33 Stenographer [1] - 1:39 step [2] - 10:21, 12:27 Stephanie [2] - 1:33, 1:35 steps [1] - 12:19 still [2] - 7:24, 9:53 stuff [1] - 9:16 SUFFOLK [1] - 1:7 Suffolk [5] - 1:12, 2:29, 2:44, 3:5, 4:26 supervisors [1] - 9:1 supportive [2] - 9:14, 11:7 Susan [1] - 1:21 suspended [1] - 12:19 suspension [1] - 10:21</p>	<p>12:27, 12:30 today [3] - 2:24, 6:8, 12:18 Tom [2] - 1:22, 6:24 took [2] - 3:52, 8:32 totally [1] - 9:14 training [22] - 5:35, 5:55, 6:9, 6:11, 6:26, 6:27, 6:29, 6:36, 6:50, 6:52, 7:2, 7:3, 7:20, 7:24, 7:25, 7:40, 7:41, 8:29, 8:32, 8:46, 9:1, 9:2 trainings [2] - 8:48, 8:50 Trotta [1] - 4:26 try [2] - 8:48, 11:48 trying [2] - 8:46, 12:31 two [1] - 8:19 type [1] - 12:26</p>	
P	Q	S	T	U	
<p>P.O [5] - 3:48, 11:28, 12:2, 12:8, 12:14 paid [1] - 7:30 pandemic [1] - 2:19 part [1] - 11:40 participate [1] - 9:4 particular [1] - 12:17 parties [1] - 1:36 passing [1] - 8:1 past [3] - 12:18, 12:26, 12:29 pay [1] - 9:31 paycheck [1] - 7:30 payrolls [1] - 12:30 peaks [1] - 6:27 penalize [1] - 8:2 people [3] - 3:56, 6:31, 8:19 Perdomo [4] - 2:43, 3:4, 3:27, 3:49 Perdomo-Ayala [3] - 2:43, 3:4, 3:27 perfect [1] - 9:19 perfectly [1] - 10:44 permitted [1] - 2:21 PERNICE [3] - 6:1, 6:7, 7:28 Pernice [1] - 1:30 person [10] - 2:20, 7:2, 7:8, 7:20, 7:40, 8:35, 9:1, 9:2, 9:8, 10:47 PERSONNEL [1] - 1:1 Personnel [2] - 1:11,</p>	<p>questions [2] - 6:36, 9:53</p>	<p>salary [1] - 10:21 Salutation [1] - 2:9 Samuel [1] - 1:19 Sarah [1] - 1:28 satisfy [1] - 8:25 scores [1] - 8:1 seated [1] - 2:18 second [25] - 2:36, 2:39, 2:47, 2:50, 3:12, 3:18, 4:4, 4:13, 4:35, 4:51, 4:54, 5:2, 5:5, 5:6, 5:36, 5:42, 5:45, 10:5, 10:11, 10:26, 10:29, 10:35, 10:38, 10:41, 11:38 Section [1] - 7:2 sectors [1] - 10:51 see [3] - 5:54, 6:27, 8:18 Service [1] - 6:9 Seven [2] - 2:54, 5:27 seven [2] - 4:17, 10:15 shall [3] - 7:55, 8:1 shortfalls [1] - 10:23 silence [1] - 2:11 Silence [1] - 2:16 similar [1] - 12:29</p>	<p>table [10] - 4:29, 4:32, 4:45, 4:48, 5:9, 5:15, 10:32, 10:35, 12:16, 12:32 tabled [1] - 12:53 TABLED [1] - 4:22 Tabled [3] - 4:24, 5:30, 11:35 tabling [8] - 5:2, 5:18, 5:21, 5:30, 11:10, 11:11, 11:32, 12:46 TAKEN [1] - 1:38 Tech [1] - 2:5 TECHNOLOGY [1] - 1:3 Technology [1] - 1:12 THE [1] - 1:5 they've [1] - 3:40 three [4] - 2:23, 10:47,</p>	<p>under [1] - 3:49 unfair [1] - 10:50 union [1] - 11:40 Units [1] - 10:22 up [2] - 6:9, 9:8 urgency [1] - 12:17</p>	
	R	S	T	V	
	<p>Rabbi [2] - 3:49, 3:50 Raised [10] - 3:15, 4:7, 4:10, 5:39, 11:14, 11:17, 11:20, 11:23, 11:26, 11:29 raises [3] - 10:48, 10:49, 11:6 reach [1] - 8:41 reaching [1] - 8:41 read [1] - 7:7 real [1] - 12:25 realistic [1] - 12:32 really [2] - 7:31, 12:31 reappoint [1] - 3:4 reappointment [3] - 2:28, 2:43, 3:53 recommendation [1] - 11:49 regular [1] - 7:33 remain [2] - 2:11, 7:31 remedy [1] - 11:6 request [1] - 9:28 required [1] - 8:16 requirement [1] - 8:25 Requiring [1] - 5:34 rescind [1] - 11:6 Resolution [1] - 10:20 resolution [1] - 11:7 RESOLUTIONS [2] -</p>				<p>Valenzuela [1] - 2:28 valleys [1] - 6:28 Vanessa [2] - 2:12, 6:25 version [1] - 7:56 Veterans [1] - 1:14 veterans [1] - 2:14 Vice [2] - 1:20, 3:49 Vice-Chair [1] - 3:49 Vice-Chairperson [1] - 1:20 virtually [1] - 8:20 vote [3] - 11:10, 12:24, 12:43 Vote [6] - 2:41, 3:2, 4:20, 5:30, 10:18, 11:35 voted [2] - 3:28, 3:40 voting [2] - 11:50, 12:36</p>
				W	
				<p>wait [1] - 5:48 ways [1] - 12:25 week [1] - 6:23 weeks [1] - 7:42 welcome [1] - 2:4</p>	

INDEX

[Occurrence of Word] - Page Number:Line Number

whoa [2] - 3:21
William [1] - 1:14
willing [2] - 10:48,
12:32
wins [1] - 11:32
withdrawn [1] - 5:5
women [1] - 2:14
won [1] - 12:47
workers [2] - 8:43,
9:29
workforce [1] - 6:29

Y

year [5] - 3:50, 6:30,
7:7, 12:20, 12:21
yearly [1] - 3:53
years [1] - 12:27
Years [1] - 10:21
yesterday [1] - 6:8
York [1] - 1:15