

1 VETERANS & CONSUMER AFFAIRS COMMITTEE
2
3 OF THE
4
5 SUFFOLK COUNTY LEGISLATURE
6
7 **MINUTES**
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10 A meeting of the Veterans & Consumer Affairs Committee of the
11 Suffolk County Legislature was held via Zoom video-conferencing in
12 the Rose Y. Caracappa Legislative Auditorium of the William H.
13 Rogers Legislature Building, 725 Veterans Memorial Highway,
14 Smithtown, New York on April 12, 2021.
15

16 **Members Present:**

17 Legislator Susan A. Berland - Chairperson
18 Legislator Sarah Anker - Vice Chair
19 Legislator Nick Caracappa
20 Legislator Bridget Fleming
21 Legislator Samuel Gonzalez (excused absence)
22 Legislator Leslie Kennedy
23 Legislator Al Krupski
24 Legislator Anthony Piccirillo
25
26

27 **Also in Attendance:**

28 Presiding Officer Robert Calarco/7th Legislative District
29 Legislator William Spencer - 18th Legislative District
30 Dan DuBois - Deputy Clerk/Suffolk County Legislature
31 Jessica Nowak - Assistant Counsel/Suffolk County Legislature
32 Derek Stein - Presiding Officer's Office
33 James Andrews - Administrative Director/Consumer Affairs
34 Bob Braun - County Attorney's Office
35 Samantha Sarube - Aide to Legislator Berland
36

37 **Minutes Taken By:**

38 Gabrielle Severs - Court Stenographer
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4 (The meeting was called to order at 1:03 p.m.)
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6 **CHAIRWOMAN BERLAND:**

7 Good afternoon, everyone. We are here for the April 12 Veterans
8 and Consumer Affairs committee. If everybody would please rise and
9 join Legislator Krupski in the Pledge of Allegiance.

10
11 (Pledge of Allegiance)
12

13 Okay. Thank you. If we could just remain standing one moment for
14 a moment of silence. Let us remember all those men and women who
15 have lost their lives in service to our country and those who
16 continue to sacrifice to ensure our freedoms. I also ask you to
17 remember all the veterans we've lost to Covid 19 at the Long Island
18 State Veterans Home and across Suffolk County and specifically
19 today, we recognize the third anniversary of the helicopter crash
20 that took the lives of four New York Air National Guard members
21 assigned to the 106 rescue wing. Specifically keep them and their
22 families and their friends in our thoughts and prayers. Major
23 Christopher Zanetis of Long Island City, Major Andreas O'Keefe of
24 Center Moriches, Technical Sergeant Dashan J. Briggs of Port
25 Jefferson Station, and Master Sergeant Chris Raguso of Commack.
26 May we always remember their service and their sacrifice, may their
27 memories be for a blessing. Let's have a moment of silence,
28 please.
29

30 (Moment of Silence Observed.)
31

32 Okay. Thank you, everybody. Please be seated.
33

34 Okay. So today, in-person comments are not permitted at this
35 meeting. Those interested in addressing the legislature can do so
36 over Zoom by signing up. Speakers are limited to three minutes.
37 You can also send written testimony by e-mail to the
38 Clerk.Legislature@SuffolkCounty.NY.gov, or by regular mail as well,
39 and you can call in and leave a three-minute message at
40 (631) 853-3685.
41

42 I don't believe we have any speakers, Mr. Clerk; is that correct?
43

44 **MR. DUBOIS:**

45 We do not.
46

47 **CHAIRWOMAN BERLAND:**

48 Okay. We have no appointments or presentations, so we're going to
49 move to tabled resolutions. **Resolution 1120, Adopting Local Law**
50 **No. -2021, A Local Law to amend Article I of Chapter 563 of the**
51 **Suffolk County Code to require licensees to provide license**
52 **information to the Consumer and comply with all applicable**
53 **building, sanitary, fire and health codes. (Co. Exec.)** We have a
54 motion to table. I'll make a motion to table.
55

56 **LEG. GONZALEZ:**

1 Second.

2

3 **CHAIRWOMAN BERLAND:**

4 Second by Legislator Piccirillo. I believe the hearing was
5 recessed. Do we have anybody on the motion?

6

7 **LEG. KRUPSKI:**

8 On the motion.

9

10 **CHAIRWOMAN BERLAND:**

11 Yes, Legislator Krupski.

12

13 **LEG. KRUPSKI:**

14 If I could, we've got quite a few comments from the business
15 community about this legislation. I was wondering if I could ask
16 Mr. Andrews a question.

17

18 **CHAIRWOMAN BERLAND:**

19 Yes, we've brought Mr. Andrews, administrator of the consumer
20 affairs division, and he's available to answer your questions.

21

22 **LEG. KRUPSKI:**

23 Great. Thank you. Welcome Mr. Andrews.

24

25 **MR. ANDREWS:**

26 Thank you.

27

28 **LEG. KRUPSKI:**

29 So I think so we passed these comments on to you. I was wondering
30 where did this change in the legislation come from?

31

32 **MR. ANDREWS:**

33 The first piece of the change of the legislation came from a Health
34 Department initiation where they were out on Dune Road, and it was
35 brought to their attention that a septic IA system was put in
36 without a Health Department permit. That's why we requested a
37 change from Article 2, which only covered home improvement
38 contractors to have that verbiage moved to Article 1 so all
39 licensed contractors should be held to all the local laws that are
40 out there in terms of building codes, fire safety, septic.

41

42 The second piece of the legislation that gave Long Islanders
43 Builders Institute a little pause for thought had a deal with the
44 home serve mailings that I'm sure everyone that's sitting here has
45 received and has received numerous mailings issue being is that
46 Suffolk County Consumers, when they look up Home Serve, Home Serve
47 doesn't provide, I would say, maybe one out of twelve services that
48 they are advertising for to our constituents. So i had met with --
49 they're actually represented by a former county attorney, Christine
50 Malafi. I had a couple meetings with her, and we discussed this.
51 They are regulated by New York State because it is an insurance
52 policy, but to be able to provide those types of services, the
53 individual actually doing the service, not the company that I'm
54 purchasing the insurance policy from, but the individual actually
55 performing the service is required to have a license for a lot of
56 those services that were sold, and it was not clear to the consumer

1 that that was the case. It appeared that as though there was
2 unlicensed contractors selling services to the consumers, which was
3 why we asked for that second piece of legislation in terms of the
4 identification. Now Long Island Builders Institute read that to be
5 their suppliers when they deliver lumber. That's not the intent of
6 the department. That will be handled in a rules and regulation
7 hearing, a public hearing, later on if this amendment passes where
8 we will deal with the suppliers correctly. That was not the
9 department's intent to look at suppliers. The department's intent
10 was to look mainly at contractors and subcontractors who are
11 performing services on a constituent's property.

12
13 **LEG. KRUPSKI:**

14 Thank you for that explanation. I don't understand how, and if I
15 was in business like that, I don't think I'd take any comfort from
16 your explanation because it's not the intent, but that doesn't help
17 them and their business, what someone's intent is, if it's -- and
18 then to say that we're going to handle the details later, I'm not
19 sure -- like the people who are in business, it's a hard way to
20 tell people to be in business. We're going to manage the rules and
21 the regulations later. So because they're trying to comply, their
22 tradesman, they're business owners, they're trying to comply with
23 the law, so wouldn't it make more sense to flush out the details of
24 how this is going to be enforced or, you know, who's going to have
25 to do what exactly before we pass the change to the law.

26
27 **MR. ANDREWS:**

28 Well, I find it hard to believe that a supplier would think that
29 they've been included because the five or six years that I have
30 been in this department and all the years the department operated
31 before that, a supplier was never brought in on a home improvement
32 contract as an individual that was involved in the contract.
33 They're an individual that's supplying supplies to the contractor
34 who is working on that person's house. The department has never
35 gone after a supplier. I don't know why suppliers read this as
36 though it's a requirement for them. They are not performing
37 services at a consumer's house. They are mainly delivering a
38 product.

39
40 **LEG. KRUPSKI:**

41 Would that go for any tradesman who comes onsite to deliver
42 something, measure something, inspect an installation, or just to
43 recommend different materials or anything like that? Is that the
44 same -- would that be the same for any tradesman who acted along
45 those lines?

46
47 **MR. ANDREWS:**

48 The law deals with whoever contracts with the consumer to provide
49 services that require a license. If I go on a consumer's site and
50 I measure up a job, if they don't contract with me, no, that does
51 not -- it's not applicable to them. It's applicable to the
52 contractor who is being paid to provide a service that requires a
53 license. To me, it's very clear. I don't know why other people
54 are reading into it that they would be required because they have
55 never been required in the past.

1 **LEG. KRUPSKI:**

2 Well, that's the way they are reading the law, and that's what
3 their comments indicated, that they didn't feel it was clear, so I
4 guess we'll have more of this discussion after the public hearing.
5 Thank you. Thank you, Madam Chair.

6
7 **CHAIRWOMAN BERLAND:**

8 Sure. Legislator Krupski, if I could just ask for clarification,
9 are you saying that suppliers think that they're subject to this or
10 subcontractor? Because a subcontractor --

11
12 **MR. ANDREWS:**

13 Suppliers.

14
15 **CHAIRWOMAN BERLAND:**

16 Right. After reading it 10 times, it doesn't have any reference to
17 suppliers. It does have reference to contractors and
18 subcontractors. That's what I want to clarify because I don't see
19 suppliers in here at all.

20
21 **MR. ANDREWS:**

22 So, Madam Chairman, if I might provide a point of information.
23 Administration just had a meeting prior to this with Mr. Pally from
24 the Long Island Builders Institute, and and that was the issue. It
25 was suppliers felt that the law would be applicable to them, and at
26 no time, as I said, have we ever even thought about a supplier.
27 We've only thought about the service that's provided to the
28 homeowner and the fact that it requires a license under Chapter 563
29 to provide that service.

30
31 **CHAIRWOMAN BERLAND:**

32 Okay. All right. Well, I guess we will go forward and hear some
33 more. We have a motion to table and a second. Roll call, please,
34 Mr. Clerk.

35
36 (The roll was called by Mr. DuBois)

37
38 **CHAIRWOMAN BERLAND:**

39 Yes.

40
41 **LEG. PICCIRILLO:**

42 Yes.

43
44 **LEG. ANKER:**

45 Yes.

46
47 **LEG. KRUPSKI:**

48 Yes.

49
50 **LEG. FLEMING:**

51 (No answer)

52
53 **LEG. CARACAPPA:**

54 Yes.

55
56 **LEG. GONZALEZ:**

1 Yes.

2

3 **LEG. KENNEDY:**

4 Yes.

5

6 **LEG. CALARCO:**

7 Yes.

8

9 **LEG. FLEMING:**

10 My vote is yes, Dan.

11

12 **MR. DUBOIS:**

13 Nine.

14

15 **CHAIRWOMAN BERLAND:**

16 Okay. That motion is tabled. Introductory Resolutions.

17

18 **1184, Adopting Local Law No. -2021, A Local Law to cap fees charged**
19 **by third-party food delivery services during certain emergency**
20 **situations. (Hahn). This has to be tabled for a public hearing.**
21 **I'll make a motion to table. Do I have a second? Second by**
22 **Legislator Gonzalez. Anyone on the motion? Mr. Clerk, roll call,**
23 **please.**

24

25

26 (The roll was called by Mr. DuBois)

27

28 **CHAIRWOMAN BERLAND:**

29 Yes.

30

31 **LEG. GONZALEZ:**

32 Yes.

33

34 **LEG. ANKER:**

35 Yes.

36

37 **LEG. KRUPSKI:**

38 Yes.

39

40 **LEG. FLEMING:**

41 Yes.

42

43 **LEG. CARACAPPA:**

44 Yes.

45

46 **LEG. PICCIRILLO:**

47 Yes to table.

48

49 **LEG. KENNEDY:**

50 Yes.

51

52 **P.O. CALARCO:**

53 Yes.

54

55 **MR. DUBOIS:**

56 Nine.

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CHAIRWOMAN BERLAND:

All right. Resolution 1184 is tabled.

There is no further business before this committee. Anybody have anything they need to add? Seeing none, we stand adjourned. Thank you very much. Have a lovely day.

(The meeting was adjourned at 1:14 p.m.)

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