

VETERANS & CONSUMER AFFAIRS COMMITTEE  
OF THE  
SUFFOLK COUNTY LEGISLATURE  
**MINUTES**

A meeting of the Veterans & Consumer Affairs Committee of the Suffolk County Legislature was held via Zoom video-conferencing in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on July 19, 2021.

**Members Present:**

Legislator Susan A. Berland - Chairperson  
Legislator Sarah Anker - Vice Chair  
Legislator Nick Caracappa  
Legislator Bridget Fleming  
Legislator Samuel Gonzalez  
Legislator Leslie Kennedy  
Legislator Al Krupski  
Legislator Anthony Piccirillo

**Also in Attendance:**

Presiding Officer Robert Calarco/7th Legislative District  
Legislator William Spencer - 18th Legislative District  
Dan DuBois - Deputy Clerk/Suffolk County Legislature  
Sarah Simpson - Counsel/Suffolk County Legislature  
Derek Stein - Presiding Officer's Office  
Bob Braun - County Attorney's Office  
Samantha Sarube - Aide to Legislator Berland

**Minutes Taken By:**

Gabrielle Severs - Court Stenographer

1  
2 (The meeting was called to order at 1:03 p.m.)  
3

4 Hi. Good afternoon, everyone. We are here for the Veterans and  
5 Consumer Affairs Committee, and if everybody could please join  
6 Legislator Fleming in the pledge.  
7

8 (Pledge of Allegiance)  
9

10 Thank you. If everybody can remain standing for a moment of  
11 silence. Let us remember and keep in your hearts all those men and  
12 women who have lost their lives in service to our country and those  
13 who continue to sacrifice to ensure our freedoms. I asked that we  
14 remember all the veterans we lost to Covid 19 at the Long Island  
15 State Veterans Home, across Suffolk County, and across the nation.  
16

17 (Moment of Silence Observed.)  
18

19 Okay. Thank you. Please be seated.  
20

21 Okay. Mr. Clerk, do we have any speakers today?  
22

23 **MR. DUBOIS:**

24 We do not.  
25

26 **CHAIRWOMAN BERLAND:**

27 We do not. Anybody watching at home in accordance with the county  
28 and state protocols, members of the public who wish to enter the  
29 building undergo temperature checks. Visitors who are vaccinated  
30 who are willing to provide proof of vaccination will not be  
31 required to wear a mask while inside the building. Those not  
32 vaccinated or do not wish to disclose their vaccination status will  
33 be required to wear a mask. Remote testimony options remain  
34 available. Those interested in addressing legislators over Zoom  
35 may sign up with the legislators committee public portion section  
36 on the Legislature page. Member of the public may also send  
37 written testimony or leave a Message by voicemail at  
38 (631) 853-3685.  
39

40 We have no appointments. We do have a presentation today. We are  
41 honored to have with us our Suffolk County Comptroller John Kennedy  
42 who will give a presentation on the 2021 audit report on the  
43 registration of nonprofit veterans organizations. Mr. Comptroller,  
44 welcome.  
45

46 **COMPTROLLER KENNEDY:**

47 Good afternoon, Madam Chairwoman. Thank you very much. Good  
48 afternoon to the committee. Legislators, good to see you. So we  
49 are here today to go ahead and speak about the annual veterans  
50 registration report. I believe each one of you does have a copy of  
51 it. You know that this is a compilation that we produce every  
52 year. It is a function of section 353, I believe it is, of the  
53 administrative code, and in checking it today, it goes back to  
54 2010. I believe -- I know I voted for it. I believe I was  
55 co-sponsor. It is certainly something that I believe the  
56 legislature is spot-on with in working with and supporting those

1 organizations in our community that fundraise on the behalf of  
2 veterans and certainly to make sure that the general public can  
3 have confidence when they make those donations that the funds in  
4 fact actually are going to ultimately help veterans. We all know  
5 that from time to time, there are a variety of different  
6 fundraising scams that occur on occasion. We all try to encourage  
7 our constituents to check and make sure that a charity is a  
8 registered charity, and, as a matter of fact, that's not  
9 permissive. That is a requirement here in Suffolk County, as  
10 everybody on this body knows. Those organizations that do not  
11 register with our office and continue to engage in a soliciting  
12 activity, in fact, are subject to fine and, in fact, actually to a  
13 class A general misdemeanor.

14  
15 So I would suggest, Madam Chair, that if you want, I can read the  
16 pages of the report or if you want to go right into questions. We  
17 have a total of I believe it is 13 that are registered; and by the  
18 way, let me just say we do hear from many of your offices regarding  
19 questions. My staff goes out of their way to work with the  
20 volunteer agencies. I'll give you an example. As a matter of  
21 fact, Paws of War that is right in Nesconset. They encountered a  
22 change in their financial professionals relatively late in the  
23 year, so they were able to submit a portion of what the  
24 requirements were; however, they did not make the deadline.  
25 Nevertheless, they were able to go ahead and finally conclude, and  
26 I will add that to your report, they along with Hope for the  
27 Warriors is in compliance so they can be added to the compliant  
28 list.

29  
30 As I said, we go out of our way to work with the organizations to  
31 point out to them what it is they need to submit. What my office  
32 can't do is my office can't kind of, you know, guide how they're  
33 going to categorize certain items. Those are the thing that they  
34 should be doing with their financial professionals, whether they're  
35 working with an accounting firm, bookkeeper, whomever it is, our  
36 function, as you know, is the oversight and compliance function.

37  
38 The other element that I would add to you though is is identifying  
39 those agencies that are noncompliant and subject to enforcement. I  
40 would strongly, strongly encourage, Madam Chair, that you and the  
41 committee give serious consideration to forwarding the list of  
42 noncompliant entities to the county attorney's office and ask him  
43 to take up further notification and possibly enforcement. As we  
44 all know, the value in any law is the compliance and the  
45 enforcement of the law, so this is an important and well-intended  
46 piece of legislation. We dedicated considerable amount of time to  
47 it each year the back and the gathering of information, the back  
48 and forth and the exchange, but I would offer to you that I think  
49 it really is time that noncompliant entities be contacted at the  
50 next level. They have kind of gotten it from us with the initial  
51 advisement that they should be registering. I believe it's time  
52 now that they hear from the county attorney and/or the committee.

53  
54 **CHAIRWOMAN BERLAND:**

55 Let me ask you a question directly on that point. Do we know for  
56 sure that all of the noncompliant organizations are actively

1 engaging in solicitation?

2  
3 **COMPTROLLER KENNEDY:**

4 We do a general review. Now many of them this year did talk about  
5 the fact that because of Covid, like everything else, what would be  
6 normal types of events didn't occur, so their response was, Well,  
7 there's no fundraising. But you know I don't want to pick on any  
8 one particular entity. I will --

9  
10 **CHAIRWOMAN BERLAND:**

11 Let me just interrupt you for one sec. I know for a fact there are  
12 three of them that I know that are collecting money, but they're in  
13 process and they're working on their paperwork. There's some that  
14 I have not worked on -- worked with at all, so those are the ones  
15 that I would be curious whether they are soliciting or not. So how  
16 would you suggest we go about that?

17  
18 **COMPTROLLER KENNEDY:**

19 Well, on page nine under schedule two, you see basically an  
20 explanation Marine Corps Vets, we've seen them many, many times.  
21 All of us have. There are -- probably the youngest in their group  
22 is 55 or 60. They are an older organization, very good, very  
23 reputable organization, but they are questioning whether they are  
24 even going to continue with the fundraising and donation aspect of  
25 what they do. Cow Harbor, I believe Cow Harbor, I don't think they  
26 did the run last year because of Covid.

27  
28 **CHAIRWOMAN BERLAND:**

29 Well, no, no, no. The Cow Harbor run is different than this. This  
30 group is -- I've had -- this group should not -- I don't believe  
31 is in existence anymore but tried to take advantage of the Cow  
32 Harbor Run, as far as I'm concerned.

33  
34 **COMPTROLLER KENNEDY:**

35 I did not know that.

36  
37 **CHAIRWOMAN BERLAND:**

38 Oh, yeah.

39  
40 **COMPTROLLER KENNEDY:**

41 Well, so very important, then. That's the kind of detailed level  
42 of information that, you know, will logically come out of the  
43 interaction that each of you have with the charities in your area.  
44 The next one, number three, I know for a fact was a very viable  
45 veterans organization. As a matter of fact in the past, we  
46 actually engaged in assisting them with fundraising at various  
47 concert activities and things like that. The prior president of  
48 that organization is a Suffolk County corrections officer, a great  
49 guy. He ran it for a number of years. It transitioned to somebody  
50 else, and since then unfortunately it's been a challenge to go  
51 ahead and get the full amount of compliance documentation.

52  
53 You know, I think the message here, Madam Chair, is is listen, if  
54 any one of these entities are continuing to have just mechanical  
55 difficulties with gathering information or things like that, we do  
56 go out of our way to try to assist them. You know, it's not -- I

1 don't want to take a shotgun to an ant hill. If there's issues  
2 here where they're attempting to get in compliance, we're  
3 absolutely happy to work with them. It's the ones that just  
4 absolutely outright candidly refuse and have been, you know,  
5 noticed many, many times. Project Nine Line, we had Project Nine  
6 Line out. They used to do the veterans comedian work.

7  
8 **CHAIRWOMAN BERLAND:**

9 Right. There's one of them that -- one of them changed their name,  
10 so that's very possible.

11  
12 **COMPTROLLER KENNEDY:**

13 Okay.

14  
15 **CHAIRWOMAN BERLAND:**

16 So that's very possible. Between Airborne Tri-team, Project Nine  
17 Line, and the Sherahs (ph). I know the Sherahs did not have a run.  
18 They had a virtual run this year, and they're in the process. I  
19 mean, I can -- if I remember right, the last time we did this, we  
20 handed out certain agencies. Every member of the committee took  
21 one and was supposed to report back, so I think that maybe we  
22 should -- yeah, we should do that and divvy them up. I mean, I can  
23 take 6, 7, 10 -- and you said Paws of War is now in compliance?

24  
25 **COMPTROLLER KENNEDY:**

26 Thirteen is in compliance and Hope for the Warriors is in  
27 compliance as well.

28  
29 **CHAIRWOMAN BERLAND:**

30 They're in compliance. Okay. So I can take 2, 6, 7, and 10. So  
31 we need volunteers for 1, 3, 4, 5, 8, 9, and 12. Anybody have  
32 preference? Sarah?

33  
34 **LEG. ANKER:**

35 I can do one; that's Marine Corps Veterans, and also Operation  
36 Initiative. I can check in with them and see where they are.

37  
38 **CHAIRWOMAN BERLAND:**

39 Okay. Anybody else have any preferences before I randomly assign?

40  
41 **LEG. FLEMING:**

42 Wait. What are we being --

43  
44 **CHAIRWOMAN BERLAND:**

45 Legislator Kennedy, put your mic on.

46  
47 **LEG. KENNEDY:**

48 I'll do three, I'll do four, and you know what? I'll do five.  
49 Keep it easy.

50  
51 **CHAIRWOMAN BERLAND:**

52 Okay. So we have left 9 and 12, it looks like; yeah, 9 and 12.  
53 Anthony, you got 9 and 12?

54  
55 **LEG. PICIRILLO:**

56 Yes, ma'am.

1  
2 **CHAIRWOMAN BERLAND:**

3 All right. So now everybody -- if everybody assigned to one can  
4 check in with that organization and then shoot me an e-mail as to  
5 what their status is and copy everybody on the committee and  
6 Counsel and the Comptroller.

7  
8 **COMPTROLLER KENNEDY:**

9 That would be great, and, you know, if we have them in compliance  
10 what we'll do is a letter to the committee to update where we've  
11 either had entities, as you explained, Madam Chair, we know the  
12 Sherah (ph) Foundation and again, a very, ver laudible group.

13  
14 **CHAIRWOMAN BERLAND:**

15 Yes, absolutely.

16  
17 And so -- but I guess there's some -- probably it's been about 10  
18 years now since he's passed. So sometimes groups come on and then  
19 maybe they make other decisions in life as well. Who knows?

20  
21 **CHAIRWOMAN BERLAND:**

22 Well, they are still actively working and they both volunteer for  
23 so many groups, and I think, you know, Covid definitely took them  
24 for a loop, but, okay, so that's good. We can all get that  
25 information to everybody so we can either remove them from the list  
26 as not participating or, you know, get them in compliance. That  
27 would be great.

28  
29 **COMPTROLLER KENNEDY:**

30 It would be very, very helpful for us, and obviously our goal is to  
31 always make sure that we have updated and current information for  
32 the committee and for the whole Leg.

33  
34 **CHAIRWOMAN BERLAND:**

35 Okay. Thank you. I did want to just put on the record, if  
36 everybody wants to look at chart two. There's a -- number three,  
37 there's a group called "Sail Ahead." If you look at the funds  
38 raised as opposed to the total funds expended, I had a conversation  
39 with them because they do annual events to bring veterans on a  
40 sailboat and usually multiple sailboats to take them out for the  
41 day and they provide them lunch and they take them sailing and it's  
42 something that the veterans really enjoy, and when I was looking at  
43 their filing, a lot of the maintenance for the boat and the cost of  
44 the slip and everything else was listed under -- was included in  
45 the funds raised but was not included in the funds expended, so I  
46 told them to have a conversation with their accountant because you  
47 can't have an event for a boat if you don't maintain the boat and  
48 you don't have the boat in a slip. So even though it's not  
49 technically handing a veteran something, it is, in my estimation,  
50 it should be included in the funds expended because if they don't  
51 expend those funds, they can't have these events. So they are  
52 going to speak again with their accountant because it's a great  
53 group, and it's very local, and they do -- the veterans totally  
54 enjoy this event, and they are a great group of guys who run it. I  
55 just wanted to bring that to everybody's attention.

1 Does anybody else have any questions on anything -- on the report  
2 from the comptroller? Yes, Legislator Kennedy. Go for it.

3  
4 **LEG. KENNEDY:**

5 Yes. I have a question for what you just said. Aren't you only  
6 allowed to declare when you are doing an audit -- because I hear  
7 him speaking about things -- you pay your money for the slip and if  
8 you take 100 veterans out and then use your sailboat for five  
9 things, then it's divided up proportionately, right? They can't  
10 just write off the whole thing.

11  
12 **COMPTROLLER KENNEDY:**

13 Good question, and I'll go back to what the chairwoman explained.  
14 We aggregate what is reported into us. We can not act as a  
15 financial professional on behalf of any particular organization, so  
16 in this case with whatever the gamut of expenses are associated  
17 with operating the sailboat, whether it's the slip fee, whether  
18 it's the insurance, whether it's the fuel, whether it's training  
19 for the staff, whether it's flotation devices, whatever the  
20 different things are going to be, all of that, in my opinion, is  
21 valid expense to be charged off of what they raise for the  
22 fundraising purposes. The key entity that determines that is their  
23 accountant or their financial professionals, and how they  
24 characterize their annual tax filings and what they show on the  
25 revenue side and the expense side. So we take it, we see things  
26 sometimes that our head scratches for us, but we have to accept it  
27 as it's attended to us. We don't sit there and say, you know, Move  
28 one item from column A to column B or what have you. How's that?  
29 Did I waltz enough around on that one or what? Excellent. Very  
30 good.

31  
32 **CHAIRWOMAN BERLAND:**

33 Yeah, I mean, that's why -- happiness ensues. Any other questions  
34 from any legislators? No? All right. Well, thank you very much,  
35 Mr. Comptroller, for giving us the report.

36  
37 **COMPTROLLER KENNEDY:**

38 You're very welcome, Madam Chair. Good luck with your endeavors.  
39 Be careful where you walk.

40  
41 **CHAIRWOMAN BERLAND:**

42 Yes, certainly will do that.

43  
44 Okay. We have one tabled resolution. **1184, Adopting Local Law No.**  
45 **-2021, A Local Law to cap fees charged by third-party food delivery**  
46 **services during certain emergency situations. (Hahn)** I have been  
47 asked to make a motion to table at the request of the sponsor. Do  
48 I have a second? Seconded by Legislator Piccirillo. All in favor?  
49 Opposed? Abstentions? Motion is tabled.

50  
51 **MR. DUBOIS:**

52 Eight.

53  
54 **CHAIRWOMAN BERLAND:**

55 Anybody have any further business before the committee? Seeing  
56 none, we are adjourned. Thank you.

Veterans and Consumer Affairs 7/19/2021

(The meeting was adjourned at 1:21 p.m.)

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## Z

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**Zoom** [2] - 1:11, 2:36