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WAYS & MEANS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES

A meeting of the Ways & Means 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 via hybrid/Zoom conference on July 22, 2021.

MEMBERS PRESENT:

Legislator Bridget Fleming - Chairperson
Legislator Susan A. Berland - Vice Chair
Legislator Kara Hahn - DPO
Legislator Tom Donnelly - (excused absence)
Legislator Leslie Kennedy
Legislator Robert Trotta

ALSO IN ATTENDANCE:

Presiding Officer Robert Calarco - 7th Legislative District
Sarah Simpson - Counsel to the Legislature
Dan DuBois - Chief Deputy Clerk/Suffolk County Legislature
Derek Stein - Presiding Officer's Office
Frank Fugarino
And all other interested parties

MINUTES TAKEN BY:

Gabrielle Severs - Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver - Legislative Aide

(*The meeting was called to order at 12:34 p.m.*)

CHAIRPERSON FLEMING:

1 Good afternoon and welcome to a regular meeting of the Suffolk
2 County Legislature's Ways & Means Committee. We'll begin with a
3 salute to the flag led by Legislator Berland.

4
5 ***Salutation***

6
7 **CHAIRPERSON FLEMING:**

8 Thank you. I'll note that Legislator Donnelly has an excused
9 absence today. We have no correspondence and I do have a card for
10 public portion. Just to note that everyone is welcome to come
11 in-person but we have resumed in-person public attendance and
12 in-person public portion comment at Legislative committee meetings
13 held at the William H. Rogers Legislative building. Speakers will
14 be limited to three minutes.

15
16 In accordance with County and State COVID-19 safety protocols,
17 members of the public who wish to enter the building will undergo
18 temperature checks. Visitors who are vaccinated against COVID-19
19 and who will willing to provide proof of vaccination, if requested,
20 will not be required to wear a mask while inside the building.
21 Those who are not vaccinated or who do wish to disclose their
22 vaccination status -- who do not wish to disclose their vaccination
23 status, will be required to wear a mask at all times while inside
24 the building. Inside the Rose Caracappa Auditorium, there will be
25 designated seating areas for vaccinated and unvaccinated
26 individuals.

27
28 Remote testimony options remain available. Those interested in
29 addressing Legislators over Zoom may sign up at
30 SuffolkLegislature.us/committeepublicportion. Members of the
31 public may also send written testimony by e-mail to the Clerk or by
32 regular mail to the attention of the Clerk's Office at Suffolk
33 County Legislature, PO Box 6100, Hauppauge, New York 11788. Audio
34 testimony will be accepted by voicemail (631)853-3685. Callers may
35 leave a three-minute message and submitted comments will be
36 distributed to the Legislators.

37
38 But we do have someone with us today, Mr. Frank Fugarino. Mr.
39 Fugarino, please, if you'd like to come to the podium, you have
40 three minutes on whatever topic you would like.

41
42 **MR. FUGARINO:**

43 Thank you. Thank you for the opportunity to speak. I came to
44 speak in support, hopefully passage, of the tabled resolutions 1475
45 and 1489. I have to say that to set term limits for the offices
46 mentioned at 12 years in total is why I've come to support and to
47 speak on that.

48
49 It's clear to me that the residents want this, have passed this
50 already and it's time for the Legislators to continue to support
51 the residents and the wishes that they have expressed previously.

52
53 The tabled resolution, 1489, levels the playing field so that the
54 individual, like myself, who may donate a \$100 is not in
55 competition with County contractors or public employees union and I
56 think that's important for the democratic process to be successful

1 that residents with small pockets are not in competition with
2 contractors or the large unions, in this case, public employee
3 unions.

4
5 And that's -- so I'm hoping that you do -- so the question I have
6 is when we will know as a -- in the public, when will we know how
7 you have -- have treated these or consider these?

8
9 **CHAIRWOMAN FLEMING:**

10 So we don't generally do a back and forth, it's really an
11 opportunity for you to speak.

12
13 **MR. FUGARINO:**

14 Yeah.

15
16 **CHAIRPERSON FLEMING:**

17 But in terms of the process, every time resolutions are on the
18 agenda there's the opportunity for Legislators to vote yes or no
19 and it will be approved out of committee by a simple majority,
20 whatever the motion is made. So if a motion is to table and it's
21 approved by a simple majority, it's tabled. If it's -- if there's
22 an approval motion and we don't get majority of the Legislators
23 voting yes on it then it would die. So it happens as soon as we
24 consider the agenda.

25
26 **MR. FUGARINO:**

27 Okay, thank you.

28
29 **CHAIRPERSON FLEMING:**

30 Yes, thank you for coming and thank you for your comments.

31
32 We have no presentations today so we'll move right to tabled
33 resolutions.

34
35 **TABLED RESOLUTIONS**

36
37 **1475 - Adopting Local Law No. -2021, A Charter Law to set term**
38 **limits for the offices of County Executive, County Legislator and**
39 **County Comptroller at 12 years in total. (McCaffrey)**

40
41 **LEG. TROTТА:**

42 Is that tabled for public hearing still or it's closed?

43
44 **MS. SIMPSON:**

45 The public hearing is closed.

46
47 **LEG. TROTТА:**

48 I make a motion to approve.

49
50 **LEG. BERLAND:**

51 Motion to table.

52
53 **LEG. KENNEDY:**

54 Second on the motion to approve.

55
56 **CHAIRPERSON FLEMING:**

1 On the approval; okay.

2
3 **LEG. BERLAND:**

4 Motion to table.

5
6 **CHAIRPERSON FLEMING:**

7 I'll second the motion to table. So we have a motion to approve
8 and a motion to table. The tabling motion comes first.

9
10 **LEG. TROTТА:**

11 On the motion.

12
13 **CHAIRPERSON FLEMING:**

14 On the motion; Mr. Trotta.

15
16 **LEG. TROTТА:**

17 Yeah, I think the gentleman was very articulate in the fact that,
18 you know, we're letting the people decide, this is just for a
19 referendum, to be on the ballot. So, you know, they've already
20 voted for it once overwhelmingly, there was a mistake in it, this
21 is trying to clarify the mistake. I don't know why anybody
22 wouldn't approve this and let the voters decide. I mean, there was
23 \$250 million that was earmarked for sewers and clean water and we
24 let the people decide that and they were, in my opinion,
25 schnockered. So, I think that, at least give the people a chance.

26
27 **CHAIRPERSON FLEMING:**

28 Thank you. Anyone else on the motion? Legislator Hahn.

29
30 **D.P.O. HAHN:**

31 This is to Counsel and, thank you, Madame Chair. I thought there
32 was a question about whether or not, you know, how this handled
33 special elections and the amendment wasn't made to clarify how to
34 handle the special elections. As from the beginning, you know,
35 there are individuals who sometimes come in to office in a partial
36 term, you know, so that just hasn't gotten corrected and we were
37 waiting for that; I thought.

38
39 **MS. SIMPSON:**

40 Part of the issue with correcting that is when you say 12 years in
41 a lifetime it is hard to provide for the special election piece
42 that many of our Legislators have occur from time -- it occurs from
43 time to time. I think we have six Legislators presently who came
44 in on special elections and the problem that this creates is
45 because it is measured based on a lifetime and you have but one
46 lifetime it would create a situation where special elections would
47 continue to be perpetuated over the course of the -- the terms.

48
49 **D.P.O. HAHN:**

50 Thank you.

51
52 **CHAIRPERSON FLEMING:**

53 So just to catch you up, Mr. Presiding Officer, we are on 1475, we
54 have a motion to table, which has a second and a motion to approve,
55 which has a second. We're on the motion to table.

1 Anyone else on the motion? All right. So the tabling motion goes
2 first. All in favor of tabling? All opposed? That motion
3 carries.

4
5 **MR. DUBOIS:**

6 Four. TABLED (VOTE: 4-2-0-1 - OPPOSED: LEG. TROTTA & LEG. BERLAND -
7 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

8
9 **CHAIRPERSON FLEMING:**

10 1475 is tabled.

11
12 **1489 - Adopting Local Law No. -2021, A Local Law to enact a**
13 **campaign finance reform act to limit campaign contributions from**
14 **County contractors and public employee unions. (Trotta)**

15
16 **LEG. TROTTA:**

17 Motion to approve.

18
19 **MS. SIMPSON:**

20 The public hearing on this is still recessed.

21
22 **CHAIRPERSON FLEMING:**

23 So we have a motion to table by Legislator Trotta; I will second
24 that motion. Anyone on the motion? All in favor? Anyone opposed?
25 1489 --

26
27 **MR. DUBOIS:**

28 Six. TABLED (VOTE: 6-0-0-1 - NOT PRESENT: LEG. DONNELLY - PO
29 CALARCO INCLUDED IN VOTE)

30
31 **CHAIRPERSON FLEMING:**

32 Thank you, Dan. 1489 is tabled.

33
34 **INTRODUCTORY RESOLUTIONS**

35
36 Adopting, sorry -- **1492 - Adopting Local Law No. -2021, A Local Law**
37 **to authorize conveyance of real property previously taken for**
38 **delinquent taxes 118 Ryder Avenue, Dix Hills, (SCTM. No.**
39 **0400-277.00-04.00-058.000). (Berland)**

40
41 **LEG. BERLAND:**

42 Motion. Oh, sorry.

43
44 **MS. SIMPSON:**

45 This still needs to be tabled for a public hearing as well.

46
47 **LEG. BERLAND:**

48 Yes, sorry, it does. Motion to table for a public hearing.

49
50 **CHAIRPERSON FLEMING:**

51 I'll second the motion. So there's a motion to table for public
52 hearing; seconded by myself. Anyone on the motion?

53
54 **LEG. BERLAND:**

55 Yeah, just on the motion just so everybody knows, gonna be asking
56 for a CN for this because it's supposed to be auctioned off in

1 October so I've given the owner, the current owner of the property
2 one last chance to take care of this before then so we're gonna
3 have a CN and if he is able to redeem the property before September
4 then so be it, if not, it goes to auction in October. Thank you.

5
6 **CHAIRPERSON FLEMING:**

7 I'm sorry, so what would the CN authorize?
8

9 **LEG. BERLAND:**

10 Just like there was one we did a couple of meetings ago where we
11 have the hearing, you know, at the meeting and then we vote on it,
12 right, so it's a timing -- it's a timing issue so to give, you
13 know, the current owner the opportunity to redeem it before the
14 October auction, which it's scheduled for.

15
16 **CHAIRPERSON FLEMING:**

17 So if we were to approve the motion to table for public hearing we
18 would have the public hearing but then an opportunity by CN for the
19 resolution to be passed at the general meeting.
20

21 **LEG. BERLAND:**

22 That's correct.
23

24 **CHAIRPERSON FLEMING:**

25 Got it. Okay. So we have a motion to table for public hearing and
26 a second. All in favor? Anyone opposed? Abstentions?
27

28 **MR. DUBOIS:**

29 Six. **TABLED for PUBLIC HEARING (VOTE: 6-0-0-1 - NOT PRESENT: LEG.**
30 **DONNELLY - PO CALARCO INCLUDED IN VOTE)**

31
32 **CHAIRPERSON FLEMING:**

33 So 1492 is tabled for public hearing.
34

35 **1500 - Authorizing the sale, pursuant to Local Law No. 16-1976, of**
36 **real property acquired under Section 46 of the Suffolk County Tax**
37 **Act Rosanne Roth (SCTM No. 0200-938.00-04.00-021.001). (Co. Exec.)**
38 I'll take a motion to approve and place on the consent calendar by
39 anyone who wants to make that motion. I'll make that motion;
40 seconded by Legislator Hahn. Anyone on the motion? So we have a
41 motion to table, I'm sorry, a motion to approve for consent
42 calendar and a second. All in favor? Anyone opposed?
43

44 **MR. DUBOIS:**

45 Six. **APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -**
46 **NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)**

47
48 14 -- I'm sorry, 1500 is approved and placed on the consent
49 calendar.
50

51 **1501 - Authorizing the sale, pursuant to Local Law No. 16-1976, of**
52 **real property acquired under Section 46 of the Suffolk County Tax**
53 **Act Maria Cruz Hernandez (SCTM No. 0400-155.00-01.00-003.000). (Co.**
54 **Exec.) We can take the same motion, the same second. Can I do the**
55 **same vote; Dan?**
56

1 MR. DUBOIS:

2 Yes.

3
4 CHAIRPERSON FLEMING:

5 Same vote.

6
7 MR. DUBOIS:

8 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
9 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

10
11 CHAIRPERSON FLEMING:

12 1500 is placed on the consent calendar -- 1501 is placed on the
13 consent calendar.

14
15 1502 - Authorizing the sale, pursuant to Local Law No. 16-1976, of
16 real property acquired under Section 46 of the Suffolk County Tax
17 Act John Carrigan (SCTM No. 0500-118.00-01.00-044.000). (Co. Exec.)
18 I'll take the same motion, the same second, the same vote.

19
20 MR. DUBOIS:

21 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
22 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

23
24 CHAIRPERSON FLEMING:

25 1502 is approved and placed on the consent calendar.

26
27 1503 - Authorizing the sale, pursuant to Local Law No. 16-1976, of
28 real property acquired under Section 46 of the Suffolk County Tax
29 Act Robert Price and John Price as Co-Executors of the Estate of
30 Deanna Price (SCTM No. 0500-456.00-01.00-119.000). (Co. Exec.) Same
31 motion, same second, same vote.

32
33 MR. DUBOIS:

34 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
35 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

36
37 CHAIRPERSON FLEMING:

38 So moved.

39
40 1504 - Authorizing the sale, pursuant to Local Law No. 16-1976, of
41 real property acquired under Section 46 of the Suffolk County Tax
42 Act Andreas Deleyer and Christine Deleyer (SCTM No.
43 0200-394.00-07.00-015.000). (Co. Exec.) Same motion, same second,
44 same vote.

45
46 MR. DUBOIS:

47 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
48 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

49
50 CHAIRPERSON FLEMING:

51 So moved.

52
53 1505 - Authorizing the sale, pursuant to Local Law No. 16-1976, of
54 real property acquired under Section 46 of the Suffolk County Tax
55 Act Lenton Parker, Sole Surviving heir at law and Distribute to the
56 Estate of Carolyn Duncan (SCTM No. 0100-169.00-02.00-053.000). (Co.

1 **Exec.)** Although it says and distribute to the estate of the
2 Carolyn Duncan, I don't know if that's a typo or we're
3 distributing. I think it's --

4
5 **MS. SIMPSON:**

6 I'm betting it's a typo.

7
8 **CHAIRPERSON FLEMING:**

9 Okay. Okay, good. So I can take the same vote, same second -- I'm
10 sorry, the same motion, the same second and the same vote.

11
12 **MR. DUBOIS:**

13 Six. **APPROVED** and **PLACED** on the **CONSENT CALENDAR (VOTE: 6-0-0-1 -**
14 **NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)**

15
16 1506 -- 1505 is approved and placed on the consent calendar.

17
18 **1506 - Authorizing the sale, pursuant to Local Law No. 16-1976, of**
19 **real property acquired under Section 46 of the Suffolk County Tax**
20 **Act Mark J. Farabaugh and Sharon T. Farabaugh (SCTM No.**
21 **0200-033.00-02.00-005.000). (Co. Exec.) Same motion, same second,**
22 **same vote.**

23
24 **MR. DUBOIS:**

25 Six. **APPROVED** and **PLACED** on the **CONSENT CALENDAR (VOTE: 6-0-0-1 -**
26 **NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)**

27
28 **CHAIRPERSON FLEMING:**

29 So moved.

30
31 **1507 - Authorizing the sale, pursuant to Local Law No. 16-1976, of**
32 **real property acquired under Section 46 of the Suffolk County Tax**
33 **Act Michael Wolf (SCTM No. 0500-055.01-01.00-083.000). (Co. Exec.)**
34 **Same motion, same second, same vote.**

35
36 **MR. DUBOIS:**

37 Six. **APPROVED** and **PLACED** on the **CONSENT CALENDAR (VOTE: 6-0-0-1 -**
38 **NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)**

39
40 **CHAIRPERSON FLEMING:**

41 So moved.

42
43 **1520 - Authorizing certain technical corrections to adopted**
44 **Resolution No. 280-2020. (Co. Exec.) I'll make a motion to approve.**
45 **Can I get a second; please?**

46
47 **LEG. BERLAND:**

48 Second.

49
50 **CHAIRPERSON FLEMING:**

51 Seconded by Legislator Berland. Anyone on the motion? So we have
52 a motion to approve and a second. This can also go on the consent
53 calendar? Yes, okay. So we have a motion to approve and place on
54 the consent calendar and a second. All in favor? Anyone opposed?

55
56 **MR. DUBOIS:**

1 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
2 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

3
4 CHAIRPERSON FLEMING:

5 So moved.

6
7 1545 - Amending Resolution No. 6-2021, fixing time of meetings of
8 the County Legislature. (Pres. Off.) Motion to approve by
9 Legislator Hahn; I'll second. Anyone on the motion?

10
11 LEG. TROTТА:

12 Yeah, what exactly is this? Next year?

13
14 CHAIRPERSON FLEMING:

15 Counsel.

16
17 P.O. CALARCO:

18 I'll take it, Counsel. No, this is not for next year. This is
19 when we set our dates at the beginning of this year, we were not
20 sure what was going on with the pandemic and we did not schedule
21 any meetings for Riverhead because we cannot host the -- the hybrid
22 version of a meeting in Riverhead. But now that we are back to
23 being able to meet in-person, in fact, the State Open Meeting Law
24 has been waived, it's appropriate that we start scheduling some
25 meetings on the East End and this does two for later in the year.

26
27 CHAIRPERSON FLEMING:

28 Anything else, Legislator Trotta?

29
30 P.O. CALARCO:

31 The other dates, I believe it's the --

32
33 MS. SIMPSON:

34 The dates are September 9th and December 7th will be in Riverhead.

35
36 P.O. CALARCO:

37 Just the -- yeah, it'll just be the Legislative meeting -- the
38 actual full Legislature meetings.

39
40 CHAIRPERSON FLEMING:

41 This harkens back to, you know, this has been on for a long, long
42 time. This isn't the same as the change that Krupski had.

43
44 LEG. TROTТА:

45 I like to go out there.

46
47 CHAIRPERSON FLEMING:

48 It's a good place to be. Anything else on the motion? All right.
49 We have a motion and second. All in favor? Any opposition? Any
50 abstentions?

51
52 MR. DUBOIS:

53 Six. APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 6-0-0-1 -
54 NOT PRESENT: LEG. DONNELLY - PO CALARCO INCLUDED IN VOTE)

55
56 CHAIRPERSON FLEMING:

1 Thank you, the motion carries.

2
3 We have no procedural motions. We do have an executive session, a
4 couple of executive session matters. I will make a motion to
5 recess for purposes of discussing litigation. I'll take a second
6 from Legislator Kennedy. Anyone on the motion? All in favor?
7 Anyone opposed?

8
9 **MR. DUBOIS:**

10 Six.

11
12 **CHAIRPERSON FLEMING:**

13 We are recessed for exec. session and we're heading into the
14 Clerk's conference room everyone.

15
16 **[*AN EXECUTIVE SESSION WAS HELD FROM 12:49 P.M. UNTIL 1:24 P.M.*]**

17
18 Okay, great. So we'll take a minute to clear the room and we'll
19 resume in exec. session here in the horseshoe.

20
21 Okay, we are back on the record. In executive session the
22 committee approved the settlement of Valerie G. Madeska and
23 Christopher Madeska for the sum of \$40,000. That's a settlement of
24 litigation. I had to recuse myself regarding the further
25 discussion in executive session so I'm gonna turn it over to the
26 Vice-chair, Legislator Berland.

27
28 **LEG. BERLAND:**

29 Thank you, Madame Chair. In executive session the vote was
30 unanimous to authorize the settlement -- the settlement of Tara
31 Lucente and Jamie A. Culoso versus the County of Suffolk for a --
32 an amount of \$500,000.

33
34 **CHAIRPERSON FLEMING:**

35 Thank you, Legislator Berland. I have to make one correction with
36 regard to the Madeska case. Legislator Trotta voted in opposition
37 and the vote was in the affirmative by the rest of the committee.

38
39 And seeing no further business of the committee, thank you all. We
40 are adjourned.

41
42
43 **THE MEETING CONCLUDED AT 1:25 PM**

DATE

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\$100 [1] - 2:54
\$250 [1] - 4:23
\$40,000 [1] - 10:23
\$500,000 [1] - 10:32

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0100-169.00-02.00-053.000 [1] - 7:56
0200-033.00-02.00-005.000 [1] - 8:21
0200-394.00-07.00-015.000 [1] - 7:43
0200-938.00-04.00-021.001 [1] - 6:37
0400-155.00-01.00-003.000 [1] - 6:53
0400-277.00-04.00-058.000 [1] - 5:39
0500-055.01-01.00-083.000 [1] - 8:33
0500-118.00-01.00-044.000 [1] - 7:17
0500-456.00-01.00-119.000 [1] - 7:30

1

11788 [1] - 2:33
118 [1] - 5:38
12 [3] - 2:46, 3:39, 4:40
12:34 [1] - 1:54
12:49 [1] - 10:16
14 [1] - 6:48
1475 [4] - 2:44, 3:37, 4:53, 5:10
1489 [5] - 2:45, 2:53, 5:12, 5:25, 5:32
1492 [2] - 5:36, 6:33
1500 [3] - 6:35, 6:48, 7:12
1501 [2] - 6:51, 7:12
1502 [2] - 7:15, 7:25
1503 [1] - 7:27
1504 [1] - 7:40
1505 [2] - 7:53, 8:16
1506 [2] - 8:16, 8:18
1507 [1] - 8:31
1520 [1] - 8:43
1545 [1] - 9:7
16-1976 [8] - 6:35, 6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31
1:24 [1] - 10:16
1:25 [1] - 10:44

2

2021 [4] - 1:16, 3:37, 5:12, 5:36
22 [1] - 1:16
280-2020 [1] - 8:44

4

4-2-0-1 [1] - 5:6
46 [8] - 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32

6

6-0-0-1 [12] - 5:28, 6:29, 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53
6-2021 [1] - 9:7
6100 [1] - 2:33
631)853-3685 [1] - 2:34

7

725 [1] - 1:15
7th [2] - 1:29, 9:34

9

9th [1] - 9:34

A

able [2] - 6:3, 9:23
absence [2] - 1:23, 2:9
Abstentions [1] - 6:26
abstentions [1] - 9:50
accepted [1] - 2:34
accordance [1] - 2:16
acquired [8] - 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32
act [1] - 5:13
Act [8] - 6:37, 6:53, 7:17, 7:29, 7:42, 7:55, 8:20, 8:33
actual [1] - 9:38
addressing [1] - 2:29
adjourned [1] - 10:40
adopted [1] - 8:43
Adopting [3] - 3:37, 5:12, 5:36

adopting [1] - 5:36
afternoon [1] - 2:1
agenda [2] - 3:18, 3:24
ago [1] - 6:10
Aide [1] - 1:42
ALSO [1] - 1:28
Amending [1] - 9:7
amendment [1] - 4:33
amount [1] - 10:32
AN [1] - 10:16
Andreas [1] - 7:42

appropriate [1] - 9:24
approval [2] - 3:22, 4:1
approve [13] - 3:48, 3:54, 4:7, 4:22, 4:54, 5:17, 6:17, 6:38, 6:41, 8:44, 8:52, 8:53, 9:8

APPROVED [10] - 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53
approved [6] - 3:19, 3:21, 6:48, 7:25, 8:16, 10:22
areas [1] - 2:25
articulate [1] - 4:17
AT [1] - 10:44
ATTENDANCE [1] - 1:28

attendance [1] - 2:11
attention [1] - 2:32
auction [2] - 6:4, 6:14
auctioned [1] - 5:56
audio [1] - 2:33
Auditorium [2] - 1:14, 2:24
authorize [3] - 5:37, 6:7, 10:30
Authorizing [9] - 6:35, 6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31, 8:43
available [1] - 2:28
Avenue [1] - 5:38

B

ballot [1] - 4:19
based [1] - 4:45
begin [1] - 2:2
beginning [2] - 4:34, 9:19
Berland [6] - 1:21, 2:3, 5:39, 8:51, 10:26, 10:35

BERLAND [10] - 3:50, 4:3, 5:6, 5:41, 5:47, 5:54, 6:9, 6:21, 8:47, 10:28
betting [1] - 8:6
Box [1] - 2:33
Bridget [1] - 1:20
building [4] - 2:13, 2:17, 2:20, 2:24
Building [1] - 1:14
business [1] - 10:39
BY [2] - 1:38, 1:41

C

CALARCO [16] - 5:7, 5:29, 6:30, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:17, 9:30, 9:36, 9:54
Calarco [1] - 1:29
calendar [9] - 6:38, 6:42, 6:49, 7:12, 7:13, 7:25, 8:16, 8:53, 8:54
CALENDAR [10] - 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53
callers [1] - 2:34
campaign [2] - 5:13
cannot [1] - 9:21
Caracappa [2] - 1:13, 2:24
card [1] - 2:9
care [1] - 6:2
Carolyn [2] - 7:56, 8:2
carries [2] - 5:3, 10:1
Carrigan [1] - 7:17
case [2] - 3:2, 10:36
catch [1] - 4:53
certain [1] - 8:43
Chair [3] - 1:21, 4:31, 10:29
chair [1] - 10:26
CHAIRPERSON [34] - 1:56, 2:7, 3:16, 3:29, 3:56, 4:6, 4:13, 4:27, 4:52, 5:9, 5:22, 5:31, 5:50, 6:6, 6:16, 6:24, 6:32, 7:4, 7:11, 7:24, 7:37, 7:50, 8:8, 8:28, 8:40, 8:50, 9:4, 9:14, 9:27, 9:40, 9:47, 9:56, 10:12, 10:34
Chairperson [1] - 1:20
CHAIRWOMAN [1] - 3:9
chance [2] - 4:25,

6:2
change [1] - 9:42
Charter [1] - 3:37
checks [1] - 2:18
Chief [1] - 1:31
Christine [1] - 7:42
Christopher [1] - 10:23
clarify [2] - 4:21, 4:33
clean [1] - 4:23
clear [2] - 2:49, 10:18
Clerk [1] - 2:31
Clerk's [2] - 2:32, 10:14
Clerk/Suffolk [1] - 1:31
closed [2] - 3:42, 3:45
CN [4] - 5:56, 6:3, 6:7, 6:18
Co [10] - 6:37, 6:53, 7:17, 7:29, 7:30, 7:43, 7:56, 8:21, 8:33, 8:44
Co-Executors [1] - 7:29
coming [1] - 3:30
comment [1] - 2:12
comments [2] - 2:35, 3:30
COMMITTEE [1] - 1:2
committee [5] - 2:12, 3:19, 10:22, 10:37, 10:39
Committee [2] - 1:12, 2:2
competition [2] - 2:55, 3:1
Comptroller [1] - 3:39
CONCLUDED [1] - 10:44
conference [2] - 1:16, 10:14
consent [9] - 6:38, 6:41, 6:48, 7:12, 7:13, 7:25, 8:16, 8:52, 8:54
CONSENT [10] - 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53
consider [2] - 3:7, 3:24
continue [2] - 2:50, 4:47
contractors [3] - 2:55, 3:2, 5:14
contributions [1] -

DATE

5:13
conveyance [1] - 5:37
correct [1] - 6:22
corrected [1] - 4:36
correcting [1] - 4:40
correction [1] - 10:35
corrections [1] - 8:43
correspondence [1] - 2:9
counsel [1] - 9:15
Counsel [3] - 1:30, 4:31, 9:18
COUNTY [1] - 1:6
County [20] - 1:12, 1:31, 2:2, 2:16, 2:33, 2:55, 3:38, 3:39, 5:14, 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32, 9:8, 10:31
couple [2] - 6:10, 10:4
course [1] - 4:47
Court [1] - 1:39
COVID-19 [2] - 2:16, 2:18
create [1] - 4:46
creates [1] - 4:44
Cruz [1] - 6:53
Culoso [1] - 10:31
current [2] - 6:1, 6:13

D

D.P.O [2] - 4:30, 4:49
Dan [3] - 1:31, 5:32, 6:55
dates [3] - 9:19, 9:31, 9:34
Deanna [1] - 7:30
December [1] - 9:34
decide [3] - 4:18, 4:22, 4:24
Deleyer [2] - 7:42
delinquent [1] - 5:38
democratic [1] - 2:56
Denise [1] - 1:42
Deputy [1] - 1:31
Derek [1] - 1:32
designated [1] - 2:25
die [1] - 3:23
disclose [2] - 2:21, 2:22
discussing [1] - 10:5
discussion [1] - 10:25
Distribute [1] - 7:55

distribute [1] - 8:1
distributed [1] - 2:36
distributing [1] - 8:3
District [1] - 1:29
Dix [1] - 5:38
donate [1] - 2:54
Donnelly [2] - 1:23, 2:8
DONNELLY [13] - 5:7, 5:28, 6:30, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
DPO [1] - 1:22
DuBois [1] - 1:31
DUBOIS [15] - 5:5, 5:27, 6:28, 6:44, 7:1, 7:7, 7:20, 7:33, 7:46, 8:12, 8:24, 8:36, 8:56, 9:52, 10:9
Duncan [2] - 7:56, 8:2

E

e-mail [1] - 2:31
earmarked [1] - 4:23
East [1] - 9:25
election [1] - 4:41
elections [4] - 4:33, 4:34, 4:44, 4:46
employee [2] - 3:2, 5:14
employees [1] - 2:55
enact [1] - 5:12
End [1] - 9:25
enter [1] - 2:17
Estate [2] - 7:29, 7:56
estate [1] - 8:1
exactly [1] - 9:12
excused [2] - 1:23, 2:8
exec [2] - 10:13, 10:19
Exec [9] - 6:37, 6:54, 7:17, 7:30, 7:43, 8:1, 8:21, 8:33, 8:44
Executive [1] - 3:38
executive [5] - 10:3, 10:4, 10:21, 10:25, 10:29
EXECUTIVE [1] - 10:16
Executors [1] - 7:29
expressed [1] - 2:51

F

fact [2] - 4:17, 9:23

Farabaugh [2] - 8:20
favor [7] - 5:2, 5:24, 6:26, 6:42, 8:54, 9:49, 10:6
field [1] - 2:53
finance [1] - 5:13
first [2] - 4:8, 5:2
fixing [1] - 9:7
flag [1] - 2:3
Fleming [1] - 1:20
FLEMING [35] - 1:56, 2:7, 3:9, 3:16, 3:29, 3:56, 4:6, 4:13, 4:27, 4:52, 5:9, 5:22, 5:31, 5:50, 6:6, 6:16, 6:24, 6:32, 7:4, 7:11, 7:24, 7:37, 7:50, 8:8, 8:28, 8:40, 8:50, 9:4, 9:14, 9:27, 9:40, 9:47, 9:56, 10:12, 10:34
forth [1] - 3:10
Four [1] - 5:6
Frank [2] - 1:33, 2:38
FROM [1] - 10:16
Fugarino [3] - 1:33, 2:38, 2:39
FUGARINO [3] - 2:42, 3:13, 3:26
full [1] - 9:38

G

Gabrielle [1] - 1:39
general [1] - 6:19
generally [1] - 3:10
gentleman [1] - 4:17
given [1] - 6:1
gonna [3] - 5:55, 6:2, 10:25
great [1] - 10:18

H

Hahn [4] - 1:22, 4:28, 6:40, 9:9
HAHN [2] - 4:30, 4:49
handle [1] - 4:34
handled [1] - 4:32
hard [1] - 4:41
Hauppauge [1] - 2:33
heading [1] - 10:13
HEARING [1] - 6:29
hearing [1] - 3:42, 3:45, 5:20, 5:45, 5:48, 5:52, 6:11, 6:17, 6:18, 6:25, 6:33
hearkens [1] - 9:41
heir [1] - 7:55

held [2] - 1:13, 2:13
HELD [1] - 10:16
Hernandez [1] - 6:53
Highway [1] - 1:15
Hills [1] - 5:38
hopefully [1] - 2:44
hoping [1] - 3:5
horseshoe [1] - 10:19
host [1] - 9:21
hybrid [1] - 9:21
hybrid/Zoom [1] - 1:15

I

important [1] - 2:56
IN [14] - 1:28, 5:7, 5:29, 6:30, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
in-person [4] - 2:11, 2:12, 9:23
INCLUDED [13] - 5:7, 5:29, 6:30, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
individual [1] - 2:54
individuals [2] - 2:26, 4:35
inside [3] - 2:20, 2:23, 2:24
interested [2] - 1:34, 2:28
INTRODUCTORY [1] - 5:34
issue [2] - 4:40, 6:12
it'll [1] - 9:37

J

Jamie [1] - 10:31
John [2] - 7:17, 7:29
July [1] - 1:16

K

Kara [1] - 1:22
KENNEDY [1] - 3:53
Kennedy [2] - 1:24, 10:6
knows [1] - 5:55
Krupski [1] - 9:42

L

large [1] - 3:2
last [1] - 6:2
law [1] - 7:55
Law [15] - 3:37, 5:12,

5:36, 6:35, 6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31, 9:23
least [1] - 4:25
leave [1] - 2:35
led [1] - 2:3
IEG [1] - 5:16
LEG [31] - 3:41, 3:47, 3:50, 3:53, 4:3, 4:10, 4:16, 5:6, 5:7, 5:28, 5:41, 5:47, 5:54, 6:9, 6:21, 6:29, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 8:47, 9:2, 9:11, 9:44, 9:54, 10:28

Legislative [6] - 1:13, 1:29, 1:42, 2:12, 2:13, 9:37
Legislator [19] - 1:20, 1:21, 1:22, 1:23, 1:24, 1:25, 2:3, 2:8, 3:38, 4:28, 5:23, 6:40, 8:51, 9:9, 9:28, 10:6, 10:26, 10:35, 10:36

Legislators [7] - 2:29, 2:36, 2:50, 3:18, 3:22, 4:42, 4:43
LEGISLATURE [1] - 1:6

Legislature [7] - 1:13, 1:14, 1:30, 1:31, 2:33, 9:8, 9:38

Legislature's [1] - 2:2

Lenton [1] - 7:55
Leslie [1] - 1:24
letting [1] - 4:18
levels [1] - 2:53
lifetime [3] - 4:41, 4:45, 4:46

limit [1] - 5:13
limited [1] - 2:14
limits [2] - 2:45, 3:38
litigation [2] - 10:5, 10:24

Local [13] - 3:37, 5:12, 5:36, 6:35, 6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31
Lucente [1] - 10:31

M

Madame [2] - 4:31, 10:29
Madeska [3] - 10:22, 10:23, 10:36
mail [2] - 2:31, 2:32
majority [3] - 3:19,

DATE

3:21, 3:22

Maria [1] - 6:53
Mark [1] - 8:20
mask [2] - 2:20, 2:23
matters [1] - 10:4
McCaffrey [1] - 3:39
mean [1] - 4:22
MEANS [1] - 1:2
Means [2] - 1:12, 2:2
measured [1] - 4:45
meet [1] - 9:23
MEETING [1] - 10:44
Meeting [1] - 9:23
meeting [7] - 1:12, 1:54, 2:1, 6:11, 6:19, 9:22, 9:37
meetings [6] - 2:12, 6:10, 9:7, 9:21, 9:25, 9:38
members [2] - 2:17, 2:30
MEMBERS [1] - 1:19
Memorial [1] - 1:15
mentioned [1] - 2:46
message [1] - 2:35
Michael [1] - 8:33
million [1] - 4:23
minute [2] - 2:35, 10:18
MINUTES [3] - 1:8, 1:38, 1:41
minutes [2] - 2:14, 2:40
mistake [2] - 4:20, 4:21
Motion [2] - 5:17, 5:42
motion [54] - 3:20, 3:22, 3:48, 3:51, 3:54, 4:4, 4:7, 4:8, 4:11, 4:14, 4:28, 4:54, 4:55, 5:1, 5:2, 5:23, 5:24, 5:48, 5:51, 5:52, 5:55, 6:17, 6:25, 6:38, 6:39, 6:40, 6:41, 6:54, 7:18, 7:31, 7:43, 8:10, 8:21, 8:34, 8:44, 8:51, 8:52, 8:53, 9:8, 9:9, 9:48, 9:49, 10:1, 10:4, 10:6
motions [1] - 10:3
move [1] - 3:32
moved [5] - 7:38, 7:51, 8:29, 8:41, 9:5
MR [18] - 2:42, 3:13, 3:26, 5:5, 5:27, 6:28, 6:44, 7:1, 7:7, 7:20, 7:33, 7:46, 8:12, 8:24, 8:36, 8:56, 9:52, 10:9
MS [6] - 3:44, 4:39, 5:19, 5:44, 8:5, 9:33

N

needs [1] - 5:45
New [2] - 1:15, 2:33
next [2] - 9:12, 9:18
NOT [13] - 5:7, 5:28, 6:29, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
note [2] - 2:8, 2:10

O

occur [1] - 4:42
occurs [1] - 4:42
October [3] - 6:1, 6:4, 6:14
OF [1] - 1:4
Office [2] - 1:32, 2:32
office [1] - 4:35
Officer [2] - 1:29, 4:53
Officer's [1] - 1:32
offices [2] - 2:45, 3:38
once [1] - 4:20
one [4] - 4:45, 6:2, 6:10, 10:35
Open [1] - 9:23
opinion [1] - 4:24
opportunity [5] - 2:43, 3:11, 3:18, 6:13, 6:18
opposed [6] - 5:2, 5:24, 6:26, 6:42, 8:54, 10:7
OPPOSED [1] - 5:6
opposition [2] - 9:49, 10:36
options [1] - 2:28
order [1] - 1:54
overwhelmingly [1] - 4:20
owner [3] - 6:1, 6:13

P

P.M [2] - 10:16
p.m [1] - 1:54
P.O [3] - 9:17, 9:30, 9:36
pandemic [1] - 9:20
Parker [1] - 7:55
part [1] - 4:40
partial [1] - 4:35
parties [1] - 1:34
passage [1] - 2:44
passed [2] - 2:49, 6:19
people [3] - 4:18,

4:24, 4:25
perpetuated [1] - 4:47
person [4] - 2:11, 2:12, 9:23
piece [1] - 4:41
place [3] - 6:38, 8:53, 9:48
PLACED [10] - 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53
placed [5] - 6:48, 7:12, 7:25, 8:16
playing [1] - 2:53
PM [1] - 10:44
PO [14] - 2:33, 5:7, 5:28, 6:30, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
pockets [1] - 3:1
podium [1] - 2:39
portion [2] - 2:10, 2:12
Pres [1] - 9:8
PRESENT [14] - 1:19, 5:7, 5:28, 6:29, 6:46, 7:9, 7:22, 7:35, 7:48, 8:14, 8:26, 8:38, 9:2, 9:54
presentations [1] - 3:32
presently [1] - 4:43
Presiding [3] - 1:29, 1:32, 4:53
previously [2] - 2:51, 5:37
Price [3] - 7:29, 7:30
problem [1] - 4:44
procedural [1] - 10:3
process [2] - 2:56, 3:17
proof [1] - 2:19
property [11] - 5:37, 6:1, 6:3, 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32
protocols [1] - 2:16
provide [2] - 2:19, 4:41
public [1] - 2:11
PUBLIC [1] - 6:29
public [18] - 2:10, 2:12, 2:17, 2:31, 2:55, 3:2, 3:6, 3:42, 3:45, 5:14, 5:20, 5:45, 5:48, 5:51, 6:17, 6:18, 6:25, 6:33
purposes [1] - 10:5
pursuant [8] - 6:35,

6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31

R

real [9] - 5:37, 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32
really [1] - 3:10
recess [1] - 10:5
recessed [2] - 5:20, 10:13
record [1] - 10:21
recuse [1] - 10:24
redeem [2] - 6:3, 6:13
referendum [1] - 4:19
reform [1] - 5:13
regard [1] - 10:36
regarding [1] - 10:24
regular [2] - 2:1, 2:32
remain [1] - 2:28
Remote [1] - 2:28
requested [1] - 2:19
required [2] - 2:20, 2:23
residents [3] - 2:49, 2:51, 3:1
Resolution [2] - 8:44, 9:7
resolution [2] - 2:53, 6:19
RESOLUTIONS [2] - 3:35, 5:34
resolutions [3] - 2:44, 3:17, 3:33
rest [1] - 10:37
resume [1] - 10:19
resumed [1] - 2:11
Riverhead [3] - 9:21, 9:22, 9:34
Robert [3] - 1:25, 1:29, 7:29
rogers [1] - 2:13
Rogers [1] - 1:14
room [2] - 10:14, 10:18
Rosanne [1] - 6:37
Rose [2] - 1:13, 2:24
Roth [1] - 6:37
Ryder [1] - 5:38

S

safety [1] - 2:16
sale [8] - 6:35, 6:51, 7:15, 7:27, 7:40, 7:53, 8:18, 8:31
Salutation [1] - 2:5

salute [1] - 2:3
Sarah [1] - 1:30
schedule [1] - 9:20
scheduled [1] - 6:14
scheduling [1] - 9:24
schnockered [1] - 4:25
SCTM [9] - 5:38, 6:37, 6:53, 7:17, 7:30, 7:42, 7:56, 8:20, 8:33
seating [1] - 2:25
second [23] - 3:54, 4:7, 4:54, 4:55, 5:23, 5:51, 6:26, 6:42, 6:54, 7:18, 7:31, 7:43, 8:9, 8:10, 8:21, 8:34, 8:45, 8:48, 8:52, 8:54, 9:9, 9:49, 10:5
seconded [3] - 5:52, 6:40, 8:51
Section [8] - 6:36, 6:52, 7:16, 7:28, 7:41, 7:54, 8:19, 8:32
seeing [1] - 10:39
send [1] - 2:31
September [2] - 6:3, 9:34
session [7] - 10:3, 10:4, 10:13, 10:19, 10:21, 10:25, 10:29
SESSION [1] - 10:16
set [3] - 2:45, 3:37, 9:19
settlement [4] - 10:22, 10:23, 10:30
Severs [1] - 1:39
sewers [1] - 4:23
Sharon [1] - 8:20
sign [1] - 2:29
simple [2] - 3:19, 3:21
Simpson [1] - 1:30
SIMPSON [6] - 3:44, 4:39, 5:19, 5:44, 8:5, 9:33
situation [1] - 4:46
six [14] - 4:43, 5:28, 6:29, 6:45, 7:8, 7:21, 7:34, 7:47, 8:13, 8:25, 8:37, 9:1, 9:53, 10:10
small [1] - 3:1
Smithtown [1] - 1:15
Sole [1] - 7:55
someone [1] - 2:38
sometimes [1] - 4:35
soon [1] - 3:23
sorry [7] - 5:36, 5:42, 5:48, 6:7, 6:41, 6:48, 8:10
speakers [1] - 2:13

DATE

special [5] - 4:33,
4:34, 4:41, 4:44, 4:46
start [1] - 9:24
State [2] - 2:16, 9:23
status [2] - 2:22,
2:23
Stein [1] - 1:32
Stenographer [1] -
1:39
still [3] - 3:42, 5:20,
5:45
submitted [1] - 2:35
successful [1] - 2:56
SUFFOLK [1] - 1:6
Suffolk [12] - 1:12,
2:1, 2:32, 6:36, 6:52,
7:16, 7:28, 7:41, 7:54,
8:19, 8:32, 10:31
SuffolkLegislature.
**us/
committeepublicportion**
[1] - 2:30
sum [1] - 10:23
support [3] - 2:44,
2:46, 2:50
supposed [1] - 5:56
Surviving [1] - 7:55
Susan [1] - 1:21

T

table [13] - 3:20,
3:51, 4:4, 4:7, 4:8,
4:54, 4:55, 5:23, 5:48,
5:51, 6:17, 6:25, 6:41
TABLED [4] - 3:35,
5:6, 5:28, 6:29
tabled [9] - 2:44,
2:53, 3:21, 3:32, 3:42,
5:10, 5:32, 5:45, 6:33
tabling [3] - 4:8, 5:1,
5:2
TAKEN [1] - 1:38
Tara [1] - 10:30
Tax [8] - 6:36, 6:52,
7:16, 7:28, 7:41, 7:54,
8:19, 8:32
taxes [1] - 5:38
technical [1] - 8:43
temperature [1] -
2:18
term [3] - 2:45, 3:37,
4:36
terms [2] - 3:17, 4:47
testimony [3] - 2:28,
2:31, 2:34
THE [2] - 1:4, 10:44
they've [1] - 4:19
three [3] - 2:14, 2:35,
2:40

three-minute [1] -
2:35
timing [2] - 6:12
today [3] - 2:9, 2:38,
3:32
Tom [1] - 1:23
topic [1] - 2:40
total [2] - 2:46, 3:39
TRANSCRIBED [1] -
1:41
treated [1] - 3:7
Trotta [5] - 1:25,
5:14, 5:23, 9:28,
10:36
TROTTA [8] - 3:41,
3:47, 4:10, 4:16, 5:6,
5:16, 9:11, 9:44
trotta [1] - 4:14
trying [1] - 4:21
turn [1] - 10:25
two [1] - 9:25
typo [2] - 8:2, 8:6

U

unanimous [1] -
10:30
under [8] - 6:36,
6:52, 7:16, 7:28, 7:41,
7:54, 8:19, 8:32
undergo [1] - 2:17
union [1] - 2:55
unions [3] - 3:2, 3:3,
5:14
UNTIL [1] - 10:16
unvaccinated [1] -
2:25
up [2] - 2:29, 4:53

V

vaccinated [3] -
2:18, 2:21, 2:25
vaccination [3] -
2:19, 2:22
Valerie [1] - 10:22
version [1] - 9:22
versus [1] - 10:31
Veterans [1] - 1:15
via [1] - 1:15
Vice [2] - 1:21, 10:26
Vice-chair [1] - 10:26
visitors [1] - 2:18
voicemail [1] - 2:34
VOTE [26] - 5:6, 5:7,
5:28, 5:29, 6:29, 6:30,
6:45, 6:46, 7:8, 7:9,
7:21, 7:22, 7:34, 7:35,
7:47, 7:48, 8:13, 8:14,
8:25, 8:26, 8:37, 8:38,

9:1, 9:2, 9:53, 9:54
vote [13] - 3:18, 6:11,
6:55, 7:5, 7:18, 7:31,
7:44, 8:9, 8:10, 8:22,
8:34, 10:29, 10:37
voted [2] - 4:20,
10:36
voters [1] - 4:22
voting [1] - 3:23

W

waiting [1] - 4:37
waived [1] - 9:24
wants [1] - 6:39
WAS [1] - 10:16
water [1] - 4:23
WAYS [1] - 1:2
Ways [2] - 1:12, 2:2
wear [2] - 2:20, 2:23
Weaver [1] - 1:42
welcome [2] - 2:1,
2:10
William [2] - 1:14,
2:13
willing [1] - 2:19
wish [3] - 2:17, 2:21,
2:22
wishes [1] - 2:51
Wolf [1] - 8:33
written [1] - 2:31

Y

year [4] - 9:12, 9:18,
9:19, 9:25
years [3] - 2:46, 3:39,
4:40
York [2] - 1:15, 2:33

Z

Zoom [1] - 2:29