

Nepotism law generates a new controversy



POLITICS & POWER

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Oops, or more precisely, double oops. Suffolk County election officials decided last week to give a \$92,699 raise to the sister-in-law of county Legis. Monica Martinez.

But the move can't be finalized unless county lawmakers vote to promote Marisol Martinez to the \$138,900-a-year job of Hispanic outreach coordinator, tripling her pay.

What's more, legislators will have to vote whether to retroactively authorize the hiring of Marisol Martinez for her current position as a \$45,994-a-year assistant elections clerk. That's because she never got legislative approval when she first went to work for the county three years ago.

The problem has arisen be-

cause Suffolk's nepotism law requires prior legislative approval for hiring and promotions of relatives of elected county officials, department heads and others with hiring power.

Election officials on Monday disclosed the promotion of Marisol Martinez, who also is married to Babylon Town Board member and Deputy Town Supervisor Tony Martinez.

Also, Tina Ramos, daughter of Assemb. Phil Ramos (D-Brentwood), was demoted from the coordinator's job to the assistant elections clerk post.

Ramos' demotion came after Phil Ramos' wife, Angela, lost to Monica Martinez in a Democratic primary last fall. Tina Ramos did not need a nepotism resolution because her father is not a county official.

The nepotism issue surfaced in Marisol Martinez's case when officials, responding to a Newsday inquiry, acknowledged no resolution had been filed to authorize her promotion, due to take effect March 1, and that no

resolution was filed at her original hiring.

A resolution for her promotion, filed late Friday, can't be acted on until at least March 6, the date of the next legislative meeting, if the measure is treated as an emergency resolution. Passage would require a two-thirds majority, or 12 votes.

If the measure goes through committee, only 10 votes would be needed for passage at the March 20 meeting. Democrats have an 11-7 edge over Republicans.

Legis. Robert Trotta (R-Fort Salonga) said he could not back the raise in light of Suffolk's \$150.3 million budget deficit.

"Given the tight fiscal times, I can't vote for anyone getting a \$92,000 a year raise," said Trotta. "I want to see the work product . . . to justify a \$138,000-a-year salary."

The impending vote is likely to make lawmakers on both sides squeamish.

Democrats could face the prospect of a barrage of negative campaign mail if they vote for a

\$92,000 raise for a party patronage appointee.

Republicans could be reluctant to in any way threaten the same \$138,900 salary of the elections board's GOP Hispanic outreach coordinator Jesse Garcia, who is Brookhaven Republican chairman.

Presiding Officer DuWayne Gregory said he will sponsor the resolution to correct Marisol Martinez's problem, but said "there has to be a better way of tracking who fits under" the nepotism law.

Gregory acknowledged the large raise for Martinez, but emphasized the pay for the job itself is unchanged. He said there must be pay parity between the Democratic and Republican outreach coordinators, positions that are required under the federal Help America Vote Act.

"If there's a lower salary for one, there would also have to [be] a lower salary for their counterpart," he said.

"The level of incompetence is breathtaking," said Legis. Tom Cilmi, the GOP caucus leader.

When a similar mistake occurred last year, Cilmi said, "We made it clear we wouldn't tolerate these types of mistakes moving forward." Cilmi declined to say whether his caucus will vote against the nepotism measure for Marisol Martinez.

Until last year, the law not only required a legislative vote, but required the county comptroller to recoup salary or raises of those who hadn't gotten legislative approval.

Lawmakers eased the law in 2017 to make such clawbacks discretionary after then-Legis. Tom Barraga's daughter Elaine, a deputy county attorney, got a cumulative \$195,000 in unapproved raises from 2011 to 2017. The legislature approved her raises retroactively, making her annual pay \$156,666.

"They had an opportunity to draw a line in the sand, when they sanctioned a \$195,000 violation a year ago," Paul Sabatino, a former chief deputy county executive, said of county lawmakers. "But now they've tied their hands in the future from ever saying no."

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